

TEACHING ABOUT CONSENT IN PSHE EDUCATION AT KEY STAGES 3 AND 4

MARCH 2015

JOINT MINISTERIAL FOREWORD

All young people need to know the importance of building healthy relationships and identifying those relationships that are unhealthy. Education has a key role to play in this. We want to support young people by ensuring teachers have the best materials to use in schools. We strongly welcome this new guidance on consent from the PSHE Association, which challenges myths and assumptions relating to consent, encourages open classroom discussion and reinforces the legal framework in this area.

We are pleased that this consent guidance has been created to meet the needs of all pupils. It places the issue of consent in the context of young people's real lives and explores the influence of peer pressure, alcohol and drugs, as well as the role that technology can play, for example in abuse and unhealthy relationships. The guidance is relevant to young people, and can help to empower them in their daily lives.

This government is absolutely committed to ending violence against women in all its forms. Our cross-government strategy, *A Call to End Violence against Women and Girls*, focuses on the guiding principles of prevention, services for victims, working in partnership, risk reduction and justice for victims. It also acknowledges that more should be done to promote good practice in the teaching of consent in sexual relationships in schools. This consent guidance helps to fulfil this aim, and supports our *This is Abuse* campaign which has been helping to educate young people about damaging behaviours within relationships.

We are confident that teachers will welcome this excellent resource which will help them provide pupils with the skills and knowledge to keep themselves and others informed, healthy and safe.

A handwritten signature in black ink that reads "Nicky Morgan".

The Right Honourable Nicky Morgan MP,
Secretary of State for Education

A handwritten signature in black ink that reads "Theresa May".

The Right Honourable Theresa May MP,
Home Secretary

INTRODUCTION

The Home Office Action Plan, *A Call to End Violence against Women and Girls* (2014),¹ calls for more to be done to ‘promote the teaching of sexual consent and the importance of healthy relationships in schools’. In response, we have produced this guidance for teachers working with pupils at key stages 3 and 4.

Learning about consent should begin before young people are sexually active, otherwise it is too late. As part of learning about consent, pupils must learn that the law is clear that sexual activity is illegal for young people under the age of 16. We know, however, that some young people are sexually active before 16, and learning about healthy relationships is crucial to keeping them healthy and safe from abuse and exploitation. Recognising that some young people will be sexually active before the age of 16 does not equate to encouraging underage sexual activity. Furthermore, the key learning set out in this guidance – about respecting the rights of others, communication, negotiation and considering the freedom and capacity of others to make choices – is crucial in a range of situations young people will encounter in their lives.

The guidance encourages non-judgemental classroom discussion, a key feature of high-quality PSHE education. It also seeks to reinforce three points of key learning for all pupils, which reflect the law as well as basic human rights:

- It is the *person seeking* consent who is responsible (ethically and legally) for ensuring that consent is given by another person, and for ensuring that that person has the freedom and capacity to give their consent.
- If consent is not clear, informed, willing and active, it must be assumed that consent has not been given. If consent is not clearly given, or is given and then subsequently retracted, this decision must always be respected. Since people can change their minds, or consent to one thing but not to something else, the seeker of consent must keep assessing whether consent is clear, informed, willing and active. Consent must be seen as an ongoing process, not a ‘one-off’.
- In healthy relationships, both parties respectfully seek each other’s consent and know that their decision to give or not give consent will be respected. A person is never to blame if their decision not to give consent or to withdraw consent is not respected.

This learning is very important for all young people, so this guidance is intended for use in single-sex and mixed-sex schools and state and independent schools in every part of the country, serving a range of different communities. The source material is therefore largely non-specific in relation to gender and background and can be tailored to meet the needs and circumstances of pupils whatever their sex, sexual orientation, gender identity, socio-economic or cultural background, and whether or not they have special educational needs or disabilities. Whatever the setting, the material must be used by teachers who are trained and confident in the subject and who have adequate curriculum time to do justice to the complex and challenging issues which are explored.

While this guidance has been created to meet the needs of all pupils, factors such as sex, sexual orientation, gender identity and background remain important considerations when

teaching about consent. For example, [recent research from the Office of the Children's Commissioner](#)² clearly demonstrates that young people's understanding of consent is distinctly gendered. This research is essential reading for teachers exploring consent (whatever the gender make-up of their class), and we draw on it heavily throughout this guidance. The sexual orientation, gender identity, and socio-economic, family and cultural background of pupils – and whether they have special educational needs or disabilities – may also have an impact on their understanding of consent and their vulnerability to non-consensual situations. This guidance gives advice about the appropriate points at which teachers should address these issues, and provides a series of lessons which are inclusive and relevant for all.

The best PSHE education is a partnership between home and school, so teachers should ensure that parents and carers are fully involved and this guidance provides links to advice on how to do so effectively. The guidance should be read and used alongside these documents and the school's safeguarding/child protection policy. We point out particular instances in which it is important and appropriate for teachers and other professionals to refer to the school's policy and speak to the school's Designated Child Protection Officer (DCPO, sometimes known as 'safeguarding lead'). We also refer to [NSPCC guidance on safeguarding in schools](#),³ which schools may wish to use to update their own safeguarding policies alongside the Department for Education guidance, [Keeping Children Safe in Education \(DfE 3.4.14\)](#).⁴

We hope you find this guidance useful. We will continue to update the document so please provide any feedback you have to info@pshe-association.org.uk.



Joe Hayman, PSHE Association Chief Executive
March 2015

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TEACHING ABOUT CONSENT IN PSHE EDUCATION – AN INTRODUCTION

This guidance is in two sections:

- Section 1 provides background information about the concept of consent, some of the issues involved and the law relating to sexual consent.
- Section 2 provides detailed teaching material for teachers to help them support the safe and effective exploration of consent with key stage 3 and 4 pupils, with an emphasis on healthy relationships.

KEY TERMS

The following definitions* are used throughout the document:

Consent is agreement which is given willingly and freely without exploitation, threat or fear, and by a person who has the capacity to give their agreement.

Sexual consent refers to a positive choice to take part in a sexual activity by people who understand the nature and implications of the activity they are agreeing to. Both parties take part not because they have to, but because they *want* to. Consent must be free – an active, personal choice; it must not be inferred, assumed, coerced or gained by exploitation. In addition, the person giving consent must have the capacity to do so: they should be old enough, have all the information they need to make the decision, and be in a fit state to give consent (and not, for example, with their judgement impaired by alcohol or drugs). It is the person seeking consent who is legally and ethically responsible for ensuring that consent is given and meets these criteria, and because people may change their minds or consent to one activity but not another, the seeker of consent should not see seeking consent as a ‘one-off’ but rather a continuing process of making sure the other person is consenting.

The key **signs of consent** are that the person clearly wants to engage in the activity and actively demonstrates this verbally and/or through their body language. There should be no ambiguity or confusion about whether consent is given: ‘not saying no’ is not giving consent. Both ethically and in the law, responsibility for ensuring that consent has been given lies with the person seeking consent. This means being sure that a partner is actively consenting and that none of the conditions which prevent free, informed consent (such as manipulation or exploitation) are present.

Consent should be explored in the context of pupils learning about **healthy relationships** and this should not be solely limited to situations of a sexual nature. For example, when looking at the definition of consent above, pupils may suggest that there are times during a relationship when people do things they wouldn’t necessarily *want* to do but *choose* to do for a partner or friend. This could be as simple as watching a film which a friend really wants to see. In response, teachers may highlight the idea of a healthy relationship in which both parties care

* These definitions are drawn from [Crown Prosecution Service \(CPS\) guidance on consent](#).⁵ If pupils ask for the legal definition of consent, you should refer to this guidance.

about and respect one another, seek each other's consent for a variety of different things and want to do things for each other, while respecting each other when consent is not given.

Key concepts in a 'healthy relationship' are mutual respect, trust and reciprocity. A healthy relationship can be contrasted with an **unhealthy relationship** – an unequal relationship without mutuality, respect and reciprocity, where one person has more power or control and manipulates or takes advantage of the other.

SECTION 1: EXPLORING CONSENT AS A CONCEPT AND IN THE LAW

CONSULTING PARENTS

Before beginning to plan lessons on consent, it is worth remembering that the most effective PSHE education is a collaboration between school and home, and this is especially true in relation to sex and relationships education, where statutory guidance from the Department for Education makes clear schools' obligations in relation to consulting parents and carers and involving governors in developing the school sex and relationships education (SRE) policy. Please refer to the PSHE Association's [guidance on developing your SRE policy](#)⁶ and [Department for Education statutory SRE guidance](#)⁷ when considering parental consultation on your approach to SRE.

Whenever lessons on specific issues like consent are covered it is very important to notify parents and carers, who will want to be prepared to answer their children's subsequent questions or simply talk together about their children's learning. When informing parents about this particular set of lessons on consent, you may wish to tell them that they have been produced by the leading national body for the subject under funding from the Department for Education.

LAYING THE FOUNDATIONS

All pupils should appreciate the critical importance of building healthy relationships in which both parties respectfully seek consent and respect one another when consent is not given. Pupils must therefore be supported to develop the knowledge, skills, attributes and language necessary to seek, give, not give and retract consent.*

This process starts by imagining a young person in a real-life situation seeking someone else's consent, or choosing whether or not to give their consent, or whether to withdraw their consent. They will need to:

- understand what a healthy relationship looks like, appreciating that such relationships take many different forms but are always characterised by equity and mutual respect
- understand the concept of consent and what it means in a healthy relationship
- know that both ethically and in law it is the person seeking consent who is responsible for ensuring that consent has been given, and that this cannot simply be assumed
- know their responsibilities if consent is given or not given, or if consent is given and then later withdrawn, and in particular the right of the other person to be respected whatever they decide – this means they need to understand consent not as a 'one-off' decision but

* All pupils need to learn the responsibilities involved in seeking, giving, refusing and retracting consent. The responsibility, both ethically and in law, is on the person seeking consent to ensure that the consent is genuine and that the person giving consent has the freedom and capacity to do so. It is important that all pupils understand this as the basis for healthy, equal, mutual relationships in which both parties respectfully seek one another's consent and respect each other if consent is not given.

rather as a continuing process in which the person seeking consent frequently checks that the other person is still giving consent

- understand exactly what they are asking another to consent to, or what they are being asked to consent to.

Pupils will also need to develop relevant skills and personal attributes. Consent is not just something we learn academically; it is also something we apply in our daily lives in a range of different contexts. It requires skills, strategies, a strong belief in our own self-worth and respect for others. Even for many adults there is a big difference between *knowing* your rights and being able to *exercise* your rights.

Communication about consent is also very important, and involves accurately interpreting both verbal and non-verbal communication. It is important that both types of communication are explored. Strategies for managing manipulation are, unfortunately, also necessary. Alongside learning about healthy relationships, pupils should also learn to recognise and manage the tactics used by people who do not respect them or who seek to undermine their right to not give or to withdraw consent. Teaching pupils about keeping themselves safe is crucial, but in doing so it is important to reinforce that it is the person who engages in an activity without the other person's consent who is responsible, and that in such circumstances the victim is never to blame.

BUILDING TEACHING ABOUT CONSENT INTO A PLANNED PSHE EDUCATION PROGRAMME

[Section 2.5 of the national curriculum](#)⁸ states that all schools should offer a programme of PSHE education, of which sex and relationships education (SRE) is a key element. Any aspect of SRE, including sexual consent, should always be taught in line with the school's SRE policy, which is the responsibility of the school's governing body.* Any school (including academies, free schools and independent schools) teaching about consent as part of an SRE programme must have regard to the [Department for Education's statutory guidance](#)⁹ on the subject.

The PSHE Association Programme of Study

The Department for Education has not published a national programme of study for PSHE education. In this context, the PSHE Association has published its own [Programme of Study](#),¹⁰ which sets out the overarching concepts and essential skills, addressed through three 'core themes'. Consent is identified as one of the key overarching concepts which pupils should learn about, alongside linked concepts such as rights, responsibilities and justice.

'Relationships' is one of the three core themes in the Programme of Study. It sets learning about consent alongside the role of sex in the media, the internet and social media (including sharing sexual images and pornography); negotiation, respect and boundaries within relationships; gender norms and sexism; and sex, gender identity and sexual orientation. As this guidance explores, these issues are often interlinked in young people's lives, and lessons about consent must therefore always be part of a broader PSHE education programme.

* [Department for Education statutory guidance on SRE](#)¹¹ states that schools should consult parents and pupils on the nature of SRE provided in the school. However, the definition of consent set out in this document is a matter of both English law and universal human rights, and should therefore be covered by all schools teaching about consent.

Key linked concepts

Concepts such as mutual respect, empathy, trust, shared responsibility for each other's wellbeing, fairness, negotiation, communication, personal safety, bullying and abuse should all be explored as part of a planned programme about 'healthy relationships'. This needs to underpin work on consent, as set out in the PSHE Association's [Programme of Study](#).¹²

Risk is another key concept pupils should explore. It is important for children and young people to be curious and adventurous, but at the same time they also need to learn how to keep themselves safe. Learning to understand, manage and mitigate risks is an essential life skill, and a key element of an effective PSHE education programme. This includes taking positive, well-considered risks at an appropriate time and taking sensible steps to keep safe. However, when talking about risk in the context of learning about consent, it is important to reinforce that while people may take risks, and can take steps to mitigate those risks, they are never to blame when others fail to respect their decision not to give consent or to withdraw consent.

The lesson plans provided in section 2 of this guidance are for key stages 3 and 4. However, it is important to note that the PSHE Association's Programme of Study sets out how this essential learning can be provided in an age-appropriate way from key stage 1 to key stage 4 – laying the foundations in key stages 1 and 2 for the more specific teaching about consent provided here.

In teaching about consent it is important to link it with related issues. As the lesson plans in section 2 set out, prevailing gender norms – many highly pernicious – are clearly linked to myths, assumptions and misunderstandings about consent. Similarly, online pornography and sexual images shared via social media are widely available to young people and frequently depict situations where consent is not clearly negotiated. [These have been shown to have a significant impact on young people's attitudes towards sex and relationships](#)¹³. Consent must also be considered alongside notions of abuse when exploring child sexual exploitation and gang activity.

The underlying learning is the same whether the context is a situation where someone is being touched inappropriately, asked to share a sexual image or take part in an illegal activity, or exploited sexually in a group or gang.

Other key documents to draw on

All teachers of sex and relationships education in English state schools must have regard to the [Department for Education's SRE guidance \(2000\)](#).¹⁴ The Department for Education has also recently issued statutory guidance on [Keeping Children Safe in Education](#).¹⁵ The PSHE Association and its partners have produced a range of additional documents to support schools with addressing related issues:

- [Joint PSHE Association, Brook and Sex Education Forum supplementary advice to the Department for Education's 2000 guidance](#)¹⁶
- [PSHE Association 'frequently asked questions' on pornography and sharing of sexual images](#)¹⁷
- [PSHE Association guidance for schools on drafting their SRE policy](#)¹⁸
- [PSHE Association Programme of Study for PSHE education](#)¹⁹
- [NSPCC guidance on safeguarding in schools](#)²⁰

Key principles in teaching about consent

When teaching about consent, teachers should determine the needs of their pupils and choose the most appropriate lessons from those provided in section 2 of this pack, bearing in mind how important it is to build on and complement existing learning. The scenarios used in the lessons enable concepts to be explored from a variety of different angles. They can be adapted to fit specific programmes and can be differentiated to meet pupils' needs. However, you should make sure that all lessons:

- are taught in a safe classroom environment
- start from where pupils are in terms of their existing knowledge, understanding, skills, beliefs and attitudes
- are taught in a non-judgemental way
- are grounded in realistic scenarios but not the personal experiences of either pupils or teachers
- are taught by teachers who have adequate support from colleagues
- take pupils' current circumstances and previous experiences into account
- challenge unrealistic social norms
- bear in mind the possible influence of pornography and shared sexual images on pupils' attitudes
- assess pupils' progress.

These requirements are explored in further detail below, together with more detail on key concepts relating to consent and the law relating to consent.

THE IMPORTANCE OF CREATING A SAFE CLASSROOM ENVIRONMENT

It is important that if pupils make personal disclosures to school staff they do so in a suitable, one-to-one setting. It is not appropriate, therefore, to encourage pupils to talk about intimate personal matters in the classroom. This means that before teaching about issues like consent, clear 'ground rules'* should be established or reinforced, and the concepts of anonymity and confidentiality covered at the start of the lesson. When covering confidentiality, pupils should be clear that teachers cannot promise to keep information confidential, and that they will share information with staff members with safeguarding responsibilities if they think pupils are at risk or in danger. Ground rules need to be regularly revisited and, if necessary, renegotiated and reinforced.

Ground rules are most effective when they have been negotiated and agreed with the pupils, rather than imposed by the teacher. Below are some examples to discuss if they do not arise naturally.

Ground rule	What this might mean to pupils
Openness	<i>We will be open and honest, but not discuss directly our own or others' personal/private lives. We will discuss general situations as examples but will not use names or descriptions which could identify anyone. We will not put anyone 'on the spot'.</i>

* Sometimes referred to as a 'learning agreement', 'group agreement' or 'working contract'.

Keep the conversation in the room	<i>We feel safe discussing general issues relating to sex and relationships within this space, and we know that our teacher will not repeat what is said in the classroom unless they are concerned we are at risk, in which case they will follow the school's safeguarding policy.</i>
Non-judgemental approach	<i>It is okay for us to disagree with another person's point of view but we will not judge, make fun of, or put anybody down. We will 'challenge the opinion not the person'.</i>
Right to pass	<i>Taking part is important. However, we have the right to pass on answering a question or participating in an activity.</i>
Make no assumptions	<i>We will not make assumptions about people's values, attitudes, behaviours, life experiences or feelings.</i>
Listen to others	<i>We will listen to the other person's point of view and expect to be listened to.</i>
Using language	<i>We will use the correct terms for the things we will be discussing rather than the slang terms, as some people can find them offensive. If we are not sure what the correct term is we will ask our teacher.</i>
Asking questions	<i>We know that there are no stupid questions. We do not ask questions to deliberately try to embarrass anyone else. There is a question box available for anonymous questions.*</i>
Seeking help and advice	<i>If we need further help or advice, we know how and where to seek it confidentially, both in school and in the community. We will encourage friends to seek help if we think they need it.</i>

It is important to recognise that discussions about consent, even in the abstract, may trigger memories of events in pupils' own lives, including moments when they realise that an event in their past was non-consensual. Whatever their role was in those circumstances, this could be a very serious safeguarding issue and should be treated as such.

If, in spite of clearly set ground rules and signposting of opportunities for confidential matters to be discussed outside the classroom, a disclosure is made in a PSHE lesson, teachers should follow their school's safeguarding policy. The school's safeguarding policy should also be followed if pupils indicate that they wish to opt out of lessons on consent, either before the lesson starts or during the lesson, because of a prior experience relating to a non-consensual situation.

During lessons, PSHE teachers should make clear the opportunities for young people to talk about personal situations in a suitable one-to-one setting. It is vital that pupils are given reassurance about the consequences of seeking that support.

* Teachers should make sure this box is available from the start of the lesson and ensure that it is accessible after the lesson so that pupils can use it anonymously as well.

PUPILS' PRIOR KNOWLEDGE, UNDERSTANDING, SKILLS, BELIEFS AND ATTITUDES

For PSHE education to be relevant, meaningful and engaging for pupils, and for assessment of learning to take place, it is important to gauge pupils' relevant prior knowledge, understanding, skills, beliefs and attitudes (assessment *for* learning). This is explored in more detail in the section on reflection and assessment below. Before teaching about consent, it is especially important to understand how pupils are already making sense of this complex concept.* A baseline assessment is built into Lesson 1 to help with selecting and planning subsequent lessons as well as with assessing progress. Alternatively, you may choose to use your school's existing assessment processes.

When carrying out baseline assessments in relation to consent, teachers should consider whether pupils focus on the 'giver' of consent or the 'seeker', or both. Common misunderstandings about consent often arise because of a lack of focus on seeking consent and disproportionate focus on giving consent. Pupils' understanding of healthy relationships should also be considered. Teachers should look for differences in attitudes and knowledge based on sex, sexual orientation and gender identity.

REFLECTION AND ASSESSMENT

It is important for pupils to have opportunities to draw together and reflect on their learning; for teachers to feel confident that learning has taken place; and for both pupils and teachers to identify future learning needs. Clear learning objectives (the aim and purpose of the lesson) and intended learning outcomes (what pupils will be able to demonstrate at the end of the lesson) are provided as the starting point of each lesson plan in section 2 of this guidance document.

Pupils' existing knowledge, understanding, skills, beliefs and attitudes should be identified and used both to plan relevant learning and assess pupils' progress. This also allows pupils to reflect on their own learning and its relevance for their lives.

Assessment in PSHE education should not simply focus on factual knowledge. It should provide opportunities to assess:

- an increase in knowledge (*Before I only knew ... now I also know ...*)
- an increase in understanding (*I always knew ... but now I can see how it connects to ... and now I can see how I could use this in my life*)
- a change or reconfirmation of a belief (*I used to feel ... but I now feel ...*)
- a richer vocabulary (*Before I would have said ... but now I can say ...*)
- increased competence in skills (*Before I didn't how to ... but now I know how to ...*)
- new strategies acquired (*Before I wouldn't have known how to ... but now I know new/more effective ways to ...*)
- an increased confidence (*Before I could/would say and do ... but now I feel I am able to say and do ...*)
- changed and challenged assumptions (*Before I thought that ... but now I realise that was just a myth or a stereotype*).

* This activity can also provide a useful means of assessment. At the end of a lesson, pupils could revisit their initial responses and consider what they may now want to add or edit.

Teachers may also include more formal activities to assess and gather evidence of pupils' progress at the end of a lesson or series of lessons. An effective way of doing this is to revisit the baseline activity. Activities such as 'mind maps' or 'draw and write' exercises can be revisited, with the pupils using a different coloured pen to add additional thoughts, information and ideas, correct their original misconceptions and fill gaps in their prior knowledge. These activities provide assessment evidence in their own right. In addition, if success criteria have been established, progress could be assessed against these criteria to make a judgement on whether pupils are 'working towards', 'working at' or 'working beyond' the intended outcome for that piece of learning.

While it should not be 'marked', personal reflection in PSHE education lessons is essential, especially when learning about issues such as getting and giving consent. Pupils need opportunities to consider how new learning will be relevant in their own lives, both now and in the future. Reflection is therefore a valid and valuable component of PSHE assessment. Sometimes pupils may reflect in writing or through discussion, but it is often more appropriate for their thoughts not to be recorded. Equally, it is important to recognise and respect that pupils may not feel comfortable sharing all of their personal reflections with peers or staff. It is perfectly acceptable, and an equally valid part of the assessment process, to pose questions for private reflection only.

TEACHING IN A NON-JUDGEMENTAL WAY

It is a key principle of PSHE education²¹ that there is a positive approach to learning which does not attempt to induce shock or guilt but focuses on what pupils can do to keep themselves and others healthy and safe. In encouraging pupils to share their existing understanding about consent, however, teachers may identify some preconceived ideas on the subject, based on personal experience or what they have heard or seen from friends, family or the media.

Teachers should not be judgemental when confronted with young people's pre-existing views on consent, some of which may directly contradict the standards set out in this document. Teachers should aim to 'take pupils on a journey', encouraging them to understand the notion of consent and why consent as part of a healthy relationship is so important. However, there may be instances when what pupils say raises such concern that teachers are obliged to share it with others in line with the school's safeguarding policy, as set out above.

ENSURING TEACHERS HAVE THE RIGHT SUPPORT

The issues explored when teaching about consent may affect teachers personally. Before teaching a lesson on consent, it may be helpful to prepare by talking to your line manager or other colleagues about any concerns that you might have. 'Team-teaching' lessons may be helpful, both in providing support in the classroom and afterwards if it is needed. As set out in the previous section, you should prepare for the possibility that some pupils will express views which are contradictory to the principles of consent set out in this document.

GROUNDING TEACHING IN 'REAL-LIFE' CONTEXTS

Self-reflection is important when learning about consent, and consent is therefore best explored in contexts which are relevant to pupils' lives. However, creating some emotional distance is also important. For this reason the lessons in section 2 suggest using fictional

scenarios which pupils may be able to identify with. In a number of instances, pupils are encouraged to provide advice to characters in these fictional scenarios, but this exploration of ‘something happening to someone else’ is very different from talking about their own experiences. As set out above, any personal disclosures should be supported in a safe context outside of the main plenary.

NORMATIVE EDUCATION AND CONSENT

The internal desire (recognised or unrecognised) for peer acceptance or approval can often be more powerful than external or direct peer pressure. Opportunities should therefore be planned into the curriculum to challenge any sense of ‘*everyone of my age does this*’.*

It is crucial to explore gender in the context of normative education and consent. [The Office of the Children’s Commissioner’s research on consent](#)²² refers to a ‘gender double standard’, where young men and young women develop very different attitudes towards sex and consent as a result of wider social attitudes and norms. It also demonstrates the harmful influence of concepts such as ‘man points’, where young men behave in certain ways in order to gain the respect of others, for example by pressurising partners to send sexually explicit photos, which the young men then pass on to their friends ([NSPCC research](#)²³ refers to this as ‘competitive masculinity’). Such competitiveness and pressure could result in young people ‘claiming’ experiences they have not in fact had, which can then influence the expectations others have of what is ‘normal’. The use of social norms that give young people a more positive and realistic view of their peers’ behaviour and correct the assumption that ‘everyone else is doing it’ has been shown to be particularly effective in altering young people’s attitudes (this is explored in Lesson 2).

TAKING SEX, SEXUAL ORIENTATION, GENDER IDENTITY AND BACKGROUND INTO ACCOUNT

A key principle of high-quality PSHE education is that it should be inclusive and relevant for all pupils. For this reason, the source material provided in this guidance is gender-neutral and does not refer to the socio-economic, cultural or family background of those involved or their sexual orientation. These factors remain extremely important, however, and you should bear in mind the following:

- As set out above, young people’s understanding of consent can be distinctly gendered (in other words, consent is understood differently according to gender).
- Young women are disproportionately more likely to experience situations in which their consent is not respected, and young men are disproportionately more likely to be the perpetrators in such situations. [NSPCC research](#)²⁴ suggests that one in three teenage girls have experienced sexual violence from a partner; the same study suggested that 16% of boys had experienced sexual violence from a partner.
- Pupils’ sexual orientation, gender identity and socio-economic and cultural background, as well as whether they have special educational needs or disabilities, may also have an

* In the context of the age of sexual consent, it is important to tell pupils that research indicates that 25–30% of young people have sex before 16 ([NATSAL, 2013](#))²⁵ – i.e. 70–75% do not. This is helpful to reduce the pressure some young people may feel to become sexually active before they are truly ready.

impact on their understanding of consent and vulnerability to non-consensual situations. For example, LGBT pupils who are not 'out' may be more vulnerable to coercion, exploitation or manipulation from others who know their sexual orientation and gender identity and seek to take advantage of the situation.

Given that factors such as sex, gender identity, sexual orientation and socio-economic, cultural and family background may have an impact both on pupils' experiences and on their expectations of what constitutes consent, establishing prior learning and giving as much thought to pupils' personal circumstances as possible is essential before teaching about consent begins. Pointers in the lesson plans provided enable teachers to introduce these factors at the appropriate time. You will also need to differentiate lessons for pupils with special educational needs and address the particular vulnerabilities of this group, as outlined in the introduction to the lesson plans.

It is important to note that the lessons provided explore consent in same-sex and opposite-sex relationships and assumes that learning about sexual orientation and gender identity is already an integral part of the school's sex and relationships education programme. If this is not the case, we strongly recommend that this is addressed before using the material in this lesson. For more information see Stonewall

(http://www.stonewall.org.uk/what_we_do/resources/11182.asp#Education),²⁶ Education Action Challenging Homophobia (<http://www.each.education/>)²⁷ and GRES (<http://www.nlmscontent.nesc.nhs.uk/sabp/gv/>)²⁸.

THE IMPACT OF SHARING OF SEXUAL IMAGES AND PORNOGRAPHY ON PUPILS' ATTITUDES TOWARDS CONSENT

Shared sexual images and pornography can have an impact on attitudes towards consent. These are addressed in turn here:

Sharing of sexual images

Self-made images and messages of a sexual nature raise concerns about safety, privacy, peer influence and personal responsibility which are closely linked to the teaching of consent.

Pupils should learn that it is illegal to produce, possess or distribute an indecent image of a person under the age of 18, even if it is a picture of themselves. As these laws have been created to protect children and young people it is unlikely that police would prosecute a young person for taking or sharing pictures of themselves unless they were concerned that the images were being used to harass or coerce, or being shared with intent to harm. For further information, see [advice from the Association of Chief Police Officers](#).²⁹

Pupils should also consider whether it is ever sensible to share an image with another person, even on sites or apps that delete photographs immediately, as images could still be copied or shared with others. This goes to the heart of discussions about healthy, trusting relationships and should therefore be approached carefully.

It is both a gross violation and a very serious criminal offence to take or share sexual images of another person without their consent. If the victim is under 18 it could also lead to the perpetrator being subject to the notification requirements under Part 2 of the Sexual Offences Act 2003, commonly referred to as the Sex Offender Register. The NSPCC has provided [a full briefing on this matter](#).³⁰

Pornography

In the UK it is legal to look at pornography so long as it meets certain criteria.* Legally, people must be 18 or over to buy pornographic magazines or videos or to watch pornography online. However, as the [Office of the Children's Commissioner recently found](#)³¹, many young people easily access pornography on the internet on a regular basis and this can have an impact on the way that they think about 'real-life' sex and consent. It is important that these issues are addressed, and according to [a recent survey conducted by the National Association of Head Teachers](#)³² there is significant support for doing so amongst parents.

Young people's interactions with pornography are distinctly gendered, and research has shown that pornography can have negative effects on young people's attitudes to each other. Pornography rarely depicts communication about choices, sexual consent and contraception, and often shows violent and oppressive behaviours, in particular towards women. These behaviours can be frightening or confusing and can make young people feel pressured to behave in particular ways, such as taking part in sexual activities or relationships in which they feel uncomfortable.

The widespread availability of online pornography can make it more challenging to teach about consent, since some young people may have seen sex depicted without any consent or without people ever changing their minds about their consent. It is therefore important to help pupils understand that pornography is fantasy rather than reality and to reinforce the critical importance of negotiating consent as well as the right for people to change their minds at any time – and for this decision to be respected when they do. It is also important to reinforce the gender dimensions of pornography, which often depicts men deciding when and how to have sex, rather than a healthy negotiation between partners.

Lesson 7 in this pack, which covers pornography, sexual images and consent, gives the opportunity to explore this in more detail.

KEY CONCEPTS RELATING TO CONSENT

Concepts such as trust and loyalty, assumptions and unwritten rules, vulnerability, coercion, manipulation and exploitation are very important and are likely to arise in lessons about consent. Some lessons focus specifically on these concepts, but they are often interrelated and should always be considered before teaching any lesson.

Trust and loyalty

In relationships, people usually give their trust, and later their consent, to others based on their experience of being with them. Some people need time to establish this trust; others may feel able to trust someone else without knowing them that well. This can be especially true if they are attracted to another person or where alcohol or drugs are involved, or where they have friends in common. It is therefore important to reinforce the message that healthy scepticism does not make you 'disloyal'.

Assumptions, myths and unwritten rules

Pupils' understanding of consent can be influenced by 'unwritten rules', generally accepted norms or conventions that no one has written down and may never have been discussed

* These criteria are that it must not feature those under 18, sex with animals, scenes of rape or sexual assault, torture or violent scenes which are life-threatening or likely to cause serious harm.

aloud, but run in the background of our lives. They can be a very powerful influence on our decisions, and are a very important part of teaching about consent.

Unwritten rules can, for example, lead to the mistaken belief that giving consent to one activity means you are giving tacit consent to another. It needs to be made clear to pupils that, for instance, consent to *'come over to my place to watch a film'* is not consent to be kissed; consent to being kissed does not mean consent to being touched on other parts of the body; and consent to being touched is not consent to have sex. In short, pupils need to understand that consent should never be assumed; instead, they should be encouraged to actively seek consent. Similarly, young people seeking consent must be aware that they should never assume consent on the basis that it has been given on previous occasions (*'you agreed last time, so you must be willing this time'*). Everyone has the right to change their mind or to feel differently at different times and in different situations. Consent is not a 'one-off' and the right to change one's mind, to feel differently or to consent one thing or not another always needs to be respected. This means there is a responsibility on the seeker of consent to check that consent is being given rather than assume that just because consent was given once for one activity, consent is still being given.

When teaching about consent, it is also important to challenge harmful myths relating to sex and relationships, many of which are heavily gendered (*men can't control themselves when aroused, or women need to be persuaded to have a sexual relationship*) and gendered double standards (*young men who have lots of sexual partners are 'experienced', but young women who have lots of sexual partners are 'easy'*). Believing these myths can put pressure on young people, is disrespectful to both genders and may encourage a misplaced assumption of consent.

Coercion

Agreement that is brought about by wearing the other person down, intimidation, physical threats or emotional threats is not consent. Sometimes, coercion is subtle and plays on unwritten rules or our own vulnerabilities: *'Of course you want to, everybody wants to! It's not normal not to want to. You don't want the others thinking you're weird/frigid do you?'*

Coercion can also involve threatening to break a confidence: for example, LGBT pupils who are not 'out' may be more vulnerable to coercion from others who know their sexual orientation and gender identity and threaten to make this public.

When exploring this concept, pupils should learn that no matter what is actually said, agreement sought or given under coercion is not consent. It is also important for them to recognise that a refusal to give consent does not have to be justified or defended to others. It is enough simply not to want to. This links to issues of personal safety and, in the case of a relationship, abuse and the need to understand when it is time to walk away from a relationship or find help and support.

Vulnerability

For a range of reasons, such as age, level of maturity, and special educational needs or disability, some people are more vulnerable than others. Extra care must be taken when seeking the consent of vulnerable people, and particular consideration must be given to their capacity to give consent (based on their age and development) and any asymmetry of power or knowledge in the relationship (where one is older or more mature).

Drugs and alcohol are ‘dis-inhibitors’ and can break down resistance to pressure, even for those who are not generally vulnerable. When under the influence of alcohol or drugs, people can make choices and take risks that they would not take when sober, and may trust people they might not otherwise trust. Taking advantage of another’s vulnerability is both ethically unacceptable and has serious legal consequences. For further information, see [our guidance on the law relating to consent](#).³³

When discussing these issues, pupils may argue that when two people make a free and informed choice to drink together they know where this may lead. When such points are raised, pupils need to understand that agreeing to drink together is not consent to anything more (see the section above on ‘assumptions’) and everyone has the right to change their mind. Critically, they should learn that a young person who is so drunk that they are unable to accurately assess whether the other person is consenting, or to give their own consent, is putting them both in a highly vulnerable position which may have very serious consequences. Young people should understand that they need to be very careful in such situations and that, in short, they should not get so drunk that they are either unable to seek consent or to give consent. They should also have rehearsed strategies for seeking help if they feel they are approaching this point.

Manipulation

This is an attempt to gain someone’s agreement by engineering a situation to increase their vulnerability, for example trying to get someone drunk or spiking their drink. Both undermine the other person’s freedom and capacity to consent to sexual activity and therefore have serious potential legal consequences.

Manipulation can also be subtle. If statements such as *‘you’re my only partner’* or *‘of course I don’t have an infection’* turn out to be untrue, then these would constitute manipulation and would undermine any agreement which has been given because of them. While people may not always share everything about themselves with their partners, withholding information about something which one could reasonably expect would change the other’s mind about engaging in a sexual activity is wrong, and could be a serious criminal offence.

Exploitation

Vulnerable young people in need of emotional support, shelter, food, money, alcohol or drugs are at risk of abuse by people who may offer support on the condition that they agree to sexual activity. Vulnerable young people need to know where and how to access pastoral support in school and from wider support services. It is equally important for all young people to understand that they are not being disloyal if they seek help over concerns they have about a friend who may be vulnerable. If a pupil is considered at risk of exploitation, the school should always follow its safeguarding policy.

SEXUAL CONSENT AND THE LAW

In England, the legal age of consent to sexual activity is 16. Consent is defined in law as agreement by choice made by someone with the freedom and capacity to consent. Under the law, it is the person seeking consent who is responsible for ensuring that these conditions are met. Full details on the relevant legislation are available in [our guidance on the law on sexual consent](#)³⁴ and Lesson 2 gives the opportunity to explore the concepts with pupils.

Teaching children under the age of 16 about the legal age of consent

The law is clear that sexual activity is illegal for young people under the age of 16, and while pupils must learn this, it is good practice for learning about consent to begin before 16. We know that some young people may be sexually active before 16 and learning about healthy relationships is crucial to keeping them healthy and safe from abuse and exploitation. Good sex and relationships education has been shown to delay first sexual activity and the key learning set out in this guidance – about respecting the rights of others, communication, negotiation and considering the freedom and capacity of others to make choices – is crucial in a range of situations young people will encounter in their lives. Learning about consent after they have been in such situations is too late.

Pupil wellbeing is paramount and schools should always ensure that pupils have the information they need to get help if required. It is important that pupils understand that sexual health services offer confidential advice and support to people who have not yet reached the age of consent. Recognising that some young people will be sexually active before the age of 16 does not equate to encouraging underage sexual activity.

Despite what young people may feel in a given situation, there are legal boundaries to their ability to give consent, so any voluntary agreement to sexual activity by a child under 16 cannot be defined as consent in law. Below the age of consent, the law protects young people by prohibiting them from engaging in certain behaviours. It is important that young people fully understand these laws and recognise that they protect them from exploitation. However, [guidance from the Crown Prosecution Service](#)³⁵ also states that, as long as neither partner is under 13, *'pupils of the same or similar age are highly unlikely to be prosecuted for engaging in sexual activity, where the activity is mutually agreed and there is no abuse or exploitation'*.

It is also important that young people understand that the age of consent is the age when they *can* legally consent to have sex, not the age when they *should* or *must* do so. They must understand that in cases where a person over the age of 16 has sex with someone under 16, it is the person over 16 who commits the offence, not the younger person. The only exception to this is if an offence is being committed by the younger person, for example in the case of an attack on a 16-year-old by a 15-year-old, where the 16-year-old would clearly be the victim despite being older. It is also important to note that there are some situations where it is illegal to have sex with someone under the age of 18, for example if the other person is in 'a position of trust', such as a teacher with their pupil.

SECTION 2: TEACHING ABOUT CONSENT

In this section we offer eight lesson plans for teaching about consent. The lessons include various assessment opportunities, including an optional self-assessment sheet for each lesson. These 'Then and now' sheets compare where pupils feel they were before the lesson with where they feel they are at the end, in relation to the intended learning outcomes. The whole 'Then and now' sheet should always be completed at the *end* of the lesson.

The lessons are suitable for both key stage 3 and 4 pupils, however some of the later lessons are aimed to support pupils at upper key stage 3 and 4. Lessons cover:

- Lesson 1: Introducing and recognising consent
- Lesson 2: Consent and the law
- Lesson 3: Avoiding assumptions relating to consent
- Lesson 4: The right to withdraw consent
- Lesson 5: Capacity to consent
- Lesson 6: Persuasion, pressure and coercion
- Lesson 7: Pornography, sexual images and consent
- Lesson 8: Rape myths and victim blaming

CHOOSING WHICH LESSONS TO TEACH

These lessons are designed to develop pupils' knowledge, understanding, skills, attributes and attitudes. Lesson 1 provides a series of baseline assessment activities which will help you ensure that subsequent lessons meet your pupils' needs. Baseline assessment should give an indication of pupils' current understanding of the concept of consent, their beliefs and attitudes, as well as any misconceptions and gaps in their knowledge and understanding.

While schools may choose to teach all eight lessons, either as a single module or shared over the two key stages, many will select the lessons most relevant for their pupils. We do, however, recommend that you include Lessons 1 and 2. When choosing which lessons to teach in addition to Lessons 1 and 2, the aim should be to correct misconceptions, and to fill gaps in and extend your pupils' knowledge, understanding and skills development, based on the findings from the baseline assessment.

The plans are based on one-hour lessons, but some have space for discussions which can be extended or condensed, enabling schools to use them flexibly to fit in with their own timetables. Every group of pupils in every school will have different starting points and needs, so inevitably these lesson plans will need to be adapted by teachers for their classes. This might include differentiating to allow all pupils to access the learning activities, or modifying intended learning outcomes, as appropriate for individual pupils' needs and circumstances. For example, for some pupils with special educational needs, simple rules are important: an intended outcome such as '*When seeking another's consent, I know how to avoid assuming consent*' could become '*I know that when I want someone to do something, I always need to ask them if it's ok, even if I think they're happy to do it*'.

Some pupils may need different or additional learning outcomes. For example, the intended learning outcomes in Lesson 5 are:

- *I understand that if someone does not have the freedom or capacity to agree by choice, no one has the right to assume they are consenting.*
- *I understand that seeking to make someone more vulnerable or misleading someone to make them trust me is wrong, and can be a very serious offence.*

For a pupil whose disability means he or she needs to be touched, moved or washed by carers, then although the first of these learning outcomes is really important, an alternative second outcome such as *'I am able to communicate clearly to other people that I do not want them to do something'* might be more appropriate.

LESSON 1: INTRODUCING AND RECOGNISING CONSENT

CONTEXT AND OVERVIEW	<p>This lesson explores what consent means and how you can recognise when another person is giving their consent. Recognising consent, in the true sense of the word, is of vital importance, so this introduction must be fully understood and firmly embedded. While the lesson looks at both seeking and giving/not giving consent, it is important to reinforce the fact that it is the person seeking consent who is responsible for ensuring that consent is given freely and that the other person has the capacity to give their consent. As people can change their minds or consent to one activity but not another, the seeker of consent should not see seeking consent as a 'one-off' but should check that consent is still being given by a partner.</p>
LEARNING OBJECTIVES	<p>'We are learning about consent, what it means and what it should look like in practice.'</p>
INTENDED LEARNING OUTCOMES	<p>Pupils will be able to state the following:</p> <ul style="list-style-type: none">• I understand what consent means and why it is so important.• I can recognise when someone is consenting and when they are not.• I understand how consent is sought, given and not given in a healthy relationship.• I know what to say and do to seek the consent of another person.
CLIMATE FOR LEARNING	<p>Before starting, make sure you have read section 1 of this document and that you understand how to establish a safe learning environment. Make sure you are familiar with the school's safeguarding policy. Consider any sensitivities and prior knowledge you have about specific pupils' circumstances.</p> <p>Establish or reinforce existing ground rules – adding or emphasising any ground rules that are especially relevant to this lesson, such as no personal stories, listening, and respecting other people's points of view.</p> <p>Ask pupils to write down any questions they have relating to consent anonymously at any time, and collect them in using an anonymous question box – which should be accessible both in and after every lesson. To ensure that pupils do not feel self-conscious about being seen to be asking a question, you can tell all pupils that everyone has to write something: either a question or 'no question' if taking anonymous questions during the lesson. You may wish to set aside some time at the end of each lesson for this.</p>
STARTER ACTIVITY (baseline assessment)	<p>Share the objectives and intended learning outcomes for the lesson with the group.</p> <p>To explore the pupils' existing understanding of consent, tell the class: <i>'Imagine an alien has arrived from another world. They have heard</i></p>

about something called “consent” but they have no idea what it means.’

In pairs or small groups explore the following question:

‘How would you explain “consent” to the alien who knows absolutely nothing about it?’

Ask pairs/groups to come up with their own definition of consent and write it down in their books or on post-it notes (these definitions will be revisited later, so keep them safe).

Gather feedback on the board (pupils may use terms like ‘permission’, ‘aged 16’, ‘saying yes’, ‘age of consent’, ‘sex’, ‘rape’, ‘assault’, ‘consent for medical treatment’ or ‘going on school trips’). **Build on the feedback to give a basic definition of consent: agreement by choice made by someone with the freedom and capacity to consent. Explain that these terms will be explored further in later lessons.**

When considering the feedback (and when looking at any anonymous questions after the lesson), consider:

- What prior understanding do pupils already have that is correct and which you can build on? Is anything missing? Are there misunderstandings?
- Is there anything you need to challenge (for example, myths or disrespectful/negative attitudes towards others)?
- Are there any differences in the responses of the different genders? What do these suggest about their attitudes?
- Is their focus on the need to ‘get consent’ or on ‘giving/not giving consent’, or is there an appropriate balance between the two (remembering that ethically and legally the responsibility is on the person who is seeking consent)?
- What do their responses and questions suggest about their understanding of healthy relationships in the context of seeking and giving/not giving consent?

After this lesson, use the pupils’ responses from this activity to determine which of the subsequent lessons you plan to use (we recommend that all schools teach this lesson and Lesson 2 on consent and the law). For example, if alcohol or drug use linked to risky sexual behaviours is a particular concern, then Lesson 5 would be a good lesson to use next once Lessons 1 and 2 are complete; if pornography is having an influence on pupils’ attitudes, or you are concerned about pupils sharing sexual images, consider Lesson 7; if you are concerned about myths in relation to consent, Lesson 8 may be useful.

MAIN ACTIVITY 1
(parallel lines and
personal
boundaries)

Parallel lines and personal boundaries

Line the group up in two lines facing each other about three metres apart. Tell them:

'We are now going to begin to consider consent in practice. When I say "go", the people in one of the lines [indicate which] will slowly take small steps forward, asking their partner "can I take another step?" before each step. The facing person should say "stop" once they feel uncomfortable with the proximity of the person opposite them. The person opposite must stop when requested and remain in that position.'

Continue until everyone on the opposite line has said 'stop'. It is likely that pupils will have asked each other to stop at different points.

Keep the pupils in their lines for a discussion of the following questions:

- **Where does the responsibility for stopping lie between the two people?** (emphasise that in the law in relation to sexual consent, it is the person seeking consent who is responsible).
- **Why do you think people asked the other person to stop at different distances away?** (answers might include 'because everyone has different personal space requirements', 'depends on the relationship between the pairs', 'friends may get closer than people who don't know each other so well').
- **How did it feel to be able to say 'stop' and have that respected? How does it feel when people don't respect your boundaries?**
- **How would it have felt if the opposite person had kept taking a step forward even when you asked them to stop?**

Going down each line quickly, ask pupils to show how someone might have communicated *non-verbally* (with body language/facial expressions) that they wanted the other person to stop walking towards them.

- **Would we all have understood that non-verbal communication?**

Explain that consent is not just about saying yes or no and that it is always the responsibility of the seeker of consent to be sure of whether consent is being freely given or not given. This shouldn't be considered as a one-off since people can change their minds or consent to one activity but not another. This makes continued checking very important. These are key messages everyone needs to know about consent and will be explored in later classes.

MAIN ACTIVITY 2
(Identifying and recognising verbal and non-verbal signs of consent and non-consent)

Divide the class into small groups and give each group post-it notes and pens. Explain that given the responsibility on the seeker of consent which was just explored, the lesson is now going to look more closely at how people seeking consent can identify and recognise verbal and non-verbal signs of consent and non-consent.

Ask half the groups to think of as many examples as they can of 'how people behave when they are happy with what someone is suggesting or doing'.

The other groups come up with as many examples as they can of 'how people might behave when they don't like (or no longer like) what someone is doing or suggesting'.

They should note down their examples on the post-it notes provided.

The groups feed back quickly to the whole class. Stick the sheets of post-its on separate walls and add in any additional responses.

Swap the groups over and ask pupils to reorganise the post-it notes under three headings:

- How people show us with their words ...
- How people show us with their facial expressions ...
- How people show us with their body language ...

Alternative for pupils who find this activity challenging:

Provide examples of signs of consent written on cards or post-it notes (taken from the 'Possible signs of consent' table included in the supplementary documents). Ask pupils to discuss and sort them into signs of consent or non-consent (and/or whether they are a visual or a verbal clue). Pupils return to their small groups:

Ask pupils:

- **If we weren't sure whether the other person was giving their consent, how could we check? Think of two or three questions we could ask.**

Take feedback.

Suggest that they should always remember to ask 'Are you happy with this?' and 'Are you sure?', and to stop immediately if the answer is not 'yes' (the absence of a 'no' is not the same as a 'yes'). Saying 'If you don't want to, that's ok' is also very important. They should also remember that sometimes people change their minds or feel differently in different circumstances or may consent to one thing but not something else; this means that seeking consent should not be seen as a 'one-off' process but rather a continuing process.

Reinforce that it is the person seeking consent who is responsible for ensuring that the consent has been given, acknowledging that in healthy relationships both parties respectfully seek consent from one another, regularly check that consent is still being given and respect one another when consent is not given. It is crucial that any activity, sexual or otherwise, only takes place if consent is clearly given, and if in doubt, one should assume that consent has not been given.

Reinforce that the key signs of consent are that the person clearly wants to engage in the activity and actively demonstrates this. There should be no ambiguity or confusion over whether consent is given: 'not saying no' is not giving consent. Responsibility for ensuring that consent has been given lies with the person seeking consent, both ethically and in law. This means being sure that a partner is actively consenting, that the partner has the capacity to consent (i.e. that they are old enough, that their judgement is not impaired and so on) and that none of the conditions which prevent free, informed consent (such as manipulation or exploitation) are present (these will be explored further in subsequent lessons).

Show the following numbered statements. Ask pupils to indicate with a number fan, or on a mini-whiteboard, the number that corresponds to the statement that best describes how they feel. Discuss with the class the reasons for their answers.

- 1 I know whether someone is consenting or not.
- 2 I think I know whether someone is consenting or not.
- 3 I think I know some signs of whether someone is consenting or not.
- 4 I think it's really hard to know whether someone is consenting or not.
- 5 I am really confused about how to tell whether someone is consenting or not.

To sum up, remind the class that it is the person seeking consent who has the responsibility here. Those who say they know whether someone is consenting should be cautious, but you can get a good idea through positive and enthusiastic body language and words (the person is *actively* consenting). If in any doubt, assume that consent has not been given. Remember to ask 'Are you happy with this?' and 'Are you sure?', and to stop immediately if the answer is not 'yes' (the absence of a 'no' is not the same as a 'yes'). Saying 'If you don't want to, that's ok' is also very important.

Explain that this is just the first part of learning about consent, and that future lessons will cover concepts like freedom and capacity to consent in more detail. It may be, for example, that although someone goes along with an activity, it does not constitute consent, for instance if they are too drunk to make that judgement or if they are scared or feeling under pressure. These situations will be explored in subsequent lessons.

ASSESSMENT OF LEARNING	Ask pupils to complete the 'Then and now' self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.
EXTENSION ACTIVITIES/ HOMEWORK	Ask pupils to note any examples, from the television shows they watch, where consent was respected or not respected. They could write a short script of that scenario, which could be used for role plays and interaction analysis in a later lesson.

Use this lesson with the 'Then and now' self-assessment sheet for Lesson 1 and the 'Possible signs of consent' table, which are both in the Supplementary documents appendix.

LESSON 2: CONSENT AND THE LAW

CONTEXT AND OVERVIEW	<p>This lesson explores what consent means both legally and ethically. It is important to refer back to the section on consent and the law on page 20, which states that the age of consent is 16 but that young people aged 13 to 15 are highly unlikely to be prosecuted for engaging in sexual activity with those of the same or similar age, if the activity is mutually agreed and there is no abuse or exploitation. The law is also clear that it is the person seeking consent who is responsible for ensuring that consent is given.</p> <p>The PSHE Association factsheet, <i>Summary of the Law on Consent</i>³⁶ will be useful to support this lesson.</p>
LEARNING OBJECTIVES	<p>‘We are learning about consent and what it means both ethically and legally.’</p>
INTENDED LEARNING OUTCOMES	<p>Pupils will be able to state the following:</p> <ul style="list-style-type: none">• I understand what consent means, both legally and ethically, and why it is so important.• I can explain what choice, freedom, and capacity to consent mean.• I can discuss legal and moral issues through scenarios relating to consent.• I understand the legal age of consent and that most young people do not have sex until after they have passed the age of consent.
CLIMATE FOR LEARNING	<p>Ensure you have read section 1 of this document and that you understand how to establish a safe learning environment. Make sure you are familiar with the school’s safeguarding policy. Consider any sensitivities and prior knowledge you have about specific pupils’ circumstances.</p> <p>Establish or reinforce existing ground rules – adding or emphasising any ground rules that are especially relevant to this lesson, such as not making assumptions and no personal stories.</p> <p>Remind pupils to use the anonymous question box if there is anything they wish to ask anonymously, which you can respond to after the lesson or in the next lesson.</p>
STARTER ACTIVITY (reconnecting)	<p>Share the objectives and intended learning outcomes for the lesson with the group.</p> <p>The legal definition of consent</p> <p>Ask pupils to look again at their definitions of consent from Lesson 1.</p> <p>Share with the class the legal definition of consent:</p> <p><i>‘A person consents if he/she agrees by choice, and has the freedom and capacity to make that choice.’</i></p>

	<p>Ask pupils to compare and contrast their definitions of consent with the legal definition. Note any questions pupils have about the law and consent, to be explored during the lesson or in subsequent lessons.</p>
<p>MAIN ACTIVITY 1</p>	<p>Choice, freedom and capacity to consent in law Write the terms ‘Choice’, ‘Freedom’ and ‘Capacity’ on the board.</p> <p>As a group, mind map what these terms might mean in relation to consent.</p> <p>Extend the discussion:</p> <ul style="list-style-type: none"> • Are the choices we make always made completely freely, or are they sometimes governed by other things? (e.g. peer pressure, society, parental expectations) • How do we know when a choice is freely made? • What sort of things can affect our capacity to make decisions/choices? (e.g. mental health, age, maturity and development, drugs or alcohol)
<p>MAIN ACTIVITY 2 (scenario discussion)</p>	<p>Age of consent and the law In small groups: Give out the sheet ‘Discussion prompt: Consent and the law’.</p> <p>Ask the groups to read the scenario, discuss responses to the questions below and note them down on their sheet.</p> <p>Discussion prompt sheet scenario:</p> <div data-bbox="560 1178 1342 1473" style="background-color: #f0f0f0; padding: 10px; border: 1px solid #ccc;"> <p>Imagine two young people aged 15 were talking to a friend.</p> <p><i>We both really want to start having sex.</i></p> <p><i>We’ve been together for ages!</i></p> <p><i>We really love each other.</i></p> <p><i>It’s no one’s business but ours what we do!</i></p> </div> <p>After the groups have discussed the questions under the scenario (on the sheet) and written down their responses, take quick feedback. Explore the following questions:</p> <ul style="list-style-type: none"> • If they asked their friend for advice, what do you think the friend should say? Why? • What might be the consequences of following or failing to follow that advice? (Explore the social and legal consequences, being clear that while the Crown Prosecution Service might not prosecute two 15-year-olds engaging in sexual activity as long as it is mutual, agreed and there is no abuse or exploitation, it still remains a criminal offence – and while it is not apparent from the quotes, we don’t know if there is abuse or exploitation taking place in this scenario. Refer to PSHE Association guidance on consent and the law if necessary).

- Does the sex, sexual orientation, gender identity or background of the two characters make a difference? Why? Should the principles of what constitutes consent not always be the same?

Further whole-group discussion:

- Now imagine that one of the two was aged 21 and the other 15. Does this make a difference? If so, why?

Note that again this is a criminal offence, and there is a strong argument that a sexual relationship between a 21-year-old and a 15-year-old would be considered to be exploitative or abusive given the difference in age – and likely difference in maturity and power – between the two.

Ask pupils to note down in secret (on a post-it note/back of a sheet/mini-whiteboard) what they think is the percentage of young people having sex under the legal age of consent.

By a show of hands, gauge roughly what the group as a whole thinks – e.g. ‘Most of us think it’s between 80 and 100%.’ (Young people often think that at least 80-100% of their peers are having underage sex.)

Tell pupils that all the research indicates that in fact it is closer to just 25-30% of young people who have underage sex (NATSAL, 2013),³⁷ which means that approximately three-quarters of young people are not having underage sex. Reassuring young people about social norms is helpful to reduce the pressure some young people may feel to have sex before they are truly ready.

PLENARY/
ASSESSMENT FOR
AND OF LEARNING

Redefining consent following the two introductory lessons

Revisiting pupils’ initial definitions of consent from the start of Lesson 1 and the legal definition of consent from the start of Lesson 2, ask the pupils if they want to build on or change their definitions. When developing their new definitions of consent, look for words which suggest that pupils understand that consent should be *an active choice, freely given, informed, and a decision made by someone who has the capacity to make that choice, understands the consequences of the choice and wants to go ahead.*

At this point it is also important to remind pupils that it is the person seeking consent who is responsible (ethically and legally) for ensuring that the consent given by another is genuine, given willingly and freely without exploitation, threat or fear, and that this person has the capacity to give their consent. Also remind them to see seeking consent as an ongoing process, rather than a one-off, given that people may change their minds, feel differently or consent to one activity but not another.

Assessment of learning

Ask pupils to complete the ‘Then and now’ self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.

EXTENSION
ACTIVITIES/
HOMEWORK

Ask pupils to prepare for a discussion about the age of consent and whether it should be raised or lowered. They could research the age of consent in other countries and look into reasons why the age of consent is set at 16 in the UK. They could also explore the history relating to the age of consent in this country.

Note that this should be a discussion rather than a formal debate, and pupils should not be pushed to argue from a position they don't agree with.

Use this lesson with the Lesson 2 supporting material 'Discussion prompt' sheet and the 'Then and now' self-assessment sheet for Lesson 2, which are both in the Supplementary documents appendix.

LESSON 3: AVOIDING ASSUMPTIONS RELATING TO CONSENT

CONTEXT AND OVERVIEW

This lesson develops the learning on recognising consent in Lesson 1, looking more specifically at making assumptions about consent in relationships. This can happen during the early stages of a relationship or when one person wants to move a relationship to a new level of intimacy. In some cases it can be a result of poor communication skills, while in others it can be about power and manipulation. There is a real danger that these moments can move from awkwardness and embarrassment to anger, confrontation, and in the worst cases violence. This lesson plan explores assumptions relating to consent from the perspective of both parties, but makes clear that it is the responsibility of the person seeking consent to ensure that consent is given, not assumed.

The key learning from the lesson is that assumptions should not be made about consent based on preceding events (see the section on assumptions, myths and unwritten rules above).

Note: This lesson explores consent in same-sex and opposite-sex relationships and assumes that learning about sexual orientation is already an integral part of the school's sex and relationships education programme. If this is not the case, we strongly recommend that this is addressed before using the material in this lesson.

The section, '[Assumptions, myths and unwritten rules](#)' will provide especially relevant background information for this lesson.

LEARNING OBJECTIVES

'We are gaining an understanding of assumptions that are often made about consent and helping to ensure we know and understand the facts about consent.'

INTENDED LEARNING OUTCOMES

Pupils will be able to state the following:

- I understand that consent should never be assumed and should never be treated as a 'one-off'.
- When seeking another's consent, I know how to avoid assuming consent.
- I know that when asked to give my consent, I have the right to make clear what I do and don't want to do.
- I understand that it is not my fault or my responsibility if someone mistakenly assumes my consent to do something I don't want to do. I have strategies to manage this.

Note: You may prefer to adapt the language of these intended learning outcomes when communicating them to pupils. This is fine – the key issue is that the learning outcomes are clear and understood by pupils.

<p>CLIMATE FOR LEARNING</p>	<p>Ensure you have read section 1 of this document and that you understand how to establish a safe learning environment. Consider any sensitivities and prior knowledge you have about specific pupils' circumstances.</p> <p>Establish or reinforce existing ground rules – add or emphasise any ground rules that are especially relevant to this lesson. Remind pupils to use the question box if there is anything they wish to ask anonymously, which you can respond to after the lesson or in the next lesson.</p>
<p>STARTER ACTIVITY (baseline assessment)</p>	<p>Share the objectives and intended learning outcomes for the lesson with the group.</p> <p>Ask the pupils to think about everything they have learned in the last two lessons.</p> <p><i>'Thinking back to the alien from the starter activity in Lesson 1, you explained to them what "consent" means. Now they want to know what is the most important "take home" message you would want to give them about consent.'</i></p> <p>Pupils agree in pairs their one key message from the learning so far. Take feedback and attempt to agree a consensus: one key message from the whole class, drawing on their learning so far. Pupils could add their own key message and the class' key message to their definition from Lesson 1 in their books or folders.</p>
<p>MAIN ACTIVITY 1 (scenario discussion)</p>	<p>Exploring assumptions about consent</p> <p>Divide the class into four groups. Give each group one of these four statements:</p> <ol style="list-style-type: none"> 1 <i>'Why are you pulling away? You came out on a date with me. You must be ok kissing me!'</i> 2 <i>'What's wrong with you? You let me kiss you! You must want me to go further!'</i> 3 <i>'You came upstairs with me. You must want to have sex!'</i> 4 <i>'You wanted to last week – you must want to do it again.'</i> <p>Ask the groups to imagine they overheard someone saying the words to someone else, and discuss whether the first part of what is said in each statement means the second part must be true. If there is time, explore the following questions:</p> <ul style="list-style-type: none"> • Imagine we could 'freeze' this moment and each person could talk to you about how they are feeling right now. What do you think they would say to you? What might they be feeling? What might happen next? • What do you feel about what is being said?

Each group reads their statement and feeds back their responses in turn.

Explain that each scenario relies on assumptions. Talk about the concept of assumptions (referring back to the section on assumptions above) and refer to the key learning that because people may change their minds, feel differently or consent to one activity but not another, consent must be seen as an ongoing process rather than a one-off.

MAIN ACTIVITY 2
(discussion and reflection)

Think, pair, share discussion exploring gendered expectations and assumptions

Tell pupils the lesson will now explore the role of gender in assumptions in relation to consent. Ask pupils to take a step back and think about who is saying what in the scenario in main activity 1.

- Are they imagining a situation where a young man is saying this to a young woman?
- Are there different expectations in such situations for men and women? Why?

If they have imagined a situation where a young man is saying this to a young woman:

- Ask them to imagine the situation again with the young woman applying the pressure on a young man, and then again with two young men or two young women.
- Does this make a difference? Why? Should the principles of what constitutes consent not be the same in all situations?

MAIN ACTIVITY 3

Understanding feelings and actions and preventing assumptions

In small groups:

Ask each group to think back to the remark their group 'overheard' in main activity 1.

Think about what might happen next and what could have helped them both avoid this moment.

Ask the groups to imagine they can travel back in time to an hour or two before the conversation they overheard took place. Role-play (or script) a conversation they have with both people: what would the pupils say to the characters to help them avoid this situation?

Point out that even if you have known and trusted a person for years, it is still no reason to take part in something you don't want to do, or for them to assume you will.

Point out that sometimes our feelings in situations can be mixed. We may have some feelings pushing us one way while others are holding us back, so the messages we give can become confusing. This is why it is

important to reinforce that it is never too late for people to change their mind, and if in doubt one should assume consent has not been given.

Additional questions to reinforce learning from previous lessons:

- **If the two people continue with this behaviour, could what happens be illegal? Why?**
- **Given that it is the responsibility of the *seeker* to ensure they get the consent of the other person, is there any evidence that this is happening in the statements we ‘overheard’?**

PLENARY/
ASSESSMENT FOR
AND OF LEARNING

In small groups, ask pupils to quickly decide their top tips for avoiding mistakenly assumed consent (see list below for suggestions).

Suggestions for avoiding assuming someone else’s consent:

- Ask yourself whether the other person has actually given their consent, or whether you have just assumed or inferred that they have.
- Listen to what they are saying to you, and think about the non-verbal signals/body language they are giving you. Ask yourself whether they are *actively* consenting (referring back to Lesson 1).
- Remember that consent can easily be assessed by asking ‘*Are you happy with this?*’, ‘*Are you sure?*’, and providing the option that ‘*If you don’t want to, that’s ok.*’
- Think carefully about how your actions might be interpreted and about how you interpret the actions of others – try to assume less and ask more to avoid incorrectly assuming someone else’s consent.
- Be careful not to make assumptions: consent to one activity is only consent to that activity, nothing else.
- Try to have open and honest conversations with your partner about what they may or may not be willing to consent to before the situation arises, and tell them what you may or may not consent to.
- Tell your partner if you are unsure and vocalise your lack of consent if you don’t think your partner has understood this. There should be no misunderstanding a plain and simple ‘no’.

Take feedback from the groups. Try to focus discussion on the seeker of consent and their responsibility not to assume consent given that the other person may change their mind, feel differently or want to consent to one activity but not another.

Also explore the perspective of the person whose consent is being sought: stress that if you are feeling uncomfortable in a situation, it’s never too late to make your voice heard. You may feel silly for a moment saying ‘No, that’s not what I meant’, but it’s better to be honest as soon as you realise your actions have been misinterpreted, to prevent the situation escalating any further. Vote with your feet if

necessary – getting up and leaving is sometimes your best option if words aren't working.

Assessment of learning

Ask pupils to complete the 'Then and now' self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.

EXTENSION
ACTIVITIES/
HOMEWORK

Pupils could revisit the scenarios they gathered from the homework/extension activity in Lesson 1 and rewrite the scripts so that consent is clearly established and no longer assumed or misunderstood.

Use this lesson with the 'Then and now' self-assessment sheet for Lesson 3, which is in the Supplementary documents appendix.

LESSON 4: THE RIGHT TO WITHDRAW CONSENT

<p>CONTEXT AND OVERVIEW</p>	<p>This lesson explores the right to ‘change one’s mind’ or withdraw consent and the need to respect someone else’s right to do so.</p> <p>The section ‘Key concepts relating to consent’ provides especially relevant background information for this lesson.</p>
<p>LEARNING OBJECTIVES</p>	<p>‘We are learning that everyone has a right to withdraw consent at any point.’</p>
<p>INTENDED LEARNING OUTCOMES</p>	<p>Pupils will be able to state the following:</p> <ul style="list-style-type: none"> • I understand that we all have the right to withdraw our consent at any time and that this must be respected. • I know that just because someone agreed to something previously doesn’t mean they will always agree to it and this must be respected. • I know that everyone has the right to say ‘I have changed my mind’ and this must be respected. • I understand that there can be no excuses for not respecting someone’s right to change their mind, or to not give or withdraw their consent. <p>You may prefer to adapt the tone of these intended learning outcomes when communicating them to pupils. This is fine – the key issue is that the learning outcomes are clear and understood by pupils.</p>
<p>CLIMATE FOR LEARNING</p>	<p>Ensure you have read section 1 of this document and that you understand how to establish a safe learning environment. Consider any sensitivities and prior knowledge you have about specific pupils’ circumstances. Establish or reinforce existing ground rules – add or emphasise any ground rules that are especially relevant to this lesson.</p> <p>Remind pupils to use the anonymous question box if there is anything they wish to ask anonymously, which you can respond to after the lesson or in the next lesson.</p>
<p>STARTER ACTIVITY (scenario discussion)</p>	<p>Share the objectives and intended learning outcomes for the lesson with the group.</p> <p>Read out or share with the pupils the scenario below (it is also on the ‘Discussion prompt’ sheet for Lesson 4, which can be printed out and given to each group). Note that pupils are not expected to ‘act out’ this scenario but rather to discuss the situation which is being portrayed in groups (see below):</p> <div style="background-color: #f0f0f0; padding: 10px; margin-top: 10px;"> <p><i>‘What do you mean “stop”?’</i></p> <p><i>‘Please stop. I want you to stop.’</i></p> <p><i>‘But we just got started – it was great! You can’t want to stop now!’</i></p> <p><i>‘I’ve changed my mind, I don’t want to.’</i></p> </div>

'You've been leading me on!'

'No I haven't!'

'You can't change your mind now!'

'I can, I just don't want to do it.'

'But it's not like it's the first time, we've done it before!'

'I know, I just don't want to now.'

'What about me! You're not being fair!'

'I know, I'm sorry, but I really don't want to.'

Split the class into groups and ask them the following questions, or ask them to use the 'Discussion prompt' sheet to note down their answers:

What is the responsibility of the person seeking consent in this scenario?

Does it matter at what point we decide to change our minds about doing something?

If someone has done something before, does that automatically mean we should expect them to want to do it again?

(Note in response to discussions on the points above that however hurt the person seeking consent in the scenario is feeling, their legal and ethical responsibility to respect the other person's right not to give consent remains absolute).

Does the person who apologises in the scenario have anything to apologise for? (One of the problems with changing our minds is that we may feel we are at fault – it is important to challenge this. We have a right to withdraw our consent and we need to encourage pupils to recognise and respect that).

What do you think about the term 'leading someone on'? (This is really important to unpick – does being affectionate automatically mean that someone is ready or wants to go further? Is one person 'leading the other on' or is the other person actually making assumptions? Older pupils may use the term 'tease' – see 'Teacher's note on teasing' below).

Teacher's note on teasing

With older pupils, the issue of 'teasing', or pretending affection or sexual attraction towards someone else in order to tease them (or perhaps humiliate them in front of their peers), might be raised in this discussion. Make sure pupils understand that this is completely different from someone having genuine feelings of affection towards another person but not giving consent to engage in something they do not want to do.

If the discussion goes in this direction, and you are comfortable to manage this debate, the class could explore whether it is acceptable to play with another's emotions. But you should reinforce that, while teasing may be painful for the recipient, the responsibility to respect the other person's right to not give their consent in any circumstances remains.

<p>MAIN ACTIVITY 1 (rehearsing strategies)</p>	<p>Practising the language and skills we need when we don't want to give, or want to withdraw, our consent</p> <p>It is important to explore and provide opportunities to develop and rehearse the language and skills we might need in order to assert our right to not give, or to withdraw, our consent.</p> <p>In small groups, ask the pupils to create short scenarios where one person either does not want to consent to something, or wants to withdraw their consent. Encourage them to think not just about sexual behaviour, but about issues relating to peer pressure, such as drugs or alcohol, taking part in illegal or antisocial behaviour, and so on. Pupils script their scenarios with possible things the person could say.</p> <p>Choose a few to rehearse in front of the class.</p> <p>Ask the class what they think the potential outcome of each response might be.</p> <p>[Note: A variation of this activity could be for pupils to write and draw their scenario on a storyboard (on paper or PowerPoint). Paper storyboards could be passed on in rotation to the next group to discuss and feed back what the potential outcome might be. If PowerPoint is used, groups could volunteer to show their presentation to the class to discuss the potential outcome.]</p> <p>Discuss as a group, and list on the board, possible ways to say no to pressure or coercion. Make sure the list includes 'No thank you', which is the recommended response to offers of drugs etc.</p> <p>Stress that simple statements such as 'No thank you', 'I don't want to', 'I've changed my mind', or 'I need you to stop' are more effective and harder to argue with than explanations and justifications such as 'I can't because ...', which invites discussion and contradiction and should be avoided.</p> <p>Have pupils write down their favourite response, which they plan to use in the future when asked to do something they are uncomfortable with. Each pupil should say it to the class before they leave the classroom.</p>
<p>PLENARY/ ASSESSMENT FOR AND OF LEARNING</p>	<p>Assessment of learning</p> <p>Ask pupils to complete the 'Then and now' self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.</p>
<p>EXTENSION ACTIVITIES/ HOMEWORK</p>	<p>Pupils could use the assertive phrases they explored in the lesson to produce a 'Top Tips' poster or pocket guide for saying 'no' to pressure or coercion.</p>

Use this lesson with the Lesson 4 supporting material 'Discussion prompt' sheet and the 'Then and now' self-assessment sheet for Lesson 4, which are both in the Supplementary documents appendix.

LESSON 5: CAPACITY TO CONSENT

CONTEXT AND OVERVIEW	<p>This lesson looks at situations where someone exploits someone else's vulnerability for their own purposes, or situations where they seek to make someone vulnerable, for example by getting the person drunk or spiking their drink.</p> <p>The section on 'Key concepts relating to consent' in section 1 contains information relevant to this lesson, especially under the headings 'Vulnerability', 'Exploitation' and 'Manipulation'.</p>
LEARNING OBJECTIVES	<p>'We are gaining a deeper understanding of what freedom and capacity to consent mean.'</p>
INTENDED LEARNING OUTCOMES	<p>Pupils will be able to state the following:</p> <ul style="list-style-type: none">• I understand that if someone does not have the freedom or capacity to agree by choice, no one has the right to assume they are consenting.• I understand that seeking to make someone more vulnerable or misleading someone to make them trust me is wrong, and can be a very serious offence. <p>You may prefer to adapt the tone of these intended learning outcomes when communicating them to pupils. This is fine – the key issue is that the learning outcomes are clear and understood by pupils.</p>
CLIMATE FOR LEARNING	<p>Ensure you have read section 1 of this document and that you understand how to establish a safe learning environment. Consider any sensitivities and prior knowledge you have about specific pupils' circumstances. Establish or reinforce existing ground rules – add or emphasise any ground rules that are especially relevant to this lesson, such as the right to pass on taking part, and no personal stories.</p> <p>Remind pupils to use the anonymous question box if there is anything they wish to ask anonymously, which you can respond to after the lesson or in the next lesson.</p>
STARTER ACTIVITY (graffiti wall)	<p>Share the objectives and intended learning outcomes for the lesson with the group.</p> <p>Before the lesson, set up a 'graffiti wall' of large sheets of paper, and draw a picture of a stick person in the middle.</p> <p>Ask everyone to come up to the wall and write on it all the things they can think of that could stop this person from being able to give, not give or withdraw their consent to something someone wants them to do.</p> <p>Remind pupils of the legal definition of consent: 'A person consents if he/she agrees by choice, and has the freedom and capacity to make that choice.'</p>

Ask pupils to look at the suggestions on the wall and circle any that are to do with a lack of choice or freedom. This might elicit further ideas, which can be added.

Now ask pupils to put a cross by any suggestions (or add any further suggestions) on the wall that are to do with not having the capacity to consent – i.e. not being physically or mentally capable of giving, refusing or withdrawing consent.

Explain that this lesson is focusing in particular on the *capacity* to consent, but that it is important to be aware that there are many factors that can affect one's ability to give, not give, or withdraw consent. (Lesson 6 looks more closely at persuasion, pressure and coercion – any suggestions relating to lack of freedom to consent might be more usefully discussed in that lesson).

MAIN ACTIVITY 1
(scenario discussion)

Alcohol and ability to consent

Display this conversation on the board, or read it to the group:

'Alex was really out of it last night!'
'So after you both left ... did you?'
'Did we what?'
'You know ... did you?'
'Yeah, yeah we did.'
'I never thought Alex would do that!'
'That's what happens when you get drunk ...'

Ask the class to imagine they have overheard this conversation. Ask them for quick feedback with their initial reactions:

- What do you think the characters in the scenario are thinking and feeling?
- What do you think Alex is thinking and feeling?
- Is what happened acceptable?
- What are you thinking?
- What are you feeling?

Ask pupils to stand up if they automatically saw Alex as female. Ask them to sit down again if they think any of the characters in the scenario could be either male or female. If anyone remains standing, ask them to explain why they don't think the characters could be either male or female.

While the key lesson here is about recognising and respecting another's capacity to give or not give consent, whoever they are, gender expectations of what constitutes consent may well play a role in pupils' interpretation of the scenarios and should be explored and gender double standards challenged where necessary.

Referring the group back to the legal definition of consent on the graffiti wall, ask whether the seeking or giving of agreement to do something while one person is drunk or 'high' is really consent?

Reinforce the fact that when someone seeks another's consent, they are responsible for ensuring that the other person has the *capacity* to give their consent.

Reinforce that if one cannot be *sure* consent has been given, the rule 'If in doubt, assume consent has *not* been given' applies. Remember that if the person seeking consent has not taken reasonable steps to assure themselves of the consent, what happens could be rape or sexual assault.

MAIN ACTIVITY 2
(discussion)

Ask the class:

- **What if the character in the scenario had been involved in getting Alex drunk, or had spiked Alex's drink?**

Introduce the notion of *manipulation*, referring to the definition given in section 1.

Return to the graffiti wall. Ask pupils to add any ways in which someone could manipulate someone else to make them more likely to consent.

(Look for ideas such as encouraging them to drink more, lying to them about themselves or their intentions, spiking their drink, giving them drugs.)

If 'lying to them' has not been suggested, draw this out or suggest it yourself.

Ask:

- **Rather than getting the person drunk, what if someone had lied to someone else about already being in a relationship, or having a sexually transmitted infection, for example?**

Stress that while it's common for people not to tell a new partner everything about themselves immediately, withholding information or lying about something which could reasonably be expected to change the other person's mind about giving their consent is wrong, and could be a serious criminal offence.

Pupils may ask about situations where two people get drunk or take drugs together. They may argue that this is not manipulation.

Reinforce that agreeing to drink or take drugs together can be very risky and that it is not consent to anything more (see Lesson 3 'Avoiding assumptions relating to consent'). Young people should be very careful in such situations: as explored in Lesson 3, 'he/she got drunk with me' is not an excuse for assuming consent. Previous lessons have also explored the right for people to change their minds, and the responsibility of the seeker of consent to frequently check that their partner's consent remains. A young person who is so drunk that they are unable to accurately assess whether the other person is consenting is, therefore, putting them both in an extremely vulnerable position, which may have very serious legal consequences. The

	<p>clear lesson from this is that young people should not assume consent and should not get so drunk that they are unable to seek and assess consent as this may have very serious ethical and legal consequences.</p>
<p>PLENARY/ ASSESSMENT FOR AND OF LEARNING (conscience alley)</p>	<p>Briefly sum up, reinforcing the following points:</p> <p>Intoxication:</p> <ul style="list-style-type: none"> • Getting intoxicated to the point where one is unable to gauge another's consent is extremely unwise. • Getting intoxicated to the point where one becomes vulnerable to exploitation or abuse is also extremely unwise. However, this in no way excuses someone who takes advantage of another's vulnerability for their own purposes. • Getting someone drunk (or intoxicated using any substance) for the purpose of sex is illegal. Taking advantage of another's vulnerability, regardless of the cause, for the purpose of sex is also illegal. <p>Lies and withheld information:</p> <ul style="list-style-type: none"> • Telling lies which lead to someone else engaging in sexual activity with you is manipulation, and can be a very serious criminal offence. • While people may not always share everything about themselves with their partners, withholding information about something which one could reasonably expect would change the other's mind about engaging in a sexual activity is wrong and could be a serious criminal offence. <p>Conscience alley activity</p> <p>Ask pupils to form two lines facing each other and far enough apart for someone to walk between them. Remind pupils of the initial conversation about Alex and the other person. Alex and the other person left together and Alex was apparently drunk.</p> <p>A volunteer representing Alex's 'partner' walks slowly between the two rows of pupils from one end to the other. As they walk, pupils give them advice.</p> <p>Repeat the activity with another volunteer representing Alex. Remind pupils that whether Alex was unwise to get drunk is a separate point (although personal safety strategies for social situations where young people are likely to be drinking alcohol are important aspects to cover in the PSHE programme); it is always the responsibility of the person seeking consent to ensure that the person whose consent they are seeking has the capacity to give it.</p> <p>Ask the group whether they feel that if Alex and the other person had taken their advice, the eventual outcome would have been different.</p> <p>Referring back to the definition of consent and the graffiti wall, explain that today the focus has been on capacity, but the elements of choice and freedom are also core to understanding, seeking, giving and not giving consent.</p>

	<p>Assessment of learning</p> <p>Ask pupils to complete the ‘Then and now’ self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.</p>
EXTENSION ACTIVITIES/ HOMEWORK	<p>Ask pupils to create a poster campaign about capacity to consent, to be displayed in the toilets of a nightclub. What are the key messages they want to get across about capacity to consent, not just in relation to alcohol and drugs but also in relation to telling the truth? How will they ensure that the message reaches seekers of consent in particular?</p>

Use this lesson with the ‘Then and now’ self-assessment sheet for Lesson 5, which is in the Supplementary documents appendix.

LESSON 6: PERSUASION, PRESSURE AND COERCION

CONTEXT AND OVERVIEW

This lesson explores how obtaining consent, in the true sense of the word, differs from language and behaviours that put pressure on, or coerce someone to do something they are not comfortable with, and considers the possible consequences.

It provides source material where someone is being pressured to do something. The objective is to understand that forcing someone to say 'yes' under duress is wrong, and can be a very serious criminal offence, and that saying 'yes' while under duress in any situation is not consent. 'Reluctant agreement' is not consent, and this lesson offers a good opportunity to reinforce the definition of consent as a choice made by someone with the freedom and capacity to make that choice. It is important that pupils understand it is the responsibility of the person seeking consent to ensure that their partner has the freedom and capacity to make that choice.

It is worth being aware of the procedures involved in reporting a rape or sexual assault, as this may arise in class discussions. These are set out in detail by [Rape Crisis](#)⁴⁰ and via the [Government's gov.uk website](#).⁴¹ If you are worried about a specific pupil, follow the school's safeguarding policy.

Questions about forced marriage might also arise in this or other lessons. Clearly, a forced marriage is non-consensual and is likely, by definition, to involve force or compulsion rather than persuasion or coercion. For further guidance on this issue, see this useful [resource from the Scottish Government](#).⁴² Also signpost pupils to charities and organisations such as Karma Nirvana (<http://www.karmanirvana.org.uk/>) that support those who are or may be at risk of 'honour'-based crimes or forced marriage.

The section on '[Key concepts relating to consent](#)' above contains information relevant to this lesson, especially under the headings '[Coercion](#)', '[Vulnerability](#)', '[Exploitation](#)' and '[Manipulation](#)'.

LEARNING OBJECTIVES

'We will explore scenarios relating to persuasion, and discuss how to overcome pressure. We will learn that threatening or coercing someone into agreeing to something is not gaining consent.'

INTENDED LEARNING OUTCOMES

Pupils will be able to state the following:

- I am able to ask someone to give their consent without putting them under pressure, and I know they have the right to say no and to have their decision respected; they do not have to justify it.
- I can recognise when others feel uncomfortable or under pressure and when someone is putting me under pressure.
- I understand that I have a right not to give my consent if I don't feel something is ok for me.
- I understand that no one has the right to intimidate someone into giving

	<p>their ‘consent’, as such an agreement is not consent, and that sexual activity following such a threat is illegal.</p> <p>You may prefer to adapt the tone of these intended learning outcomes when communicating them to pupils. This is fine – the key issue is that the learning outcomes are clear and understood by pupils.</p>
<p>CLIMATE FOR LEARNING</p>	<p>Ensure you have read section 1 of this document and that you understand how to establish a safe learning environment. Consider any sensitivities and prior knowledge you have about specific pupils’ circumstances. Establish or reinforce existing ground rules – add or emphasise any ground rules that are especially relevant to this lesson.</p> <p>Remind pupils to use the anonymous question box if there is anything they wish to ask anonymously, which you can respond to after the lesson or in the next lesson.</p>
<p>STARTER/ RECONNECTING ACTIVITY (recap and mind map)</p>	<p>Share the objectives and intended learning outcomes for the lesson with the group.</p> <p>Ask if anyone can remember the legal definition of consent from previous lessons (<i>‘A person consents if he/she agrees by choice, and has the freedom and capacity to make that choice’</i>). Remind the group that the last lesson focused on the capacity to consent and that agreement given when drunk, ‘high’, or in any other way incapacitated, is not consent. This lesson focuses on persuading, pressurising or coercing someone to do something they’re not comfortable with.</p> <p>Reminding pupils of the legal and ethical responsibility on the seeker of consent, ask pupils in turn to rapidly suggest language that could be used to ask for another’s consent. For example, <i>‘Would it be ok if ...’</i>, <i>‘Do you want me to stop?’</i>, <i>‘Am I going too far or too quickly?’</i> Explain that we might think of this as a language of ‘permission’.</p> <p>Repeat the exercise, this time coming up with a language of ‘persuasion’. For example, <i>‘Oh, go on’</i> or <i>‘You would if you loved me’</i>.</p> <p>Ensure pupils understand the difference between the two, then ask how it might feel if people were put under pressure to give their consent.</p>
<p>MAIN ACTIVITY 1 (scenario discussion and analysis)</p>	<p>Recognising persuasive techniques</p> <p>Show the conversation below on the whiteboard:</p> <div data-bbox="534 1675 1353 2002" style="background-color: #e0e0e0; padding: 10px; margin: 10px 0;"> <p><i>‘Go on, it’ll be ok.’</i></p> <p><i>‘I’m not sure ...’</i></p> <p><i>‘I am, it’ll be great!’</i></p> <p><i>‘Are you sure it’s safe?’</i></p> <p><i>‘Of course it’s safe, everyone knows it’s safe, it’ll be great!’</i></p> <p><i>‘I’m not sure ...’</i></p> <p><i>‘Look, you know I really care about you. I would never suggest doing anything that could hurt you. What’s the</i></p> </div>

matter? Don't you trust me?'

Ask the class to imagine that they have overheard this conversation.

Hold a quick 'think, pair, share' discussion:

- What are all the possible things they could be talking about?
- What are the two characters feeling at this moment?

Take quick feedback. Remind pupils that consent is a free choice and it would be very difficult for someone to make a free choice given the pressure exerted in the scenario. Explore the actions of the seeker of consent: how does this person's language differ from the language of permission explored in the earlier exercise?

Offering support and advice to someone under pressure

Organise the class into groups and ask each group to select a different situation to which the conversation above might apply (some may be about sex, and others might be a range of situations appropriate to the group).

- Imagine that the two characters could speak with you. They ask your advice. What would you say to them both? If they ask you why you've said what you said, could you explain your reasons?

Take feedback from the groups, making sure that the perspectives of both characters are explored. Are their answers similar whatever scenario they've chosen?

Discuss the line 'Everyone knows it is safe':

- Why do people say things like this?
- Even if it is 'safe', is it ok for the other person not to want to do it anyway?

(This is known as 'generalisation' and is a technique used in persuasion – it is intended to isolate the other person and make them feel that they must be wrong. Once pupils know this, they can guard against it.)

Trusted sources of advice and support

Read the last line of dialogue again: 'Look, you know I really care about you. I would never suggest doing anything that could hurt you. What's the matter? Don't you trust me?'

- Is this really a question?
- What else could it be? (Such questions can be used as a 'trap' – if you say 'yes' you must be happy with doing what they want; if you say 'no' then you are questioning their integrity.)
- If you care for someone, is saying something like this fair?
- How should the seeker of consent have handled this situation to avoid putting the other person under pressure?

In their small groups, ask pupils to go round the group, each person coming up with a response they could use to 'don't you trust me?' in different situations.

Ask each group for their best suggestion to share with the class.

Ask pupils, either in pairs or on their own, to reflect about who they could go to for advice if they felt they were being pressured into doing something they didn't want to.

Remind them that there are different sources of support – for example, people who really care about them may not always have the correct knowledge or skills to help them. This is an opportunity to identify relevant support services, such as ChildLine, and ensure pupils have all the contact details recorded.

ChildLine

Helpline: 0800 1111

Email: <http://www.childline.org.uk/Talk/Pages/Email.aspx>

Website: <http://www.childline.org.uk/>

Message boards:

<http://www.childline.org.uk/Talk/Boards/Pages/Messageboards.aspx>

Online counsellor: www.childline.org.uk/Talk/Chat/Pages/OnlineChat.aspx

MAIN ACTIVITY 2
(scenario discussion
and analysis)

Explain that we're going to 'overhear' another conversation between two different people. Share the script below.

'Look ... everyone does it.'

'No ... I don't want to.'

'That's not normal, you're not normal!'

'I just don't want to! I don't like it!'

'I'll tell all our friends there's something wrong with you!'

'Why would you do that?'

'You want everyone to think you're weird?'

'Please don't get angry.'

'If I am, it's your fault that I am!'

'I'm sorry.'

'I don't care – I'm not going to keep your secret any more'

'No, please don't! I'll do it!'

'So, you're saying yes then?'

'Yes, yes, all right ... I will ...'

Explore the scenario with pupils, paying particular attention to the reference to the 'secret'. Note that threatening to share a secret is one of the most manipulative things which someone can do to someone else, and if it involves 'outing' someone else, can put the person at risk of being 'outed' in a hugely vulnerable position.

Having explored the scenario, then clear a space along one wall of the classroom and either indicate with cards or tell pupils that 'strongly agree' is at one end, and 'strongly disagree' is at the other. As you read each of the statements below, ask pupils to move to where they feel they should stand, depending on the extent to which they agree.

Once pupils have decided where they stand, ask some to justify their decision and ask if anyone now wants to move, having heard others' reasons.

Read statements one at a time:

- **This is a healthy relationship.**
- **The person seeking consent made sure that the other person's consent was freely given.** (If anyone doesn't 'strongly disagree', remind them that the law states '*A person consents if he/she agrees by choice, and has the freedom and capacity to make that choice.*')
- **The person under pressure to say 'yes' gave their consent in the end.** (If anyone doesn't 'strongly disagree', remind them that the law states '*A person consents if he/she agrees by choice, and has the freedom and capacity to make that choice.*')
- **The person under pressure to say 'yes' could easily have said 'no' if they'd wanted to.**
- **The person under pressure to say 'yes' won't be able to get help from the police now or later, if this ends badly, because they said 'yes'.** (Agreement given under duress is not consent and the police and support services know this.)
- **If I was the person under pressure's friend and knew this was happening, I'd try and talk to them but I wouldn't tell anyone else. It's not my business to interfere.** (Explore the concept of a good friend with pupils and ensure that they understand that in some circumstances, such as when they are in trouble, a friend does not always keep their friend's secrets.)

PLENARY
(assessment of
learning)

Sum up:

- **Seeking someone's consent by pressurising or manipulating them is wrong, and consent in its true sense cannot be obtained through pressure or manipulation, whatever someone actually says.**
- **If we ask for another's consent, they have the right to say no, to have that decision respected, and to not have to justify themselves if they choose not to.**
- **If situations do not feel right to someone, they always have the right to not give their consent, and this must be respected.**

These scenarios lead naturally to how people show us that their consent is genuine and willingly given (reinforcing the learning from Lesson 1).

	<p>Ask pupils to write down in their books (or go around their group again taking turns to suggest) five ways people show they are giving consent, and five things that would indicate that someone is being pressured, persuaded, coerced or manipulated to give consent.</p> <p>Assessment of learning</p> <p>Ask pupils to complete the ‘Then and now’ self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.</p>
EXTENSION ACTIVITY/ HOMEWORK	<p>Ask pupils to identify situations in which they are put under pressure by their peers to do something they don’t want to do. Ask them to make a list of such situations, either while they are in the classroom or as they notice them during their daily lives. How do these situations differ from those set out in the scenarios, and how are they similar? Is there anything they could do to change the situation?</p>

Use this lesson with the ‘Then and now’ self-assessment sheet for Lesson 6, which is in the Supplementary documents appendix.

LESSON 7: PORNOGRAPHY, SEXUAL IMAGES AND CONSENT

<p>CONTEXT AND OVERVIEW</p>	<p>This lesson explores understanding consent relating to sexual images. It includes discussion about ‘sexting’ and pornography. This lesson is not designed as a standalone lesson on these two important topics. Rather, it offers a way into discussions about pornography and sexting as part of lessons on consent. You may need to explore the issues of sexting and pornography further in future lessons. Use the PSHE Association’s frequently asked questions on pornography and sharing of sexual images⁴³ to help with this lesson.</p> <p>The section ‘The impact of sharing of sexual images and pornography on pupils’ attitudes towards consent’ on page 16 of this document provides useful background information.</p>
<p>LEARNING OBJECTIVES</p>	<p>‘We are learning about the role of consent in relation to sexual images, including pornography and sexting.’</p>
<p>INTENDED LEARNING OUTCOMES</p>	<p>Pupils will be able to state the following:</p> <ul style="list-style-type: none"> • I understand that sharing images of someone without their permission is wrong and that I should be very careful about sharing images of myself. • I can explain the law relating to sharing sexual images. • I recognise that pornography does not always reflect good examples of consensual situations. <p>You may prefer to adapt the tone of these intended learning outcomes when communicating them to pupils. This is fine – the key issue is that the learning outcomes are clear and understood by pupils.</p>
<p>CLIMATE FOR LEARNING</p>	<p>Ensure you have read section 1 of this document and that you understand how to establish a safe learning environment. Consider any sensitivities and prior knowledge you have about specific pupils’ circumstances. Establish or reinforce existing ground rules – add or emphasise any ground rules that are especially relevant to this lesson, such as not talking about personal matters, for example about whether they themselves have shared images of others or had images of themselves shared.</p>
<p>STARTER ACTIVITY (gathering questions)</p>	<p>Share the objectives and intended learning outcomes for the lesson with the group.</p> <p>Using an anonymous question box (a large envelope will do), ask pupils to share any questions they have on the theme of sexual images and consent, including pornography and sexting. To make sure pupils do not feel self-conscious about being seen to be asking a question, tell all pupils that everyone has to write something: either a question or ‘no question’.</p> <p>Reinforce that the focus is on consent so their questions should relate to</p>

that, and if they do have questions on the wider issues they may include them but you may not be able to answer them during this lesson. Explain that if you can't answer a question in the lesson, wherever possible you will answer it in a subsequent lesson or signpost them to somewhere they can find the answer.

During the next group discussion activity, sort the questions into ones you feel confident in answering during the lesson and that are relevant to the lesson, and those that will need to be revisited later. If you are at all unsure how best to answer a question, it is better to leave it until the next lesson to allow you to reflect on it and ask colleagues or your leadership team for guidance if necessary.

MAIN ACTIVITY 1 (sexting scenarios)

Ask if anyone can explain the word 'consensual' (*'agreed to by the people involved; done with the consent of the people involved, with consent defined as a choice made by people who have the freedom and capacity to make that choice'*).

In groups:

Give one of the 'Discussion prompt: Sexual images and consent' sheets to each group. Ask them to discuss the questions and note down the group's thoughts.

Scenario 1: A couple send explicit images to each other during the course of their relationship. After they break up, one of them shares the images as revenge for being hurt.

Scenario 2: At a party someone gets very drunk. They end up naked in bed with someone, but pass out before having sex. The other person takes photos of them naked and shares them.

Scenario 3: Someone puts a photo of themselves on Facebook in their underwear. This photo is printed out and shared around the school with abuse about the person written on it.

Are any of these scenarios consensual at any point? If so, when?

In scenario 1, the couple sending explicit images to each other during their relationship may have done so consensually (although if they are under 18 this may still be a criminal offence, since this would technically qualify as indecent images of a person under 18). Scenario 2 is not consensual at any point because one of the young people is drunk to the point of passing out. In scenario 3, someone posting a photo of themselves in their underwear may be a free choice or it may have been done under pressure or manipulation. We do not know the person's level of vulnerability and their capacity to make choices.

When did any of the scenarios change to become non-consensual?

In scenario 1, the situation clearly becomes non-consensual when the images are shared as revenge without the person's permission. In scenario

2, the pictures are both taken and shared without the person's permission. In scenario 3, the printing and sharing of the photos with abusive language is clearly non-consensual.

Are any of these scenarios illegal?

The scenarios above would be illegal and could be prosecuted under various laws including the Sexual Offences Act (2003), Malicious Communications Act (1988), Obscene Publications Act (1959) and Protection of Children Act (1978). If the victim is under 18 could also lead to the perpetrator being added to the Sex Offender Register.

MAIN ACTIVITY 2
(question and answer session using anonymous question box; pornography and consent)

Pornography and consent

Using the questions from the starter activity, go through and answer the questions relating to pornography (drawing on our guidance in section 1 where necessary).

The key learning message to convey in answering these questions is that pornography offers an unrealistic view of sexual activity, and rarely depicts consent.

In groups:

Imagine an alien from a planet where they are all clones, so there is no sex, has come to Earth to find out about human sexual relationships and reproduction. (This could be the same alien from Lesson 1, if you used that activity.)

The alien is too shy to ask the humans about this so gathers evidence from pornography. In groups, discuss and list the misconceptions about consent that the alien would have if their only evidence was from pornography (e.g. usually it's men that decide when and how to have sex rather than a negotiation between partners, and nobody ever changes their mind or asks their partner to stop what they're doing).

Take quick feedback from the groups then ask the following questions if these points have not been discussed in pupils' feedback:

- **Does pornography realistically depict consent? Are the characters actually consenting?** (As set out above, consent is rarely portrayed in pornography, people rarely change their minds, people often accept highly uncomfortable situations, people rarely check 'are you happy with this?', 'are you sure?', 'if you'd like to stop, that's ok'.)
- **Are women presented as being of equal worth to men? Does this have any impact on our views about gender and consent?** (Usually men decide when and how to have sex in pornography, rather than depicting a healthy relationship in which both parties are equal, seek each other's consent and respect one another when consent is not given.)

Extension questions (only if there is time)

- **Is everyone acting in pornography consenting to the situation?** (This question is about the actors, rather than the characters they are portraying. We do not know whether those acting in pornography have the freedom and capacity to make this choice. If they are under

	<p>pressure to take part, or if they are under the influence of alcohol or drugs or are vulnerable in some other way then that would not constitute consent. The following questions explore this further.)</p> <ul style="list-style-type: none"> • Some people say that if you add money into a situation then it is not really a consenting situation. For example, you cannot donate body organs or blood for money in the UK. What do you think of this in relation to pornography actors getting paid to have sex on screen? (In the UK pornography is legal to look at so long as it does not feature under 18s; sex with animals; scenes of rape or sexual assault; torture or violent scenes which are life-threatening or likely to cause serious harm. Pupils may well therefore argue that taking part is just like any job, and that people often do jobs that they don't like. Others may argue that whether or not it is illegal, the introduction of money creates such a pressure that it is not a truly consenting situation, exacerbating the negative influence of an industry which does not present consent accurately. Both arguments should be heard, and pupils reminded of the legal position set out above. • What if the actor was a drug addict or a victim of human trafficking? They state they want to act in pornography and are paid for it. Does this affect our view of their ability to consent to participate? (Return to the definition of 'freedom and capacity to consent' – this level of vulnerability means that even if pupils feel that it is acceptable for actors to take part in pornography for money, in these scenarios they do not have the freedom and capacity to consent.)
<p>PLENARY (assessment of learning)</p>	<p>Ask pupils to list ten points about sexting and/or pornography (these could be myths, facts, consequences, legal issues, and so on). Pupils should share their lists with their groups and refine them according to the feedback they receive.</p> <p>Ask everyone to explain the law relating to sharing sexual images to their partner. Was everyone's partner able to explain this clearly?</p> <p>Assessment of learning</p> <p>Ask pupils to complete the 'Then and now' self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.</p>
<p>EXTENSION ACTIVITIES/ HOMEWORK</p>	<p>Use the extension questions in main activity 2 as the basis for a class discussion on the following statement:</p> <p><i>'Pornography is always unethical, and therefore should be made illegal.'</i></p>

Use this lesson with the Lesson 7 supporting material ‘Discussion prompt: Sexual images and consent’ sheet and the ‘Then and now’ self-assessment sheet for Lesson 7, which are both in the Supplementary documents appendix

LESSON 8: RAPE MYTHS AND VICTIM BLAMING

CONTEXT AND OVERVIEW	<p>This material is not about rape or its aftermath, although it uses rape as a context. It is intended to explore and challenge stereotyped messages about an individual's choices or behaviour that are sometimes used to 'excuse' rape or sexual assault. You will need to adapt this material to reflect the unique culture of your school, the community it serves, and the needs and readiness of your pupils.</p> <p>Please note: Rape and its aftermath should also be addressed separately as part of a planned PSHE education programme, and might follow on naturally from this lesson.</p> <p>Depending on the group, this lesson may well need to be split over two sessions, as it entails some complex discussion. Do not deliver the lesson unless there is sufficient time to explore the issues fully. It may be better to arrange a follow-up lesson and team-teach with colleagues either from the police or a Rape Crisis Centre. It is important to consider the potential vulnerability which might be felt by girls in the group, and how male pupils may also feel victimised. It is therefore crucial that a safe learning environment is created and maintained (see 'Climate for learning' below).</p>
LEARNING OBJECTIVES	<p>'We will explore myths relating to sexual assault and rape, and will learn about the concept of "victim blaming".'</p>
INTENDED LEARNING OUTCOMES	<p>Pupils will be able to state the following:</p> <ul style="list-style-type: none">• I understand the concept of 'victim blaming', I can recognise it when it's taking place and I can challenge it.• I understand that I have a responsibility not just for my own safety, but for the safety of others as well.• I understand that, while I have a responsibility for my own safety, this is unconnected with other people's moral and legal responsibility to respect my right to give, not give, or withdraw my consent and my right to stay safe.• I recognise that, both ethically and in law, my right to be and stay safe is absolute. <p>You may prefer to adapt the tone of these intended learning outcomes when communicating them to pupils. This is fine – the key issue is that the learning outcomes are clear and understood by pupils.</p>
CLIMATE FOR LEARNING	<p>For this lesson it is crucial that you have read section 1 of this document and that you understand how to establish a safe learning environment. Consider any sensitivities and prior knowledge you have about specific pupils' circumstances. Establish or reinforce existing ground rules – add or emphasise any ground rules that are especially relevant to this lesson, such as talking about non-consensual situations they themselves have been</p>

involved in.

Remind pupils to use the anonymous question box if there is anything they wish to ask anonymously, which you can respond to after the lesson or in the next lesson. To ensure that all pupils have the opportunity to ask anything they wish and do not feel self-conscious about being seen to be asking a question, ask all pupils to write something: either a question, something they wish to say regarding the topic, or 'no question'. This can be done at the end of the previous lesson, or at the beginning or end of this lesson.

STARTER ACTIVITY

Share the objectives and intended learning outcomes for the lesson with the group.

Divide the class into groups and give each group a copy of the statements below.

- *'She says he raped her!'*
- *'What did she expect, dressed like that? She was sending all the signals that she wanted sex.'*
- *'She went up to the bedroom with him – she must have known what was going to happen!'*
- *'Did you see the looks she had been giving him all evening?'*
- *'He's a bloke – what did she expect him to want to do?'*
- *'She's fancied him for months. She got what she wanted!'*
- *'How's he going to face his mates if he doesn't give it a try?'*
- *'Of course she would say no, lots of girls say no but they really want to do it, same as men!'*
- *'I know she had been texting him and I think she sent him a pretty hot photo of herself!'*
- *'Once you get a man aroused there is no way he is going to stop. Did she think it would just be a kiss and a cuddle?'*
- *'If you go somewhere on your own with a guy you just met, you're sending all the messages ... you want to have sex.'*
- *'She knew he had a reputation, she knows what he's like!'*
- *'It's not like it was her first time, she's had sex with loads of blokes!'*

Ask the groups to discuss:

- **In your own experience, do young people hold these views?**
- **Are they 'real' or are they myths or stereotypes?**
- **Do any of the statements justify failing to respect another's right to not give consent to do anything they do not want to do?**

Take feedback. (If necessary, challenge any narrow view of rape as an attack by a stranger. Reinforce that the perpetrator or location is irrelevant: most instances of rape are committed by someone well known to the victim, including a sexual partner.)

Introduce the concept of 'victim blaming'. Explain that this is when a

'victim' of assault is 'blamed for the choices they made that put them at risk'. It is a malicious tactic used to move the blame away from the perpetrator.

Challenging victim blaming

Add a line to the dialogue. Imagine the young woman who says she has been raped says:

'It was my fault – I shouldn't have gone with him. I told him I really liked him. I did kiss him and I did go upstairs with him. I suppose he'd have thought I wanted to have sex with him.'

Ask the pupils:

- **What would you say in response?**
- **Could a fear of others' victim blaming stop people from telling others what happened or prevent them from getting help?**
- **What might they *fear* other people will say and do?** (For example *'My dad/mum will shout at me and say how could I have been so stupid ...'*, *'The police will say it was my fault ...'*, *'My friends will say I should have known what to expect ...'*)
- **How do you think it is important to react if one of your friends told you they were raped or sexually assaulted?**

MAIN ACTIVITY 1
(agree–disagree
continuum)

Ask pupils to arrange themselves under three headings: 'agree', 'disagree', and 'unsure', arranged about the room, according to the following statements:

- If someone is raped while drunk, they are at least somewhat responsible.
- If someone dresses 'provocatively', they are asking for trouble.
- Someone who teases someone else deserves anything that then happens.
- If you go back to someone's house, you are saying you want to have sex with that person.
- When people are raped it is because they haven't said 'no' strongly enough.
- Men don't usually intend to force sex on anyone but sometimes they get carried away.
- If someone engages in kissing or intimacy, it's their own fault if their partner forces them to have sex.
- Many people who report being raped had sex and 'changed their minds' afterwards.
- People are almost never raped by their partners.
- Men are never raped.

Discuss their answers and clarify some of the rape myths as follows:

Myth: If someone is raped while drunk, they are at least somewhat responsible.

Reality: It is not acceptable or legal to see someone who is drunk and take advantage of their vulnerability, nor is it ok for the attacker to blame drink or drugs for their actions.

Myth: If someone dresses provocatively, they are asking for trouble.

Reality: This is not true. Freedom of choice of who to have sex with is a basic human right and has nothing to do with how people dress, or assumptions others may make about a person due to the way they dress. This is a myth often perpetuated in relation to women, and is an example of the kind of 'gender double standard' explored in previous lessons.

Myth: Someone who teases someone else deserves anything that then happens.

Reality: No behaviour justifies assault, either ethically or in the eyes of the law. The responsibility always lies with the seeker of consent.

Myth: If you go back to someone's house, you are saying you want to have sex with that person.

Reality: Consent should never be assumed. Misplaced assumptions are no excuse, either ethically or in the eyes of the law.

Myth: When people are raped it is because they haven't said 'no' strongly enough.

Reality: The responsibility for ensuring active, willing consent is with the person seeking consent. The absence of the word 'no' is not consent and if consent is not clear, the seeker of consent should assume it has not been given. This is a myth often perpetuated in relation to women 'not saying "no" strongly enough' and is an example of the kind of 'gender double standard' explored in previous lessons.

Myth: Men don't usually intend to force sex on anyone but sometimes they get carried away.

Reality: Consent to one sexual activity is not consent to another activity. Consent should not be assumed or treated as a 'one-off' but rather as a continual process of checking a partner is happy to proceed. Withdrawal of consent at any point must always be respected, and failure to control oneself is inexcusable.

Myth: If someone engages in kissing or intimacy and then lets things get out of hand, it's their own fault if their partner forces them to have sex.

Reality: Consent to one sexual activity is not consent to another activity. Consent should not be assumed.

Myth: Many so-called rape victims are actually people who had sex and 'changed their minds' afterwards.

Reality: According to the [Crown Prosecution Service](https://www.cps.gov.uk)⁴⁴ the level of false reporting is about 1%. Far more people are too afraid to report a rape because they are worried that they won't be believed, or the kind of myths explored in this lesson make them think they have done something wrong

	<p>or that they won't be listened to.</p> <p><i>Myth: People are almost never raped by their partners.</i></p> <p>Reality: Rape is about forcing someone to have sex without consent – it doesn't matter whether that person is your partner or not. In 2013, the Government reported⁴⁵ that 90% of rapes and sexual assaults are carried out by people who know their victim.</p> <p><i>Myth: Rape only happens to women.</i></p> <p>Males can be raped too. The Metropolitan Police say 11% of people reporting they have been raped are men. According to the Overview of Sexual Offending in England and Wales,⁴⁶ 404,000 women and 72,000 men are victims of sexual offences on average per year. Males who have been raped often find it difficult to come forward and get help. They may be frightened of seeming weak or think others will be prejudiced against them or think they are gay.</p> <p>Pupils may ask if women can commit rape. The legal position in England and Wales is that women can carry out sexual assault (or assault by penetration, which carries the same sentencing) but not rape according to the legal definition.</p>
<p>MAIN ACTIVITY 2 (discussion about gender)</p>	<p>Exploring gender, sexual orientation and rape myths</p> <p>Ask the class to reflect on the statements from the starter activity and main activity 1 by exploring the following questions.</p> <ul style="list-style-type: none"> • Are any of these statements offensive to men? • Do pupils think young men are really like this? All men? Some men? Hardly any men? • Why does it seem like it is always the young men who want sex? Could a young man ever feel under pressure to go further than he might want or feel comfortable with? • Is it ok for a young man not to give his consent? • Are the pressures different depending on gender? • What about in same-sex relationships? Are any of the issues we're discussing relating to consent any different for people in same-sex relationships? • Do pupils consider the pressures and issues to be the same or different depending on gender? Are there 'double standards'? Is this fair? Why?
<p>PLENARY (summarising)</p>	<p>Ask pupils to reflect on and then summarise (in their books or in discussion) what they feel they have learned in this lesson.</p> <p>It is critical to reinforce that, while we should all do our best to protect our own safety, there is no connection <i>whatsoever</i> between this responsibility and another's responsibility to respect our right to give or not give our</p>

consent. It is *always* the perpetrator who is to blame.

Reinforce that 'No', 'Stop', 'Please don't', 'I don't want to!' all mean exactly that, and must (both ethically and by law) be respected.

Reinforce the previous messages about ensuring consent (see Lessons 1 and 2) by always asking: 'Are you happy with this?', 'Are you sure?' and providing the option that 'If you don't want to, that's ok.'

Ask pupils to then reflect privately on whether their understanding, opinions or beliefs have changed in any way as a result of this learning.

Assessment of learning

Ask pupils to complete the 'Then and now' self-assessment sheet, thinking back to where they feel they were before the lesson and then where they judge themselves to be now against the intended learning outcomes. Use this assessment to recognise achievement, evaluate the impact of these lessons and inform future learning.

Ensure pupils are given the details of school-based support and of external support such as:

- Rape crisis centres (<http://www.rapecrisis.org.uk/centres.php>): Freephone 0808 802 9999 (lines are open 12noon–2.30pm and 7pm–9.30pm every day of the year)
- NHS Choices' search facility for their nearest rape and sexual assault referral centre (<http://www.nhs.uk/Service-Search/Rape-and-sexual-assault-referral-centres/LocationSearch/364>)

EXTENSION ACTIVITIES/ HOMEWORK

Ask pupils to work through the following questions:

- 1 Consider exploring how pupils would feel or react if they overheard one of the speakers say something like, 'she's overreacting' or 'she's blowing it out of all proportion'. Why might people say this? (Explore the idea that it can be easier to say or believe this than to feel we have a responsibility to tell someone or get help.)
- 2 What responsibilities do you think the people she has told now have? What should they do? What might happen if they don't? What might hold them back? What might encourage them?
- 3 Ask pupils to imagine that the young woman who says she has been raped now says: 'Please help me! What do you think I should do?' Ask the pupils: What would you be feeling? What would you say? What would you do? Who might you tell?

Use this lesson with the 'Then and now' self-assessment sheet for Lesson 8, which is in the Supplementary documents appendix.

Notes

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