



Consent and Sexual Assault in Heterosexual versus Same-Sex Sexual Encounters

Sarah Kirkpatrick, M.Sc., Dr. Karla Emeno & Dr. Shannon Vettor

Ontario Tech University



Background:

- Consent is much more complex than simply saying “yes.”
- Sexual assault is strongly linked to consent, often being defined in part by an absence of consent.¹
- A significant proportion of the general population does not fully understand consent and how to apply it in real-world scenarios.²
- Rape myths can be defined as “...prejudicial, stereotyped, or false beliefs about rape, rape victims, or rapists.” (p. 217)³
- Rape myth acceptance (RMA) can bias attitudes towards and perceptions of sexual assault.⁴
 - Strongest, most consistent predictor = gender⁵
- Most research has been conducted through a heterosexual lens.
- Script Theory: men = “initiators,” women = “gatekeepers”⁶
 - Research suggests that there are no initiator or gatekeeper roles in same-sex couples.⁶

Aims & Hypotheses:

Study 1: Determine if consent and sexual assault are perceived differently in heterosexual versus same-sex sexual encounters.

Hypotheses:

1. Same-sex scenarios will be rated higher in consent and lower in sexual assault than heterosexual scenarios.
2. Male participants with high RMA will rate the obvious and ambiguous non-consensual scenarios higher in consent and lower in sexual assault for both same-sex and heterosexual scenarios.

Study 2: Examine perceived consent of common intimate behaviours, independent of context.

Hypotheses:

- No specific hypotheses – exploratory

Methods:

Procedure:

- 235 adult community members
- Online survey: 9 fictional vignettes, Illinois Rape Myth Acceptance Scale (IRMA), demographics, intimate behaviour, & vignette questionnaires.
- 3 conditions: heterosexual, gay, or lesbian.
- 9 vignettes: 3 consensual, 3 obvious non-consensual scenarios, & 3 ambiguous non-consensual scenarios.

Analyses:

- **Study 1:** Three 3-way factorial ANOVAs
 - IVs = Participant gender, RMA score, & condition
 - DVs = Ratings of consent and sexual assault averaged across each type of scenario
- **Study 2:** Measures of central tendency
 - 7 categories: direct verbal, direct non-verbal, indirect verbal, indirect non-verbal, intoxication, direct refusal, & no response⁷

Participants:

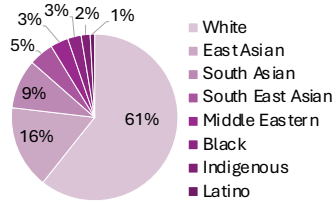


Figure 1: Participant race

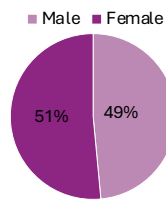


Figure 2: Participant gender

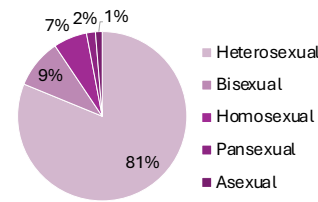


Figure 3: Participant sexual orientation

Results:

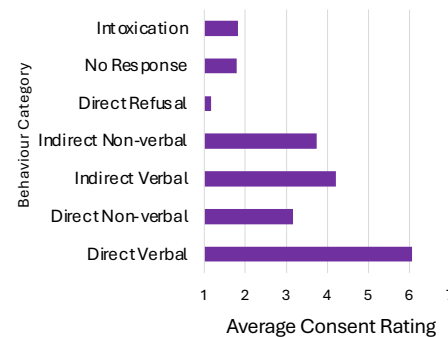
Table 1: Significant results for consent ratings (Study 1)

Scenario	Effect	F	p	Partial η^2
Obvious Non-Consensual	RMA Score	31.487	<0.001	0.124
	Gender* RMA Score*Vignette Condition	3.875	0.022	0.034
Ambiguous Non-Consensual	RMA Score	43.407	<0.001	0.163

Table 2: Significant results for sexual assault ratings (Study 1)

Scenario	Effect	F	p	Partial η^2
Obvious Non-Consensual	RMA Score	8.813	0.003	0.038
	Gender* RMA Score	4.177	0.042	0.018
Ambiguous Non-Consensual	RMA Score	18.618	<0.001	0.077
	Gender* RMA Score	9.342	0.003	0.010

Figure 4: Average consent ratings by behaviour category (Study 2)



Study 1:

- **Hypothesis 1 - partially supported**
 - Males with high RMA rated the obvious non-consensual gay scenarios as significantly more consensual relative to males with low RMA.
- **Hypothesis 2 - partially supported**
 - Males with high RMA rated the obvious and ambiguous non-consensual scenarios as significantly less representative of a sexual assault.

Figure 5: Average consent ratings for males with high vs. low RMA in the obvious non-consensual, gay condition

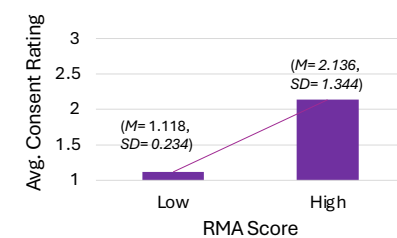


Figure 6: Average sexual assault ratings for the obvious non-consensual scenarios

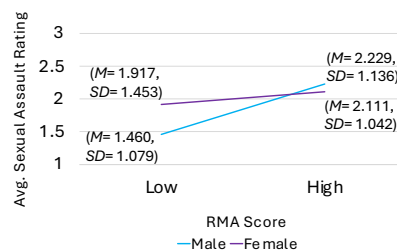
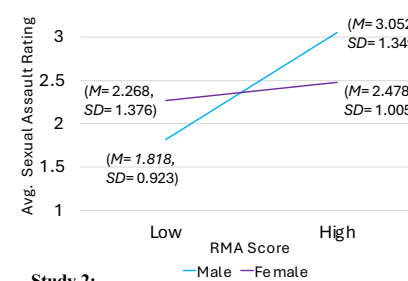


Figure 7: Average sexual assault ratings for the ambiguous non-consensual scenarios



Study 2:

- Direct verbal cues are most often perceived as consensual.
 - Intoxication, direct refusal, and no-response cues are most often perceived as non-consensual.
 - Variability in ratings of cues that are nonverbal and/or indirect in nature.
- *Higher scores = rated as more consensual/representative of a sexual assault in nature

Discussion:

In summary:

1. Generally, participants could accurately identify that sexual consent was/was not given and that a sexual assault did/did not occur across all types of scenarios.
2. Ambiguous non-consensual scenarios were consistently rated as more consensual and less representative of a sexual assault relative to the obvious non-consensual scenarios.
3. High RMA diminished participants', especially male participants', ability to accurately apply consent and sexual assault.
4. Direct verbal, intoxication, direct refusal and no-response cues are more explicit indicators of consent/non-consent.
5. Cues that are indirect and/or non-verbal are more ambiguous in nature.

Implications:

- Highlights potential biases that may influence juror perceptions of sexual assault cases in the Canadian criminal justice system.
- Results can inform future sexual education and violence prevention efforts.
- Results can be used to inform the formulation of standardized jury instructions for sexual assault cases.
- Addresses a significant gap in the literature.

Limitations:

- Participants were not surveyed for exclusionary jury selection criteria (e.g., indictable offences).
- Ratings were averaged across vignette categories.
- The IRMA is heteronormative and gendered in nature.
- The lack of context provided in the intimate behaviour questionnaire may have influenced participants to assign their own contextual factors.

Future Directions:

- Examine how children and youth perceive consent and sexual assault in different sexual contexts.
- Examine whether these results can be replicated in a non-heterosexual sample.
- Identify factors that contribute to ambiguity in sexual encounters.
- Examine the consent process associated with online dating and virtual sexual encounters.

References:

1. Jozkowski, K. N., & Peterson, Z. D. (2013). College students and sexual consent: Unique insights. *The Journal of Sex Research*, 50(6), 517-523.
2. Franuk, R. (2007). Discussing and defining sexual assault. *College Teaching*, 55(3), 104-108.
3. Burt, M. R. (1980). Cultural myths and supports for rape. *Journal of Personality and Social Psychology*, 38(2), 217-230. <https://doi.org/10.1037/0022-3514.38.2.217>
4. Campbell, R., & Johnson, C. R. (1997). Police officers' perceptions of rape: Is there consistency between state law and individual beliefs? *Journal of Interpersonal Violence*, 12(2), 255-274. <https://doi.org/10.1177/08862609712002007>
5. Schulze, C., & Koon-Magnin, S. (2017). Gender, sexual orientation, and rape myth acceptance: Preliminary findings from a sample of primarily LGBTQ-identified survey respondents. *Violence and Victims*, 32(1), 159-180. <https://doi.org/10.1891/0886-6708.VV-D-15-00017>
6. Klinkenberg, D., & Rose, S. (1994). Dating scripts of gay men and lesbians. *Journal of Homosexuality*, 26(4), 23-35. https://doi.org/10.1300/J082v26n04_02
7. Hickman, S. E., & Muehlenhard, C. L. (1999). "By the semi-mystical appearance of a condom": How young women and men communicate consent in heterosexual situations. *The Journal of Sex Research*, 36(3), 258-272. <https://doi.org/10.1080/0022449990951996>



Want to learn more?
Scan here for a complete list of behaviours by category and additional findings!

