

## Alaska Club Kink Consent Policy

This consent policy is designed to ensure a safe and respectful environment for all individuals involved in club-associated interaction within our community, organization, or events. All participants are expected to familiarize themselves with, and adhere to, this policy.

*Consent* is a legal term often used within the kink community. It is currently defined by Alaska state law (AS 11.41.170, January 2023) in terms of “without consent” and is applicable to Chapter 41, Offenses Against the Person, Sections 410 through 470 which cover “sexual acts” (sexual assault, abuse of a minor, indecency, etc.).

*It states that [“without consent” means that, under the totality of the circumstances surrounding the offense, there was not a freely given, reversible agreement specific to the conduct at issue; in this paragraph, “freely given” means agreement to cooperate in the act was positively expressed by word or action.] [1]*

Beyond the legal definition, everyone has their own definition of consent within their kinky space. This policy defines what the club defines as consent. This will be the standard used for club events and activities. What individuals do outside of the club is based on their own beliefs on consent and not the responsibility of the club.

The club defines “consent” as *“a voluntary, willing, and informed agreement between all parties involved. It is an ongoing and mutual agreement that can be withdrawn at any time without consequences”*. The term “ongoing” refers to the practice of re-establishing consent over time. Consent is rarely “yes you may forever.” Consent must be clear, specific, and communicated verbally or through non-verbal cues. The use of non-verbal cues is typically limited to times where one party is unable to speak, or otherwise communicate. A simple head nod is a non-verbal cue, but there is a risk that the nod is for some other question, which could lead to a consent violation.

Legally, the term “implied consent” is defined as *“when surrounding circumstances exist which would lead a reasonable person to believe that this consent had been given, although no direct, express or explicit words of agreement had been uttered.” [2]*

The club does not recognize the use of implied consent for kink activities since a reasonable person may easily accept a situation where “they let me do it last time, so I have their consent” as having consent. This is neither ongoing or affirmative (clear and positive).

The following points outline specific areas where the club requires affirmative consent. These areas often differ from the world at large, but are considered typical within the kink-space:

- **Disclosure.** There is no implied consent to disclose the identity, actions, activities, whereabouts, or other personal information of another member. Examples: a) “I saw John at the party on Saturday”. b) Posting a picture of a member online or showing a picture of another member to other people.
- **Physical Contact.** There is no implied consent to physically touch other people or their property. Examples: a) Giving someone an unsolicited hug. b) Picking up, handling, or using someone else’s toys or equipment.

- Titles and Honorifics. There is no implied consent to either use or refuse to use a member's chosen pronouns, titles, or honorifics. Examples: a) Referring to another member as "Daddy" or "Baby Girl" without prior arrangement. b) Insisting on using a personal pronoun in defiance of a person's preference.
- Revocation. All consent is revocable, at any time, for any reason. There are no agreements that remove a person's right to revoke consent. Any interaction that places a person in a situation where consent cannot be revoked is considered "without consent". Examples: a) A person may say "no" to an ongoing interaction, despite any amount of previous consent given. b) A person must be capable of revoking consent (conscious, sober, aware, etc.) meaning that any unnegotiated action taken during a period of incapacitation would be considered "without consent".
- Relationship dynamics. There is no implied consent to knowingly ignore a dynamic that explicitly requires a protocol for a particular interaction. Examples: a) Insisting that a party disregard their other agreements. b) Arranging an interaction with a party that explicitly requires another authority to do so.

Failure to adhere to these provisions may constitute a consent violation or a boundary violation.

Boundaries are a part of the consent umbrella and are viewed as the limits and rules we set for ourselves within relationships, which differ from consent. There are seven areas of boundaries in which a person can define their own limits, including sexual, physical, spiritual, property, emotional-relational, intellectual, and time.

It is important to understand that a boundary crossing is not the same as a consent violation. This is a spectrum issue that will be addressed as grievances come up and fall into a consent category. See the *Alaska Club Kink Engagement Policy* for more information on handling complaints.

Public versus private information: The club considers any information shared between two people to be private. It is the responsibility of those parties to consent to the release of that information.

Once released, the information may be considered public. This is not to be confused with *publicly available*. Information shared within a small group is not publicly available, it is simply no longer private information shared between two parties. Club events are considered public venues in terms of the sharing of information. This includes public venues, club properties, online forums, and private events.

Event spaces: All club events, regardless of venue, are considered to be "attended at the discretion of the participant". All attendees consent to be exposed to what a *reasonable person* would encounter in that space. As an example, it is reasonable for someone known to you to say "hello".

This policy is considered a living document, subject to periodic review and updates as necessary. The parties involved acknowledge that circumstances may change, requiring amendments to reflect new terms, conditions, or additional provisions. Any amendments or modifications to this agreement shall be made at the discretion of the Club management. Such changes shall be deemed effective as of the date specified of release, and all previous versions of this document shall be considered superseded.

Please contact [info@alaskaclubkink.com](mailto:info@alaskaclubkink.com) for more information.

Alaska Club Kink  
March 2024

#### References:

[1] <https://casetext.com/statute/alaska-statutes/title-11-criminal-law/chapter-1141-offenses-against-the-person/article-04-sexual-offenses/section-1141470-definitions>

[2] <https://dictionary.law.com/Default.aspx?typed=consent&type=1>