

Informed consent

Originally posted on an earlier website September 2009, posted here with minor changes December 26, 2011; taken down then reposted September 2013.

Informed consent includes two variables, *informed*, and *consent*.

With me so far? Good.

Consent

It is not consent if you say "no".

It is not consent if you *would* say "no", but you don't because you're afraid of being punished in some way. The situation pressures you into it, so it is not consent, freely given. So it is not consent.

It is not consent if you are rushed into deciding and haven't had enough time to figure out what you want to do.

It is not consent if you will lose your job if you say "no".

It is not consent if you *might* lose your job if you say "no".

It is not consent if you will lose your home if you say "no".

It is not consent if you *might* lose your home if you say "no".

It is not consent if you are afraid of being physically hurt if you say "no".

It is not consent if you are afraid of being bullied, humiliated, or otherwise psychologically hurt if you say "no".

It is not consent if an authority figure asks you to do something you are uncomfortable doing, even if they say it's ok.

It is not consent if it is part of a job description or course curriculum, unless you are allowed to opt out without embarrassment, and still keep the job or stay in the class without penalty. And you are told this far enough in advance that you have time to think about it.

It is not consent if an authority figure asks you to do something they are not allowed to ask you to do: e.g. a therapist or teacher asking you to have sex.

It is not consent unless you say "yes". And you're not pressured into it.

You need to always be allowed to say "no", without penalty, in order to be able to say "yes" and have it mean anything.

Informed consent

It is not informed consent unless it is consent, *and* you know what you're getting into and are fine with it (by your standards of fine).

It is not informed consent if you are misinformed or not informed about something you think you need to know about. Or something society knows you need to know about, regardless of whether you think you need to know or not.

It is not informed consent if you are too young to be expected to understand the consequences (i.e. most people your age are not expected to understand the consequences, even if you personally are a total genius who so gets it). Society has to assume that if most people your age don't understand the details, you are not likely to either. It is better to err on the side of caution than to leave people wide open to being hurt.

It is not informed consent if many or most people would be uncomfortable doing whatever it is, but you are not told this, and instead given the impression that most people are fine with it.

It is not informed consent if you are likely to be hurt and you are not told. It is not informed consent if you *might* get hurt in a way characteristic of this situation and you are not told.

Informed consent about what?

Informed consent is needed every time you might get hurt. This includes:

- physically or emotionally intimate situations (e.g. sex, dating, therapy)
- anything involving physical safety (e.g. working with heavy equipment)
- situations involving personal information (e.g. anything affecting your privacy)
- research experiments in which you are a subject

This is a working document. I will probably be adding more to it as I think of things. In the meantime commenters are welcome to offer contributions by emailing me at anemone@anemonecrridwen.net.