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# Young People, Alcohol and Sex: What's Consent Got To Do With It?



Exploring How Attitudes to Alcohol Impact on  
Judgements about Consent to Sexual Activity:  
A Qualitative Study of University Students

**Research Report**

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Commissioned by Rape Crisis Network Ireland (RCNI)



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## Researcher Biographies

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**Thomas Conway** is in his first year of studies on the PhD in Child & Youth Research. His research interests are in alcohol use and resilience among young men. **Siobhán Kavanagh** is a third year student on the same programme. Her research interests are in the study of laughter yoga and other strategies to maximise well-being among young adults. **Lisa Ann Kennedy** is a final year student on the PhD in Child & Youth Research, with research interests in the experience of acculturation among young African migrants to Ireland. **John McCaffrey** is a third year PhD student at the School of Psychology. His research concerns perceptions of alcohol use among university students, including the acceptability of alcohol-related harms.



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## Rape Crisis Network Ireland (RCNI) Foreword

This latest research commissioned by the RCNI has arisen from a prolonged period of engagement and learning in the area of alcohol and sexual violence. We have sought to understand and respond appropriately to the phenomenon of alcohol harm as it has increased in terms of the experiences of survivors being supported in Rape Crisis Centres and the wider policy focus on the issue.

In 2004 RCNI commissioned a large scale study of the criminal justice response to rape in Ireland. The four year study resulted in the 2009 Rape and Justice in Ireland (RAJI) report. That seminal report set us a significant range of tasks. RCNI were pleased to have continued and sustained capacity to work on ensuring the implementation of the recommendations of the RAJI report through the support of Atlantic Philanthropies. The majority of those recommendations are now actioned. One set of findings in particular demanded attention; how to respond to the presence and harmful influence of alcohol before, during and after sexual violence crime?

RCNI set about a ground breaking programme of work. There were a number of stages to this work. Firstly, through an internal engagement and period of reflection we developed a language and the tools for the feminist, rape crisis sector to be able to safely bring alcohol harm into the heart of our advocacy work. Secondly, we engaged at policy and public levels to name and raise awareness of the associations of alcohol harm and sexual violence. We opened up a public discourse on alcohol harm by articulating a much wider set of harms than had previously been articulated. We continue to work to support the implementation of the Substance Misuse Strategy report under the Public Health (Alcohol) Bill. This latest research was undertaken to address a gap in our evidence base regarding attitudes and sexual consent within a culture where alcohol is so central to socialising and mediating relationships. We very much welcome the findings and recommendations of Dr. Pádraig MacNeela and his research team. RCNI are clear that these are highly pertinent findings to a wide range of statutory and non-statutory agencies and professionals. RCNI aims to work to ensure the widespread understanding of these findings to enhance practice and policy responses and will be seeking funding to support work to ensure the implementation of these recommendations.

Fiona Neary  
RCNI Executive Director



# 1. Introduction

**This qualitative study explores the intersection of university students' attitudes to alcohol use and consent to engage in sexual activity. The study was carried out by researchers at the School of Psychology, National University of Ireland, Galway, commissioned by Rape Crisis Network Ireland (RCNI), between March and December, 2013. This report describes:**

- The background to the study
- The two qualitative methodologies used to collect and analyse data
- The findings that arose from student reactions to hypothetical scenarios of non-consenting sexual activity, and
- Discusses the findings in respect of the scope to support change in attitudes to alcohol use and consent.

One of the key findings in the extensive RCNI Rape and Justice in Ireland report (Hanley et al., 2009) was the high rate of co-occurrence of heavy drinking with rape, by perpetrators and / or victims. This finding led RCNI to develop a year-long campaign in 2012, titled Calling Time on Sexual Violence and Alcohol. The current study builds on this work to address the links that exist between sexual violence and alcohol use. Internationally, it is recognised that extreme intoxication is a component of how the public understand sexual coercion and rape. For instance, this link underpins a 'double standard' attitude, whereby victims are attributed more responsibility if they had been drinking while perpetrators are often perceived as less responsible (Abbey, 2008).

Studies of university student attitudes to alcohol use and non-consenting sexual encounters are not available in the Irish context, so relevant work from other countries will be cited in introducing this study. One reference point in the existing research literature is that of stereotypical rape myths (Ryan, 2011). These myths rely on attitudes and social scripts that support a network of fixed, false beliefs about sexual violence. Such rape myths are linked to the stigmatisation of victims by others. They are also associated with self-stigma, as many women who have been forced to have sex do not label the experience of rape, due to their own internalised expectations for what rape entails (Littleton et al., 2006). Thus, a victim who has been drinking may be less likely to label sexual violence as rape, in the mistaken belief that he or she shares responsibility for the assault.

It is not just through rape-specific expectations that preconceptions and stereotypes inform attitudes to non-consenting sex. Bertson et al. (2013) take a broader view on how college students use scripts and pre-existing expectations to make sense of their relationship experiences. For them, relationships and sexual activity are interpreted through interpersonal sexual scripts that are shared among peers. Bertson et al. suggest that women are more likely to view their sexual activity within a communicative, relationship-based script. They contrast this with the traditional male preference for a recreational script for 'no strings' sex. This picture reflects long-standing cultural norms, in which men and women may be pursuing different, potentially conflicting objectives through sexual activity. It should be noted that gender role differences in expectations for sexual activity may now be changing. According to U.S. research, recreational sexual scripts have gained traction among young adults as an acceptable option for both sexes. This has been seen in the emergence of the 'hook up' culture. Hooking up refers to engaging in sexual behaviours without a pre-existing romantic relationship (Downing-Matibag & Geisinger, 2009). This might include sexual intercourse, but a hook up can also include or be restricted to oral sex, sexual touching, or masturbation.

It is at this point that it becomes essential to consider the intersection between attitudes to sex and the impact that alcohol use has for sexual expression among young adults. Alcohol use has been identified as a critical issue for the well-being of young adults who take part in hook ups. In one recent survey of U.S. students, Thomson Ross et al. (2011) found that non-consenting sex was strongly associated with binge drinking and



reports of harms arising from alcohol consumption. The link between drinking and non-consenting sex is especially relevant in an Irish context, as, quite apart from the emergence of a hook up culture, alcohol use is a dominant feature of socialising among young adults. For instance, a comparative study of 21 countries established that Irish university students exhibited one of the highest rate of drinking internationally (94%) (Dantzer et al., 2006). Dantzer et al. found no gender difference in the rate of non-drinking among Irish students, whereas in most countries rates of non-drinking are substantially higher among females than males.

Ireland is one of several European countries with particularly high rates of alcohol consumption, along with Denmark, England, Scotland, Wales, and the Netherlands (Dantzer et al., 2006). All of these countries have high rates of binge drinking as well, a style of drinking that involves the consumption of large amounts of alcohol within a short period. There is by now little doubt that binge drinking is associated with considerably elevated risks of exposure to alcohol-related harms. These span the physical domain (e.g., injury, blackouts), psychological harms (e.g., lower quality of life, alcohol dependence), and social harms (e.g., higher rates of public disorder convictions, lower academic performance) (Kypri et al., 2009). Following repeated exposure to harms among peer networks, negative events such as a memory blackout or interpersonal conflict may become normalised. It may be the case that these adverse outcomes become accepted as the cost of accommodating heavy drinking as an integral part of the university experience. The degree to which alcohol-related harms such as non-consenting sex, rape, and sexual assault have been normalised is as yet unstudied in the Irish context.

## 1.1. Rationale for the Study

Recently, qualitative researchers have begun to ‘unpack’ attitudes to alcohol and sexual violence (Hamed, 2005; Coleman & Cater, 2005). However, there has been limited direct attention applied to understanding how attitudes to alcohol impact on perceptions of (a) an individual’s right not to give consent to a sexual activity, and (b) the responsibility of the other partner to respect those wishes. This study set out to add to our understanding of this intersection between attitudes to alcohol use and consent to sex.

Recent research provided the exploratory framework for this study. Rather than asking study participants to speak in global terms about consent and non-consent or potentially making them uncomfortable by requesting their personal experiences, we used hypothetical critical incidents that implicate consent and alcohol use. We derived these from previous research. For instance, Rinehart and Yeates (2011) suggest a classification of categories of sexual violence, based on unwanted sexual behaviour, sexual coercion, and rape. The classification was derived from the perceptions of women who had themselves experienced these acts. We also took into account the contextual factors that influence how instances of sexual violence are labelled by others (Hamed, 2005). These include the form of relationship the victim has with the perpetrator, whether force is used, the use of threats and pleading, and the victim’s resistance behaviours. All appear to be taken into account by women themselves when making sense of what has happened to them and in choosing a label for the sexual violence they have experienced. These recent characterisations of rape and sexual violence were used to devise hypothetical written scenarios. The underlying strategy was to use realistic scenarios to prompt written and verbal feedback from university students.

Emerging from this rationale, the aims of the research were agreed as follows:

1. Study the impact of attitudes to alcohol use on how college students make sense of and interpret non-consenting sexual activity.
2. Identify priorities and strategies for informing young adults about the rights and responsibilities concerning alcohol use and consent to sex.

More specifically, the objectives are to:

1. Prompt active consideration of consent among young adult participants using hypothetical, paper-based cases.
2. Add to the literature on harmful consequences of alcohol use by studying the intersection between beliefs about consent to sex and alcohol use.





## 2. Methodology

### 2.1. Research Design

A mixed-methods qualitative research design was used to carry out the study. Two forms of qualitative data were collected in response to hypothetical scenarios that featured non-consenting sexual activity and alcohol use. Focus groups were used to elicit interactional data indicative of views held within peer networks. An online survey was employed, using open-ended questions to elicit complementary individual-level data. The main emphasis of the research analysis was on the focus group component of the design. The online survey was used to help triangulate and explore the potential broader applicability of the focus group findings.

### 2.2. Sampling and Recruitment

A total of 187 young adults took part in the study. Four focus groups were held with female students (n=24). Four females took part in Focus Group 1 (F1), six in F2, six in F3, and 8 in F4. Three focus groups took place with males (n=20), comprising six in focus group 1 (M1), nine in M2, and five in M3. An online survey was completed by 143 students.

All the students were recruited from one Irish university. The focus groups were gender-specific to promote open discussion within groups. Focus group participants were recruited via an email invitation sent to all students. The first students to respond were invited to take part in a focus group. The online survey respondents were recruited via two methods. The first of these was a research participation exercise for undergraduate students studying psychology, who take part in a certain number of psychology studies and experiments for academic credit. The second source of online survey participants was via an email invitation to a wider group of students outside the psychology student pool.

Of the 143 respondents who completed the online survey, 103 were female and 40 were male. Nearly half (n=71) were first year students, 39 were second year students, 12 were third year students, and 15 were in the fourth year (or later) of an undergraduate programme. Six were postgraduate students. Most were aged under 21 (n=105), 22 were aged 21-22 years, and 16 were 23 years or older. The focus group participants had an older age profile. Half were postgraduate students, and consistent with this, 23 of the focus group participants were aged 23 years of age or older, 13 were aged 21-22 years of age, and 8 were under 21. The difference in age profile between the focus group and online survey samples is partly attributable to the time of year when data were collected. Focus group data were collected first, following final exams, when undergraduate students were less likely to be available to take part. The online survey was conducted during an academic semester and included an undergraduate pool of psychology students. Data from the online survey and focus groups were compared during the analysis to identify notable differences in the expression of attitudes. There was little evidence of systematic divergence in the views expressed by the two samples.

### 2.3. Procedure

#### 2.3.1. Development of Materials

A set of written scenarios was devised that drew on previous research studies of sexual violence (Harmed, 2005; Rinehart & Yeates, 2011). See Appendix 1 for a copy of the study materials. The scenarios were adapted for a focus group topic guide. The hypothetical paper-based cases were devised to represent critical incidents where consent plays an important role, either due to a victim of sexual violence not giving active consent or where s/he is forced to engage in a sexual activity for which consent is actively refused. Each scenario was presented



as a relatively short narrative of approximately 250 words. The scenarios were derived from a framework developed from recent qualitative research. The framework provided an outline structure for the scenario, so that reference was made to the victim's relationship to the perpetrator, the location of the event, degree of alcohol use, the form of consent / non-consent (verbally saying no, passive behaviour, physical resistance, etc.), degree of verbal / physical coercion, and situational context (date, party, stranger situation, etc.). We also drew on recent research on the ethnography of college student drinking to construct the scenarios. This research has emerged from qualitative studies of college student drinking (e.g., MacNeela & Bredin, 2011; Conway & MacNeela, 2012), and was used to situate the scenarios as happening in a college socialising context.

**Table 1. Overview of the Hypothetical Scenarios Employed in the Focus Groups**

Scenario	Names	Relationship Status	Non-Consenting Sexual Acts
1	Fred, Jane	Acquaintances	Penetrative sex
2	Dan, Isobel	Strangers	Masturbation
3	Michelle, Ben	One-month relationship	Oral sex
4	Claire, Jim	Friends	Penetrative sex

The principal investigator has developed vignettes and scenario-based elicitation materials for a number of research studies previously (e.g., MacNeela et al., 2010a, 2010b). The materials were reviewed by the other researchers, who were better placed to locate the premise and wording of the scenarios in the youth culture due to being aged in their mid to late-20s. The materials were also reviewed by a contact in RCNI as a check on their relevance to issues concerning rape and sexual assault.

### 2.3.2. Focus Group Procedure

The invitation email circulated to students included the email address of the principal investigator for the study. Students were encouraged to contact the researcher if they wished to receive additional information about the study, address any queries, and so on. A standard information sheet was emailed to prospective participants who expressed a further interest in the study. Students who were still interested were then provided with information on focus group times and locations. Focus groups took place in a comfortable, suitable setting in the university.

On arriving, the participants were welcomed by the moderator and co-moderator. Each participant received a shopping voucher for 20 Euros, which was provided at the outset and not contingent on completion of the focus group. The participants were provided with informed consent materials and the information sheet, and asked to indicate whether they wished to take part. The participants were informed that they did not have to answer any of the questions and could leave at any point. All focus groups were audio-recorded and subsequently transcribed. A brief demographics sheet was completed by each focus group participant before recording began.

The focus group topic guide began following the initial welcome and overview of the study. Then the moderator led an introductory discussion of alcohol use among university students, followed by questions concerning student perceptions of consent to sex. Then the hypothetical scenarios were presented in order. First, the participants were invited to read the scenario quietly. Then the moderator initiated a discussion of the scenario using a list of pre-prepared questions. The moderator steered the exchanges and used prompts where appropriate, before moving on to the next scenario. A wind-up discussion took place following the scenarios.



The moderator requested suggestions for improving student knowledge about consent and alcohol use, and asked for final reflections on consent. Finally, the moderator thanked the participants for their time. Each participant took away the information sheet for the study, which included contact information for the local Rape Crisis Centre, national helplines, and university support services.

### 2.3.3. Online Survey Procedure

The online survey was carried out subsequent to focus groups. The online procedure required several adaptations of the focus group topic guide to be made. The invitation email sent to students included a link to a commercial web survey internet site. On clicking the link, the student was taken to the front page of the online survey. This was an adapted form of the information sheet provided to focus group participants. Online survey participants indicated consent by clicking 'I agree' at the end of the information page of the web survey. Several topics were omitted from the focus group topic guide in recognition of the burden placed on online participants to type individual open-ended responses. Following a demographics page, three scenarios were presented in order. The participant read the scenario then responded to self-directed, open-ended questions by typing free text into text boxes. Two of the scenarios presented online and to focus groups were identical. One focus group scenario was amended to investigate perceptions of the same scenario, without the element of premeditation by the sexual aggressor. The discussion of alcohol use and consent that formed the first part of the focus group procedure was omitted from our online survey. The reflection on consent and request for suggestions were retained in the online survey.

### 2.3.4. Research Ethics

Sexual violence is a relatively common experience for both women and men. For women in particular, the rate of having been the victim of sexual coercion among college student populations has been estimated at 20% (e.g., verbal pressure, threats to end the relationship, threats of physical force related to requests for sex) (Oswald & Russell, 2006). Therefore it is likely that within a sample of college students that some will have had experience of situations reminiscent of those described in the study materials, either themselves, or indirectly through a friend or family member. It might pose a risk to their well-being if discussing the cases were to cause distress. We took these issues into account in designing the materials and procedure for carrying out the study. Ethics approval for the focus groups and online survey was provided by the NUI Galway Research Ethics Committee.

The invitation materials sent to prospective participants clearly flagged the focus of the study on issues concerning consent and non-consent to sex. There was therefore an opportunity to opt out of the study at this point. The potential distress to participants was also minimised through the use of hypothetical scenarios that did not require participants to divulge any personal information or experiences. The researchers were sensitive to the possibility of any upset on the part of participants. This meant that the moderator and co-moderator in focus groups were observant for any indication of distress and had a protocol in place should distress be encountered. We met as a research group on several occasions to discuss the groups and think through any ethical dilemmas and distressing situations that we considered feasible. The group also took part in a training exercise led by a facilitator from Rape Crisis Network Ireland. Finally, the decision was taken to run focus groups on a gender-specific basis. Only males or females took part in any of the focus groups, and the moderator and co-moderator were of the same gender.

Monitoring of distress was not possible during the online survey. We took care to protect online participants by providing information on the nature of the study in the invitation email. The information page at the start of the online survey also clarified that the study concerned perceptions of non-consenting sex and referred to alcohol use. Contact information for support services was provided at the beginning and the end of the online survey. This included contact information for the Rape Crisis Centre service, university counselling, and other services, as well as contact information for the principal investigator.



## 2.4. Data Analysis

The focus group transcripts were transcribed and analysed thematically using the method described by Braun and Clarke (2006), which is used extensively in qualitative research in psychology. The focus group transcripts were read and re-read several times. Then passages of text that were relevant to the study aims were highlighted. Responses to each of the scenarios were analysed separately. Subsequent to this, tentative qualitative codes were applied to the highlighted text extracts. Each focus group was coded in this way, and commonalities were identified in respect of the code labels that were generated. Material relevant to each of the labels were brought together and compared. Responses made to each scenario were coded and grouped separately. A narrative analysis of each scenario was made following coding, which brought together the analysis made of each focus group to identify the principal underlying commonalities. The narrative analysis was written and supported by direct quotes.

The principal researcher led the analysis and write-up of the findings. The analysis presented in this report focuses on the focus group responses. The focus group data were more comprehensive and discursive, typically involving interaction between participants that helped to demonstrate agreement, consensus, disagreement, and elaboration of views, attitudes, and opinions. The online survey responses were used to triangulate focus group findings, extending on them in the case of one scenario to investigate the impact of whether the victim was induced to become drunk by the perpetrator or chose to drink to excess herself.

## 2.5. Credibility of the Case Studies and of the Research Data

The credibility of the hypothetical scenarios was appraised in several ways. Focus group participants were directly asked to comment on the plausibility of each of the case study scenarios after it was initially presented. Participants were also asked at the end of the focus group to comment on the plausibility of the scenarios as a whole. Strong support was obtained from the groups for the contention that the cases were plausible. The cases were endorsed as realistic scenarios. No dissenting views were voiced on this issue.

It was also important to appraise the research data in terms of credibility. Qualitative research is based on obtaining in-depth information from a sample of participants that is, by comparison with quantitative studies, limited in number. The issue of generalisability is continually raised in this context, as a representative sample will not be obtained using a qualitative methodology. We used two strategies to appraise the relevance and credibility of the data to the wider population from which the sample was drawn. First, we used as a reference point the views expressed about alcohol in the focus groups. In each group, the views expressed about the central role of alcohol in the culture were consistent with those recorded in published research with young adults in Ireland (MacNeela & Bredin, 2011) and elsewhere (de Visser, Wheeler, Abraham, & Smith, 2013; Siemieniako & Kubacki, 2013; Griffin, Szmigin, Bengry-Howell, Hackley, & Mistral, 2013; Niland, Lyons, Goodwin, & Hutton, 2013). For example, beliefs were expressed that alcohol is a primary vehicle for socialising, that alcohol has multiple functions (a means for having fun, gaining social confidence, getting to know people), and that drinking scripts are embedded in social practices (it is hard to participate socially without drinking, it is the cultural norm to engage in alcohol consumption consistent with 'binge drinking', etc.). The focus group participants therefore appear to have a similar base of knowledge and values concerning student culture as that seen in published research. Thus, the contention is made that the participants possessed a sufficient level of insider knowledge to justify building a model of student attitudes to sexual assault.

The second strategy we used was to triangulate the focus group data with responses received through the online survey. There were 143 respondents to the online survey. Although this was not a representative sample, the respondents were well distributed in terms of subjects being studied, gender, and year in college. As a larger pool of individuals than that in the focus groups, participants in the online survey provided a comparison to assess whether views expressed in focus groups were notably discordant with a larger pool of students. A brief summary of the online survey data is provided in a subsequent section of this report. The online data were comparable in tone and character to that of focus groups. Individual respondents used similar terminology, explanations, attributions, and judgements to those used in a group setting. We took this to mean that the views expressed by focus group participants were credible and provided some insight on the attitudes held by their peers.



## 3. Findings

**The aim of the findings is to convey the tone and character of the focus group interactions in particular. Students were asked to give their own reactions to the topics raised in the groups, as well as providing an insight on other students' attitudes.**

It should be borne in mind that the students who took part in the study did not necessarily personally endorse the attitudes and views they expressed. They were asked to talk about their perceptions of the 'norm' as they perceived it, or were for example asked to put themselves in the position of a scenario character's friends or peers. Similarly, in setting out the findings, we wish to convey the assumptions and expectations that we noted in our analysis, and do not intend to endorse particular views or attitudes.

The statements in the text of the findings are supported by reference to the focus group(s) from which the material is drawn (e.g. M1, male focus group 1). For clarity, we do not include extracts from focus group in the discussion of each section. Instead, we include examples of focus group exchanges at the end of each section of the findings.

### 3.1. The Context for Consent

#### 3.1.1. Alcohol Is a Key Mediator of Social Interactions in Student Culture

The focus groups began with a discussion of the role that alcohol plays in student culture. Consistent with previous research, the analysis demonstrated that alcohol is regarded as a 'social panacea' that performs multiple functions. Socialising was predicated on the consumption of alcohol, taking place in alcohol-related venues such as bars and nightclubs or through the medium of social events in which alcohol use is implicit, such as house parties (all Focus Groups). It was assumed that alcohol is a priority in the budget for students, perhaps even above food (M1).

The role of alcohol consumption and drinking-based social scripts in college life has been extensively documented in the past. The same familiar themes arose in the focus groups in regard to the way alcohol was positioned as mediating access to fun, adventure, and excitement through drunken nights (M2). These were viewed as deepening the bonds of friendship (M3, F2, F3). It was also felt that not taking part in the drinking culture would mean the person feels left out of friendship networks (M2, F1, F4), and that there was nothing else to do socially (M1).

There was an injunctive norm concerning the consumption of alcohol when socialising. Involvement in sports and university societies was referred to as a viable alternative to social networks based on drinking (M3). However, other students noted that, even in these networks, alcohol can have a prominent role in social activities (F2). First year students were seen as especially keen to take part in the drinking culture, as they would have the least amount of social confidence (F3). This would be the least likely group to contravene the expectation to take part in binge drinking. For all students, however, engaging in the drinking culture was seen to be normative. Not drinking on a particular occasion or being a non-drinker was regarded as requiring an explanation (F3). Drinking was seen as a requirement for a successful night out (all Focus Groups). Not drinking would mean missing out on vital opportunities to develop the close friendships seen as central to the university experience. It was felt to be challenging to go out, even on one night, and not drink. These views were shared across the focus groups, with a summary of the functions of alcohol provided by F4, that alcohol:



- Functions as an icebreaker
- Helps individuals to overcome shyness, and
- Enables close friendships to be established.

On the subject of self-imposed limits for alcohol consumption, it was believed that individual students might operate according to a general rule of thumb, based on prior experiences of how much could be consumed before vomiting or having to go home (F1, F4). It was also suggested that students did not take limit setting seriously (M2), and that limit setting was specific to a given night and situation (M1). The amount of alcohol consumed on a given occasion would depend on whether the person has eaten (M1, F1, F2, F4), is stressed or tired (F2), the rate or speed of drinking on a given evening (M1), the type of alcohol being consumed (M1, F1), whether the student has next-day commitments (M1), and the amount of alcohol available (e.g., if limits arise due to being at a house party, M2, or from the amount of money available, M2). There was considerable emphasis placed on the impact of the environment in mediating consumption (M1, M2, F1). In a nightclub it would be easy to lose track of consumption or not fulfill an intention to limit drinking (M2). It was easy to be influenced by the drinking norms in a given situation or by the norms adopted by friends (F1, M2). It takes a while to get used to the new environment in college, where students are not monitored by parents and may participate in drinking games (F2).

In the research literature on student alcohol use there has been less attention directed to exploring the role attributed to alcohol in facilitating sex, either through hook ups with acquaintances or strangers, or in existing relationships. The students in the focus groups perceived that the key role of alcohol in social life extends to the hook up culture and to sex in established relationships. Thus, among its multiple social functions, alcohol was seen as critical in situations where consent / non-consent to sexual activity arises.

Alcohol facilitated hooking up to occur, for instance by inspiring the confidence to approach members of the opposite sex, the 'Dutch courage' that enables an individual to initiate conversation or make an approach (M1, M3, F1, F4). This function was underpinned by a presumed 'shyness' in making approaches in sober scenarios. Once in the flow of an alcohol-fuelled night out, it was comparatively easy to engage with another person at a similar point of intoxication. Those interactions were of different types: where that person is a 'randomer' (i.e., a stranger), an acquaintance who the person fancies but would not try to 'get with' if sober, or a person with whom there is an existing relationship. Moreover, being drunk provided an excuse should an approach be rebuffed, as the person can present that approach as having taken place due to the influence of alcohol, thereby maintaining their social reputation (F1).

### 3.1.2. Examples of Focus Group Extracts:

**Here this male participant indicates that not participating in the drinking culture is unusual:**

**RESP 2:** *there's maybe a handful of people who...who can manage without it. ... And they're always pretty em... you know, unusual people ... People that are pretty kind of eccentric ... it's rare enough that ... that someone would be able to socialise properly without ... without it. (M3)*

**This is taken up in an exchange in a focus group with females:**

**RESP 1:** *No, it's very inconceivable to be a student who goes on a night out and doesn't drink.*

**RESP 4:** *Yeah, you can nearly need an excuse.*

**RESP 1:** *And I don't think I've ever really met anybody...unless they're driving, that's a great excuse.*

**RESP 4:** *Yeah, or you're on antibiotics or...*

**RESP 1:** *You do need an excuse, yeah.*

**RESP 4:** *You actually literally need something to say (F2)*





**One motive for drinking is not wanting to be left out:**

**RESP 8:** *I think people are afraid to be left out as well. ... They think like, everyone's drinking so they have to be part of the crowd to drink. And they mightn't want to themselves but they feel like the peer pressure to drink is so big that they have to, to kind of have sort of...some sort of social life in college. (M2)*

**RESP 1:** *I think it plays a huge role anyway. Em...especially for first years. Em...I think some first years would probably see it as kind of a mechanism to make friends maybe.*

**RESP 6:** *I agree with that like, definitely. And then there's the whole pressure as well, when you're a first year and you want to meet people. So where do you go? You go out (F3)*

**Another motive for participation in the drinking culture is to make friends:**

**RESP 4:** *I think it's a good way to start a friendship. ... So I'd say I know the majority of my friends from like house parties or whatever, from first year or...*

**RESP 8:** *Immediately becoming best friends when you're having a few drinks.*

**RESP 4:** *Exactly*

**RESP 5:** *Because everyone's your best friend.*

**RESP 3:** *Yeah.*

**RESP 4:** *... much sounder, aren't they like, the next day (M2)*

**Alcohol gives confidence:**

**RESP 2:** *Someone goes out that's a bit shy, awkward at the beginning, you know, alcohol gives them the confidence.*

**RESP 4:** *It releases inhibitions like, when people wouldn't necessarily...might perceive someone to be oh...of a different say social distinction than the others but they go up to someone and then they get...the similar girl they're going up to and, you know? (M1)*

**RESP 4:** *It tends to be an icebreaker I think, for certain people. I've noticed, throughout college, that some people would be very, very quiet and then you see them if they're out and they have a drink and they're completely different, not in a bad way, they're just, you know. (F4)*

**Overall, alcohol consumption is a big priority in college life:**

**RESP 1:** *It really is the number one way of socialising like, when you're in college. By a long shot. (F4)*

**RESP 2:** *Well it's a thing that I...I think an awful lot of people feel that you don't really know someone unless you've had a night out with them. (F2)*

**RESP 4:** *Yeah, I think it's...it's key to everything. Eh...just a class party organised, if there's anything organised at all it's based around drink so...*

**INT:** *Yeah.*

**RESP 5:** *I think it's key to everything that's organised, especially with socialising in college.*

**INT:** *Okay.*

**RESP 6:** *People use...people actually say the week before, they'll say they have a hundred quid, that they make sure they have their drink money before they have their food money. (M1)*

**In the domain of sexuality, alcohol enables the person to make an approach that would not otherwise take place:**

**RESP 2:** *I suppose like for approaching people that you don't know, like, like I'd find that very hard to do sober and I don't know very many people who would do that without (F1)*

**Approaching someone while drunk enables the person to save face:**

**RESP 2:** *It's such a security blanket as well, even like if you get rebuffed it's kind of like "Oh well, I was just hammered, it's fine." (F1)*



**The strategy of approaching someone while drinking makes up for a tendency not to do so during the day at college:**

**RESP 2:** *I don't think you're going to meet the person of your dreams from like a drunken whatever, but if it is someone you like and you've gotten to know each other, I think the night out is often seen as the opportunity that you can...*

**RESP 4:** *Yeah.*

**RESP 2:** *...kind of get with them or something like that. I think it is, yeah.*

**... RESP 1:** *As well like, in Ireland, we don't have a culture of chatting people up during the day. It's seen as really kind of sleazy (F2)*

**Overall, drinking is the main route to getting with someone:**

**RESP 2:** *I think it's the main reason why people would get together is because they're drunk. [Laughing] It seems from my own experience anyway. I think ninety nine percent of the time that I've been with a boy it's usually been because of drink involved.*

**RESP 1:** *Yeah.*

**RESP 2:** *Unfortunately, but that's the way it is.*

**RESP 1:** *It is. I think it's a lot to do with confidence as well. (F3)*

### 3.1.3. Consent to Sex: Reading Implicit Signs

Following a discussion of the alcohol culture in college, the focus group discussions moved on to getting an overview of the understanding of consent. The picture of expectations for consent that emerged shows a largely implicit, tacit process. That process fitted into a social script, establishing the expectation for a gradual progression in intimacy toward penetrative sex. As illustrated above, the context in which consent is given and received was one in which alcohol, drinking, and drunkenness were characterising features. Thus, expectations concerning consent, described below, are cast in the context of interactions in which both partners can be expected to be drunk at the time.

#### 3.1.3.1. The implicit process of giving and receiving consent

Giving and obtaining consent for sex was described in all the focus groups as a process that is largely implicit, to be read through non-verbal signs. This process unfolded over the course of what was seen as a mutually understood social script of progression in intimacy, from initial kissing and bodily contact through to sexual acts. Participation in the process required the ability to read non-verbal signs such as body language. Acquiescence to the other person's advances was taken to indicate tacit consent. The rule of thumb was for males to be the main agentic figure in the interaction, persistent in progressing the degree of physical intimacy until the female clearly indicated that she wished the male to stop. This was not a value-free interaction, as there was pressure perceived by females to go along or acquiesce to the partner's intentions, due to self-consciousness or a desire not to be seen as 'frigid' (F2). The woman might at times not rebuff her partner's advances even though privately she did not wish to progress further. It was felt that full consent means that both individuals are 'on the same page', as indicated by body language, active participation of the partner in the implicit progression of the encounter, an equivalent level of drunkenness experienced by the two individuals, and an absence of force (F3).

#### 3.1.3.2. Consent in hook ups and established relationships (M1, M2, M3, F2, F3)

Hook up encounters were felt to present particular issues in the communication and reading of consent, as the two individuals had not built up a high level of mutual trust and knowledge of the other. Body language (M1, M3), silent agreement, and flirting were all taken as indicative of consent (M2). It was funny or amusing to consider the idea of explicitly negotiating consent in a hook up, as this was a short-term assignation that might arise after meeting someone while drunk in a nightclub (M2). It was thought less likely that consent would be discussed at all in this situation, compared with the scenario of an established couple (F1).





This situation typified the rule of thumb that males would not ask for consent but instead keep progressing until non-consent is made clear (M1, M2). Discussion in female focus groups confirmed the perspective that the female stops the progression (F1). 'No' or 'yes' might not be communicated verbally (F1, F4), but for the most part the man read the signals given by the woman in response to the passes he made (M1). The belief was expressed that 'most lads will know if she's up for it' (M1). A clear signal of interest in sex was taken to be if the partner agreed to leave the nightclub with you (M1).

The implicit progression script could well be acceptable in a hook up, depending on the person (F2). However, problems in sending or receiving messages of non-consent were thought to be quite possible when there were 'two random people' (M2), not comfortable enough with one another to clearly negotiate their preferences (M3). By comparison, an established relationship was thought to provide better conditions for communicating and understanding preferences regarding consent. An established relationship contained levels of trust, communication, and existing knowledge that made it easier to read signals and communicate preferences. Participants in M1 and M2 felt that this allows the male to gauge 'if she's up for it' and better read the partner's intentions. Participants in M3 felt it is more likely that the two individuals in a relationship would be able to talk about what they wanted or did not want, a view echoed by participants in F2 who felt that women would feel comfortable enough to say 'no'. Despite this, it was also important to consider that there might be more pressure in a relationship, and it could be more difficult to indicate non-consent in a relationship or to back out of unwanted sex (F3).

### **3.1.3.3. Drinking makes unplanned sex more likely to occur but less likely to be discussed (M1, M2, M3, F2, F3, F4)**

Drinking was directly related to the provision and understanding of consent. Giving consent while drunk was felt to be largely acceptable but sometimes problematic, especially when one or both of the partners was very drunk. Hook ups in particular were likely to take place in the context of an alcohol-fuelled interaction. The effects of alcohol were thought to make it more likely that unplanned sex would arise as a possibility, due to the impact of drinking on increasing perceived confidence and the acceptability of initiating an encounter (M3, F2). However it would be less likely that individuals could think the situation through or communicate about what was happening (M3).

Alcohol was viewed as changing the dynamic of consent (M2), making it more likely that there would be a reliance on implicit consent and the standard progression script (F4). Consent would be more likely to be assumed (M3). One problematic issue arising in this circumstance was in registering that one partner was beyond the point of giving consent. The threshold for being unable to give consent was rather high. Thus, participants in M1 said that a female was able to give consent as long as she could talk. The idea of consensual sex between drunk strangers or acquaintances was seen as plausible (M3). Despite this there was a point at which someone was felt to be too drunk to give consent (F4). One situation felt to be particularly inappropriate and wrong within the realm of drunk sex was when one partner was a lot more drunk than the other. In this situation the less drunk person was perceived to be at risk of 'taking advantage' of the other person (M1, M2, F4). It was felt to be wrong to have sex with someone when that person's competence in giving consent was less effective than your own.

Drunk sex was acknowledged as occurring in established relationships as well as in hook ups (M1). Indeed, drinking was felt to facilitate the transition to prompting a sexual dimension in a nascent relationship (F2). While some of the same dynamics of the implicit progression scenario were likely to apply in an established relationship, it was felt to be easier to talk about consent than in a short-term hook up encounter. The only point of explicit discussion in the hook up scenario might be around contraception (M1). Although there was a focus on consent being conveyed implicitly, it was stated in two female focus groups (F2, F3) that it was preferable to have explicit articulation of consent at each stage in the implicit progression script. Notwithstanding this, the explicit discussion of consent was described as a 'mood killer' in the same groups. It was felt that discussing consent explicitly could spoil the moment and reduce excitement in a passionate encounter.



It was felt that individuals could handle themselves in a hook up scenario. Thus, there was a tendency not to intervene when members of the peer group got together with an acquaintance or stranger (F3). At the same time, there was acknowledgement that hook ups present safety issues and risks, when a female moves away from her group of friends for the night and into the peer group of the new partner, as it would be less easy to maintain control (F3). Friends had another role in prompting some hook ups to occur, with peers potentially encouraging males to initiate an encounter (M1).

### 3.1.4. Conclusion

The initial discussion of consent to sex in the focus groups suggested a picture of implicit, gendered practices. Consent itself was unspoken and negotiated implicitly within a script for gradual progression in intimacy toward sex. The role of the male in this script was to increase the extent of intimacy until sex was achieved. The female role was to acquiesce to these steps unless she wished to indicate non-consent. A high degree of sensitivity to non-verbal signals and body language is presumed in this script, as the individuals were likely to be drunk and have limited (or no) pre-existing knowledge of the other's preferences or limits. This was particularly relevant to hook ups. These perceptions of drinking and consent constitute the background against which we explored how hypothetical scenarios were interpreted and judged.

### 3.1.5. Examples of Focus Group Extracts:

**Hooking up means that talking about sex is less likely to occur:**

**RESP 2:** *I mean, you're obviously...if you're just casually hooking up with someone you're more...you're both much more likely to be drunk and much more likely to do kind of less...less sort of open communicating and less em...to, I suppose, to communicate less, I think. ... Whereas em...in a relationship you're sort of...I guess you're...you're building something more with someone and you're...you're kind of more inclined to...to actual...to actually talk about things and talk about what ye want. ... And don't want. (M3)*

**The ambiguity concerning the reading of consent is underlined here, it is also necessary to read the partner's level of drunkenness:**

**RESP 1:** *I think if someone is really, really drunk and they can't...they aren't physically able to say yes or no, well then it's definitely a no.*

**RESP 4:** *Yeah.*

**RESP 1:** *People should know that.*

**RESP 3:** *Yeah.*

**RESP 1:** *And sometimes it's taken advantage of.*

**RESP 3:** *Yeah, so, a verbal response isn't necessarily always exact. It doesn't convey exactly what's going on.*

**RESP 1:** *You know, if she's too drunk to say yes that doesn't mean it's a yes. (F4)*

**The idea of doing formal consent is not taken seriously:**

**RESP 9:** *They don't exactly sit down...*

**RESP 2:** *Bring out...bring out a contract...*

**RESP 8:** *Silent agreement. (M2)*



**Verbalisation and articulated negotiation of consent are felt to be antithetical to the intensity and passion of the sexual encounter:**

**RESP 2:** ...I suppose feeling comfortable enough to be able to say no is probably, in a way, you know, if you're comfortable enough with the person that you feel you could say no if you wanted, at any time. That's...I think...

**RESP 1:** Yeah. I suppose the whole idea of like proper consent would be asking and giving a yes or no answer. But like, in practice, that must hardly ever happen because that's just...

**RESP 4:** Yeah.

**RESP 1:** ...such a mood killer.

**RESP 2:** Yeah, a buzz kill, yeah, I was just going to say. (F2)

**In hook ups there is reliance on silent negotiation of consent:**

**RESP 2:** ... Just start off slow like and see how far she lets you go before she says stop. Then that's as far as you get to go like.

... **RESP 2:** Usually asking "Will I get a condom?" as well. (M2)

**RESP 8:** Yeah, I think those sort of random meetings as well, there's just far more chance of misreading signs (M2)

**Here the process of reading consent is compared to making sense of a code:**

**RESP 2:** I mean it depends like, em...a person that you know, you know really well then, I think it's more like eh... "So, you want to leave this place and...?" and they kind of know, there's no direct like, "Do you actually want to go and have sex?" It's kind of like a...

**RESP 6:** If they get in a taxi with you you're...you're alright.

**RESP 2:** Yeah, it's a code. It's a code, you know?

**RESP 6:** It's an unspoken like...they...they're coming home with you.

**RESP 2:** You going to go to my place then?

**RESP 6:** Ninety eight percent of the time they're going to have sex with you. (M1)

**This female perspective shows that there may be pressure associated with the assumption that consent is given by accompanying someone home:**

**RESP 2:** And I think with younger...I find...well, say, I'm going by my younger sister and her friends, there is a thing of being seen as kind of like frigid and you know...

**RESP 4:** Prick tease kind of...

**RESP 2:** ...yeah, yeah.

**RESP 4:** ...I hate that word.

**RESP 2:** Yeah. [Giggling] Yeah, those kinds of things are just like...or "Like why did you come back if you weren't going to do anything?" kind of, and it's like "You said tea." (F2)

**The analogy in this exchange is that consent is based on body language, which is depicted as the mainstay of communication:**

**RESP 5:** You're feeding off like eh...signals and stuff.

**RESP 1:** Yeah.

**RESP 5:** You know, a visual...a lot of it's visual, you know, you'll...you'll...you'll probably build the courage by the... by their...their demeanour too like, you know?

**RESP 6:** Yeah, you know when you know. It's...

**RESP 5:** Yeah.

**RESP 2:** What's that saying? That eh...seventy percent of conversation...

**RESP 6:** Eighty percent.

**RESP 2:** ...eighty percent is through body language, so (M1)



It is assumed that individuals can handle themselves in their encounters, and that having a problem would be indicated by obvious 'struggle' or 'strife':

**RESP 2:** Yeah, because you'd often see in a nightclub of whatever, a couple smooching in the corner or whatever, and you know, obviously if there's no resistance or if there's no struggle or strife or something you just assume that they're both one hundred percent happy out and do not come near me. (F4)

The progression script is referred to in this extract:

**RESP 4:** Yeah. Like, you're going to...you might start with a kiss ... and if they kiss back you...you might go to the next stage and, you know, you'd see...I suppose there's a ... It's like the American system of bases. (M1)

The female role of stopping progression is described here:

**RESP 1:** Yeah. Because I don't think you ever, like, talk about "Oh, will we?" and, you know...

**RESP 4:** Yeah, it's not something you ask.

**RESP 1:** ...consent first...

**RESP 4:** Yeah.

**RESP 1:** ...but it's more one of those things that you stop ... at whatever level you start to feel uncomfortable. (F1)

The right to stop the progression at any point is discussed here, along with the idea that it can be difficult to put this into practice:

**RESP 3:** And I think that sometimes, in relationships, ... Once you say yes they...like, you feel like you have to or the other person is expecting you to go all the way. [but] you should have consent for every stage ... consent should be like a longitudinal thing. ... in the middle of something you can actually decide that you don't want it.

**RESP 4:** Yeah. Because it could be quite awkward then. (F2)

In this exchange, it is made clear that non-consent is final, however then there is acceptance for negotiating this in a non-verbal manner:

**RESP 4:** No means no. Simple as. You say not, you just don't go any further. It shouldn't anyway. You shouldn't have to be coaxed into it like, constantly badgering them, badgering someone or...yeah.

**RESP 3:** And I think it's...it's not even necessarily just a verbal...verbal consent, it's your body language and things like that..

... **RESP 2:** Yeah. I think even if it's not verbalised, both people, it should be obvious that both ... people want to be doing it. It shouldn't be, like, in any way unclear.

**RESP 1:** Unless you get a clear yes, well then, don't just assume the other person wants to do it. (F4)

## 3.2. Scenario 1. Fred & Jane

This case study was seen as a plausible hook up scenario that can arise between two people who move from being acquaintances to a sexual relationship following a night out ('[getting with] a friend of a friend', F2, a 'standard Saturday night', M2).

Certain features of the scenario provoked particular discussion:

### 3.2.1. Jane's blackout

Jane's blackout from drinking alcohol was a critical issue in how this scenario was interpreted. Blackout has different connotations in the student culture. It can mean being unconscious or remaining conscious but not remembering later what you have done or said (all Focus Groups). The prevailing view was that Jane had probably not passed out, but was so drunk that she could not remember later what had happened at the time (F2). She might have been awake and willing to take part in sex at the time (F4). It was felt that it was



more serious if Fred had decided to have sex with Jane while she was unconscious, compared with having sex with her when she was very drunk (i.e., so that she did not remember later what she did or said) (M1). In the latter case, Jane was also given some responsibility, in that a blackout was not seen as removing personal responsibility for a person's behaviour, even if the behaviour cannot be remembered later (M2). It was felt that Jane would be upset with herself that she could not remember what had happened to her (F1), and she should take more responsibility not to drink so much in the future (F2).

### 3.2.2. Jane was left on the couch

In the morning, Fred was in his bed when Jane woke up on the couch, where the groups assumed that sex had taken place. It was seen as particularly wrong on the part of Fred to leave her on the couch and go to bed after he had sex with her (M2, F2). This helped colour the view taken of Fred when speculating whether he was the type of person to knowingly have sex with Jane when she was beyond the point of giving consent or whether she had given him tacit consent for sex (M1, F3).

### 3.2.3. The critical role played by alcohol

Jane's drinking to the point of having a blackout underpinned the ambiguity associated with this scenario. It was plausible that both Jane and Fred were quite drunk when they were being intimate (M3). This was not interpreted as unusual or problematic. As both were perceived to have been quite drunk, it was not a clear-cut case of Fred taking advantage of Jane while she was in a vulnerable state. Fred may have had reduced awareness because of his drinking (F1), and been less capable of making an appropriate decision about not having sex. Drunkenness gives more scope for a scenario like this to occur (F2), perhaps he is an 'okay guy' who was really drunk and thought he had consent (M1), that Fred believed she was 'up for it' (M3). If Fred did not realise how drunk she was then he was not knowingly taking advantage (F3). It was suggested that it is difficult to get a man to consciously disengage from pursuing sex when he is drunk, which highlighted how alcohol clouds judgement and influences behaviour (F3). Women get drunk easier than men, thus placing more responsibility on Fred (F4), but Jane herself was seen as responsible for her own drinking (F2).

### 3.2.4. Making Sense of the Scenario – Story A or Story B

Two narratives were generated in the focus groups in order to make sense of what happened in the scenario – corresponding to whether Fred used Jane for sex, then went to bed leaving her on the couch, or if he was acting out the typical male script for seeking sex (F3).

In Story A, Fred took advantage of Jane, leaving her on the couch, covering his tracks the next morning by attributing responsibility to her. In this narrative, Fred was prepared to tell a lie by saying Jane was awake and did not object at the time (in which case 'rape' is a better fit as a label for what happened). The alternate narrative was Story B, that Fred behaved in an unethical manner but did not realise it at the time. From this perspective, at the time Jane was responding (although too drunk to give appropriate consent) (M1, M2, F1, F3, F4). Although Story B was still considered 'dodgy' behaviour (M2), it was understandable as an acting out of the typical progression toward sex script, based on implicit consent, with Fred the active agent as a man who wished to achieve penetration.

The script being followed by Jane and Fred was one of typical progression from kissing to more intimate contact that would culminate in sex (M1, M2, M3, F1). Jane had been engaging in intimate contact with Fred, which is suggestive of the typical pattern of implicit consent (M3). Although Jane would not have been very active in sex, if she was so drunk that she later could not remember what happened, it is possible she was conscious during sex (F2).



### 3.2.5. Perspective Taking: Fred's Reactions and Line of Reasoning

The groups were asked what Fred's reactions would be the next day following the incident. The male focus groups in particular identified that Fred would be worried and scared, due of the fear of getting in trouble, the possible legal repercussions of his behaviour, the stigma of being labeled a 'rapist', and negative reactions from peers (M1, M2, M3, F3). Thus, he was seen to take the event quite seriously. This can be contrasted with reactions attributed to some of the other scenario protagonists.

Although M1 participants said that some men would be defensive and others caring in this situation, the female focus groups focused more on the importance of Fred's character in determining his reaction (F2, F3). If Fred were to be remorseful (i.e., surprised, horrified, F2) then this would be a good sign, indicative of Story B. Respondents in M2 and F2 suggested he would feel bad and be likely to experience guilt and remorse. It appeared to several respondents in F3 that remorse was suggested by his acknowledgement that Jane did not give verbal consent. However participants in F4 felt that he did not seem to express remorse or talk to her about the event in the morning.

The most common perception of Fred's thinking and reactions was consistent with Story B, that Fred felt at the time that Jane was 'up for it', indicative of a male mentality to keep going until you get a no ('if it's not a no then it's a yes', M3, he 'went for it', F4). From this perspective, Fred was in a difficult position because he progressed with sex on the assumption of implicit consent and the hook up script (M2, M3, F1, F2, F3, F4). Thus, he might not have realised he did wrong until the morning (F4).

### 3.2.6. Taking Jane's Perspective

Compared with perceptions of Fred's reactions, there was more certainty about how Jane would react to the event. Anxiety and fear were attributed to her (fear, M1; feeling panic or scared, F3, F4). Participants in F1 suggested she might have 'the fear', a highly aversive feeling associated with a bad hangover (MacNeela & Bredin, 2011). Participants in M2 and F4 said that she would feel violated. Nevertheless, she was thought unlikely to report Fred to the policy, and potentially making a court appearance, because there was drinking involved (thus undermining her credibility to others), and the view that the Gardaí would not take the incident seriously (F4).

It was thought that Jane would feel bad about herself, as reflected in terms like self-disgust and embarrassment (M1) or being mortified (F3). It would be upsetting for her that she had sex and cannot remember, leading to self-perceptions of feeling slutty or dirty (F1, F2), fearful for her reputation, annoyed with herself (F2), experiencing regret for drinking so much and being unable to maintain control of the situation (F4).

These self-perceptions were perceived to generate turbulent emotions, so that Jane would need to talk (M2), try to piece things together (F3), and she would keep going over the event in her mind (F4). Female focus groups placed more emphasis on the need for discussion between Fred and Jane to enable them to reconcile what happened. Fred should have talked to her more the morning after (F3), but it might be hard to expect this level of discussion from young adults (F2). References to Jane's character were less common than in relation to Fred, although participants in F1 did suggest that her reaction would depend on her character (i.e., whether this happens to her regularly or is more 'straight laced').





### 3.2.7. Was this Rape?

The conclusion reached in most of the focus groups was that the label of rape was appropriate if Story A was applicable (i.e., Fred had sex with Jane while she was unconscious), but not if Story B pertained (i.e., Fred had sex with Jane while she was very drunk and did not later remember what happened) (M1, M2, F1, F3). Given that most discussion and elaboration was given over to Story B, the general conclusion was that a rape had not occurred.

The males in M3 did not feel that the rape label was justified. Participants in F3 suggested that Jane not giving consent and being left on the couch pointed toward rape, but balanced this by saying that rape is a very strong label which they would be reticent to apply to someone.

Participants in F2 felt that, although Fred's behaviour was wrong, rape would be a strong label for him, in particular due to his age (22) and the ramifications of the rapist label, especially if he was very drunk at the time. Participants in the same group felt that it was not acceptable that his definition of consent appeared to be that she did not object, concluding that saying Yes is more important than saying No. For them it was important to be able to say No in a drunken sexual encounter. The issue of Fred's character was an important factor for participants in F4 in working out whether to term the incident a rape (is he a 'genuine guy', F4). Would he be the type of man to have sex with a woman after she had passed out? Jane's consent was not active, but this might mean that, while not explicitly indicating consent, there could have been implicit consent arising from her engaging in sexual acts with Fred (F3). Thus, he had some basis for believing that Jane was interested in having penetrative sex with him. This suggested for participants in F4 the need for regular checking that the other person agrees to progress further with sexual activity, while acknowledging that valid consent could be given non-verbally through body language (F4).

The context and circumstances placed Fred's behaviour in a different light to that of a stereotypical rape incident. Rape was associated with violence committed by a stranger who was behaving in a premeditated manner (F2, F4). What happened between Fred and Jane was more like a one-night stand that she regretted the next day, possibly due to the motive of preserving her self-image as a woman who did not have casual sex (F2). The question was raised as to whether the event would be equivalent if it was a woman who took advantage of a man who was very drunk – with the conclusion that it was not an equivalent situation because penetration by the man represents a violation of the woman (F2).

### 3.2.8. Conclusion

Although it was thought possible that a rape had occurred in the scenario involving Fred and Jane, there was considerable uncertainty arising from her level of drunkenness. If her blackout had involved unconsciousness, then it was rape, as she had no choice over Fred's desire to have sex with her. However, if she was very drunk, then it was not possible to make an attribution of rape, despite her presumed reduced capacity for consent. The key decision point in the scenario was whether Fred chose to have sex with Jane despite her being unconscious. There was too much doubt over whether this occurred to conclude it was rape, especially as sex between acquaintances was a plausible occurrence.

In choosing which of the two possible narratives was more plausible, the unfolding events of the evening provided significant contextual information. Jane and Fred already knew each other, had kissed and became more intimate during the evening, suggesting to participants the plausibility of a typical hook up scenario progressing toward sex. The absence of verbal consent for sex from Jane was not seen as surprising. Consent was felt to involve the woman acquiescing with the man's agentic role to lead the gradually increasing level of intimacy that results in sex. Giving consent in this context was understood as a rather passive stance of 'not saying no'.

Jane was understood to face considerable negative repercussions arising from this incident. Nevertheless, despite the severity of the consequences, it was considered unlikely that she would report the incident, due to the ambiguity as to whether it was a case of drunken sex in which consent was implied. Fred was understood



to have acted improperly in having sex with someone who was very drunk. Despite this, the social expectation for a male drive to seek out sex positioned Jane in the role of gatekeeper, with the responsibility to refuse consent, implicitly or explicitly. The ambiguity over what kind of blackout Jane might have experienced meant that the participants were reluctant to apply the label of rape, especially as the rape stereotype was one in which force was applied by a stranger engaged in a premeditated act. Doubt was raised about whether she might have indicated her consent implicitly, despite being quite drunk. It was felt that the rapist label was unwarranted, particularly if Fred expresses remorse.

### 3.2.9. Examples of Focus Group Extracts:

Here caution is evident in labeling the event as rape:

**RESP 2:** *I think it's one of the trickiest things, because I'm always...I would always want to err on the side of encouraging people to report things like that because they're so under reported, but yet, if you label someone as a rapist it's with them their whole life and you need to be really cautious about doing that. Like, I think, do you know, there's a really fine line and I never know, kind of, what to say about it.*

**RESP 1:** *I think if she was conscious I wouldn't classify that as rape. (F1)*

Fred's behaviour in leaving Jane on the couch while he went to bed is appraised negatively, followed by a discussion of the ambiguity seen in the scenario:

**RESP 6:** *And most of us all said we'd...we'd either lie on the couch with her or bring her into bed.*

**SEVERAL RESPONDENTS:** *Yeah.*

**RESP 6:** *None of us actually said...*

**RESP 2:** *Would you still have sex with her though?*

**RESP 6:** *...none of us said we wouldn't have sex with her. [Laughing]*

**RESP 2:** *But you think you'd still have sex with her though. The thing is I think with all the definitions of blackout everyone has kind of misconceptions about what's happening in the story so...you know what I mean like?*

**INT:** *Yeah.*

**RESP 4:** *But that grey area is...is reality like. There's no...just because it's not defined like, that might be a...that might be a case...*

**RESP 6:** *That could happen to any one of you like.*

**RESP 4:** *...like, that girl literally wouldn't be able...might not be able to tell you if she had a blackout physically or mentally so I suppose...*

**RESP 2:** *Like you'd know if it was a physical blackout if she was...if she was like closed eyes and everything limp like (M1)*

The critical issue was whether Jane was conscious or not:

**RESP 1:** *Like, if...if it was rape like, they...he would be required to produce the condom. Em...but, like, I don't know, for me, it really comes down to whether she's conscious or not. If she was unconscious or passed out or anything and he knew that, or at least should have checked that or had some sort of like...*

**RESP 4:** *Feedback...*

**RESP 1:** *...physical...*

**RESP 4:** *...or something, yeah.*

**RESP 1:** *...or verbal feedback from her that she was still willing throughout, like, that's not rape, if she is...if she's unconscious, it is because she's...if you're asleep or you're not aware of what's going on, you can't consent. (F1)*





**Blackout can be taken to mean loss of memory:**

**RESP 5:** Yeah, I would have...I would have thought that, yeah, that I suppose, to the outsider looking on she would have been, you know, active.

**RESP 2:** Conscious like.

**RESP 5:** It's not like she was unconscious but just she forgot...

**RESP 2:** Yeah.

**RESP 5:** ...she couldn't remember.

**RESP 2:** I would say 'passed out' if she had passed out...

**SEVERAL RESPONDENTS:** Yeah. Yeah, me too.

**RESP 2:** ...[inaudible] she didn't remember. (F2)

**The uncertainty about what might have transpired during the period of Jane's blackout is discussed in this extract:**

**RESP 2:** Like you're being very harsh on Fred because for...for all...like, we only know what information's given here.

**INT:** Yeah.

**RESP 2:** During that blackout he could have been on the couch, she could have been on top of him opening his pants like ... stripping down like. She could have been doing anything for all we know like. ... And it could have been very, very clear to him that she's mad for it like ... we're not told that here. Or it could...it could easily be rape. (M2)

**Being labeled a rapist is a major issue, but does not seem like a good fit for Fred:**

**RESP 9:** It's big for him as well like, being labelled rape and like...

**RESP 1:** It's shit.

**RESP 8:** Oh yeah, not it's like...

**RESP 9:** ...you know, it's not like he was completely sober or anything, it was just kind of going that way (M3)

**Jane did not say 'no', which Fred might have taken to mean 'yes' in the context of their evening:**

**RESP 2:** ... he seems to reason that, if she doesn't say no, she's basically implicitly saying yes.

**INT:** Okay.

**RESP 4:** It's a kind of case of implied consent.

**INT:** Yeah.

**RESP 4:** Like the physical affection, kissing, general contact, all that, would...would imply that she was up for it but then it falls down to a case of whether she passed out or whether she just doesn't remember giving consent. (M3)

**Both Jane and Fred have some responsibility for what happened:**

**RESP 1:** And they're both young and probably, you know, somewhat sexually inexperienced and maybe Fred hasn't had a lot of sexual experience. Maybe he thinks that that's normal for a woman, not to be particularly active. I mean that's just a point. I don't know if I really agree with that.

**RESP 2:** I think, as well, and I don't know how this'll go down, but I think she really has to accept responsibility for the fact that she drank to that extent, you know? I know like it's not right if somebody...but I mean you sho...like, if she's getting herself into those situations I think she does have to kind of go "Well, you know now, I was out of my mind" like, you know? It's...

**RESP 5:** It is. It's kind of...it's a funny one because it is like, you do think of it almost for her as rape but then without blame of him though, I think. (F2)



Here the group discusses the need for active consent, coming to the conclusion that active consent can be non-verbal:

**RESP 2:** *I mean they were get...they were quite physical anyway. ... kissing and genital contact, whatever that means. That could mean anything. But, you know, so obviously the...her consent was right up to that point so the next stage if there...if they were quite eh...physical, then the next step would be intercourse. So, whether...I mean, you know, I...how...it would be easy for him to have the wrong signal then, you know, if she was willing to participate right up to a point and then she blacks out. And just before...prior to intercourse. I don't know, it just seems a bit..*

**RESP 3:** *I don't know, I think there should be consent at every stage.*

**RESP 4:** *Yeah, I think so too.*

**RESP 1:** *Yeah.*

**RESP 2:** *You mean like outright asking or...?*

**RESP 3:** *No...*

**RESP 2:** *How do you mean?*

**RESP 3:** *...I mean like she should be like an active participant, not just like lying there nearly passed out. Then you know that yeah, okay, this isn't a yes, I should stop now (F3)*

The view is taken here that Fred was a 'normal boy' who had too much to drink and yet had the foresight to use a condom:

**INT:** *Okay. So what do you think that Fred will think when he thinks back on the situation? So how will he explain his behaviour?*

**RESP 5:** *It depends what type of a guy he is.*

**TWO RESPONDENTS:** *Yeah.*

**RESP 1:** *Em...I'd say he was just like a normal boy...like, it's just like...*

**RESP 3:** *It depends on how drunk he was as well.*

**INT:** *Mmm.*

**RESP 5:** *He may have not seen...though that she was that drunk. Especially if..*

**... RESP 2:** *Well he had the cop on to use a condom.*

**RESP 3:** *That is true.*

**RESP 2:** *Which says a lot about his morals because most blokes wouldn't bother if she was completely unconscious, you know? He had the...*

**... RESP 2:** *Yeah. They don't think about those things I think ... when they're horny. (F3)*

In this passage several participants express positive evaluations of Fred, before going on to talk about the difficulty involved in getting men to stop coming on to them, especially when drunk:

**INT:** *So the way in the story here, em...when he reacts to her em...asking what happened the next day, it just said he believed that she was willing even though she didn't verbally say it.*

**RESP 2:** *Which is really honest of him because he could have lied through his teeth and said "You completely said that..." you know? But he said "Look, to be honest I thought you were willing but you didn't verbally say it." I thought that was really honest of him. I...that's what got me on his side when I read that part, if I'm honest.*

**INT:** *Yeah.*

**RESP 2:** *Because I thought, hmm, okay, because he could have just lied through his teeth. He could have said anything. She...she doesn't know the difference.*

**RESP 1:** *Yeah, that's really true.*

**INT:** *And are there any other reactions he could have given other than...?*

**RESP 3:** *Well he wouldn't have said "You were really out of it and I thought I'd take a chance" so that...that would be the most logical thing for him to say.*



**INT:** Mmm.

**RESP 3:** So I wouldn't really make too much of that.

**INT:** So...

**RESP 1:** Like a lot of guys like if, you know, there's physical contact, they're not going to stop and be like, you know, like verbally say...

**SEVERAL RESPONDENTS:** Yeah.

**RESP 1:** ... "Do you consent?" or, you know?

**INT:** Yeah.

**RESP 4:** It's hard enough...

**RESP 1:** Like if it's going to happen, it's going to happen.

**RESP 4:** It's hard enough like when you're coherent to tell them "No, stop like. Go away."

**RESP 1:** Yeah.

**RESP 4:** Do you know? And if you're...if you've drunk that much or if you, you know, it's extra hard. (F3)

**In this excerpt the focus group members describe their stereotype for a rape and their view that Jane would be unlikely to pursue the case legally:**

**RESP 2:** I think it does just show kind of how you can think of rape as just something that is like a horrible person at knifepoint and ... it's not always black and white. Like, you don't really know whether, or I don't really know whether I would label this as rape or not and, you know, I think that makes it tricky in a legal sense and for people who have been in situations like this to decide what to do.

**RESP 1:** It's also interesting that she didn't go to the police because even though she labelled it as a rape she mustn't have thought...well, she was either, you know, too scared to go or she didn't think that her case would be listened to and that kind of stuff.

**RESP 5:** I don't think that would stand up though in, like, court. Like, two drunken testimonies.

**RESP 4:** ...maybe there's a lot of questions there so maybe they won't take it as seriously as they could if it was...if someone was dragged down...

**RESP 5:** In an alleyway.

**RESP 4:** ...somewhere in an alleyway where you didn't know the person and these horrible things happened.

**... RESP 3:** ...bring it through the court system and you just wonder what implications it'd have for the people being dragged through the court system. ... leave well enough alone instead of bringing it through such a system, that there may be no justification for it and em...you're just...you're reliving it constantly.

**RESP 2:** I think you would know that this wouldn't be able to get very far in a legal sense, like, it probably wouldn't have any repercussions for him but if she did go forward with it, say on principal kind of, because she thinks it's wrong, it would probably have really negative repercussions for her in terms of this group of friends, socially.

**RESP 1:** The police probably won't take her seriously either.

**RESP 2:** Yeah, like, in the sense of it being...of rape being kind of one person's word against the other and she doesn't really have a word because she doesn't know what happened, you know? I don't think it would really have anything positive for her which is sad but probably what would happen. (F4)

**Here the issue of character arises as a major determinant of what is thought likely to happen in the event of Jane reporting the incident:**

**RESP 1:** But I wonder how would the legal authorities interpret it now if that was reported to the police.

**RESP 3:** That's the thing yeah.

**RESP 6:** That's where they go into the character of the person, that's...so...

**RESP 1:** Yeah.

**RESP 6:** ...you know, so you don't know.

**RESP 1:** You'd have to know more about Fred. [Laughing]



**RESP 6:** *You'd have to yeah. We don't know much about Fred, what Fred would think like. Some...some lads would turn around and say "Fuck that, that's her own fault like. I...I...she gave me permission," While other lads would be genuinely upset about it and actually try ring her and find out.*

**RESP 5:** *Yeah, exactly, yeah.*

**RESP 6:** *So it all depends on the character. (M1)*

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**Drunk sex should be accepted as a reality, but skills in negotiating consent need to improve:**

**RESP 1:** *...really what people need is not to say okay, "You shouldn't drink so much." ... or like, ways that we can establish consent that are possible when we're drunk, because drunk sex is never going to stop...*

**RESP 2:** *Yeah.*

**RESP 1:** *...because that's what people want to do when they're drunk...*

**... RESP 1:** *...so some kind of language for understanding what somebody wants would be useful instead of saying, you know, this is rape and this is not rape.*

**RESP 2:** *But I do think, to a certain extent, you have to recognise that you shouldn't get too drunk that you can't say no or you can't stop if you don't want to like.*

**RESP 6:** *But it shouldn't be that you can't say no though, it should be, I think, too drunk that you don't know that you're saying yes. (F2)*

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**Jane's likely reactions the next day are described:**

**RESP 6:** *I'd say she'd be disgusted with herself.*

**RESP 3:** *Yeah.*

**RESP 6:** *She drank too much at the end of the day.*

**RESP 3:** *Maybe embarrassed and...*

**RESP 6:** *Like when you wake up and you don't remember the night before and you're...you're...the first thing you do is that you ask someone "What the hell happened last night?" You're raging at yourself for not remembering.*

**... RESP 3:** *Even if she is blaming him she's still going to blame herself and that always happens in rape cases like (M2)*

### 3.3. Scenario 2. Dan and Isobel

This scenario referred to a male student (Dan) who had been drinking with friends all day and had been unable to 'pull' in the nightclub that evening. He is portrayed as initially behaving in a helpful manner toward a female student (Isobel). Due to being very drunk, Isobel requires assistance getting home. However Dan then took advantage of her when he got inside her flat by forcing her to masturbate him.

**Key features in the focus group discussion of the progression of this scenario were:**

#### 3.3.1. Decision points – Dan had several opportunities to behave differently

Dan had a number of points at which he could have made a different decision but chose not to (all Focus Groups). Instead of escorting Isobel to her apartment himself, he could have used her phone to ring her friends or put her in a taxi. When he got to her apartment, he could have left her at the door, and when Isobel said good night to him, he could have read the signs to indicate that he should leave. Even at this point there was an opportunity to avoid behaving in an abusive manner – when he brought her into her bedroom he could have left her there and slept on the couch himself (F3), but instead his choices culminated with the decision to commit a sexual assault.



### 3.3.2. Dan's decision to help Isobel

While he could have used alternative strategies besides helping Isobel directly himself, Dan's behaviour up to the point of coming into her apartment was viewed as 'gentlemanly'. It was not viewed as suspect in itself to offer help to females who have become unable to get home due to their drinking (F2).

### 3.3.3. Bad character

As noted earlier, participants offered two alternative narratives of the male protagonist's character in Scenario 1 (Fred). Most favoured a storyline in which Fred believed he had some level of consent from Jane, thus excusing his character to a degree at least. By contrast, Dan's character was condemned because of the actions he took once he got Isobel to her flat. He was seen as a 'scumbag', a 'predator' (M1, M2), a 'prick' (F4), and viewed with 'disgust' (F2) as an 'aggressor' (F3).

His behaviour in trying it on with numerous women in the nightclub was not viewed as suspect behaviour, as this was not unusual for a man (M2, F1, F3). However in light of his later actions in Isobel's flat, Dan was interpreted as having a predatory mindset that night. His intentions were recast as being self-serving from the outset of the scenario (M2). Two narratives were entertained in F2, that of Dan being a 'nice guy', who had wanted to help Isobel at the beginning, or a 'creep', who began with the intention of assaulting her. Likewise there was some uncertainty in F3 as to his original intentions. The prevarication in these instances can be attributed to other explanations of Dan's behaviour besides having a bad character. The male stereotype of being on the look out for sex was implicated in making sense of what he did, just as it had been when interpreting Fred's behaviour. He was viewed as being influenced by the male urge to go 'looking for a woman' (F4), and also by his young age ('only eighteen', F4), a level of inexperience at which he would chance his arm at anything (F3). Ultimately, however, his manipulation of a vulnerable woman who was considerably more intoxicated than himself meant that, compared with Fred, his character was interpreted in a more critical light.

### 3.3.4. Dan's alcohol use

Dan was seen as being under the influence of alcohol. Compared with Fred in Scenario 1, whose behaviour was to a greater extent 'excused' by his alcohol intake, Dan's drinking was seen as an explanation, but not an excuse for his behaviour (F4). Alcohol could not be used to repair or deflect the negative reading made of his character. Thus, he knew what he was doing (M1), and although he had a lot to drink he was of 'sound mind' (M1). The participants in F1 described two possible accounts of the role of alcohol in Dan's behaviour. Contrasting with the single narrative that was described in the M1 group (that he was not so drunk that he lacked insight on what he was doing), F1 participants considered the possibility that he was a 'nice guy' who had too much to drink, elevating alcohol as a more critical factor in his decision-making. However there was not a consensus in the F1 group as to whether his behaviour reflected the impact of alcohol more than it expressed an underlying bad character.

Although he was said to have consumed 10 pints of beer that day, Dan's level of drinking was not seen as extreme. This level of consumption was characterised as something that might be engaged in once a month or so (M1, M3). By comparison, Isobel was viewed as very badly affected by her drinking that night. She lost control of the ability to regulate herself and was left in a vulnerable state (M2, F4). She had a bad night and did not have the ability to get home independently (M2). There was a perceived disparity in their level of drunkenness, which placed an onus on Dan to behave decently and not to take advantage of her (F1). Thus, Dan was seen as taking advantage of Isobel after adopting a stewarding role toward her (F2).



### 3.3.5. Dan's reactions

Guilt and remorse were identified as possible reactions that Dan would experience the next day. However there was lack of agreement between the groups on this point. Participants in some groups (including all the male groups) said it was likely he would experience guilt (M1, M2, M3, F2). More mixed views were expressed in two female groups (F3, F4) as to whether he would actually feel remorse, due to his bad character. The shame Dan might experience would also be reflected in a reluctance to tell his friends what he had done (M1), or that he would change his account when telling friends to leave out his use of force (F4). Dan might use the alcohol consumption as an excuse when rationalising his behaviour, so that he would not have to question himself (M3). He might instead interpret his behaviour as a case of having got carried away, thereby protecting himself from the idea that he had raped or assaulted Isobel (F2).

### 3.3.6. Isobel's reactions

There was less variety when inferring Isobel's feelings and reactions. Her experience at the time was one of being scared (F1, F2), violated (M2), and threatened (M3). She might feel shame later about what had happened, and would be more likely to tell her friends than family members such as parents (M1). She might find it hard to talk about what happened, because it was so violating and unpleasant, but does need to find support through talking about it (F3). She should also consider not drinking as much in future (F3).

### 3.3.7. Views on consent and assault

While there was considerable discussion of the first scenario as to whether Jane had indicated non-consent or not, Scenario 2 was interpreted quite differently. Isobel's refusal and lack of consent was clear-cut (all Focus Groups). There was no justifiable rationale or excuse for Dan's behaviour toward Isobel.

There was considerably more ambiguity over what to call the form of assault that Dan was responsible for. This ambiguity was based on the expectation that rape entails penetration, and Dan did not penetrate Isobel. Across the groups, it was believed that rape entails intercourse (M1, M2), so Scenario 2 did not represent a 'clear cut rape' (F1). This meant that participants were more comfortable with describing it as a 'sexual assault' (F2, F3). These reactions did not minimise the impact of the event, for instance participants in F4 said that Isobel would 'feel raped' in the extent of the violation that she experienced. Several factors were implicated in the judgement that Dan's behaviour was clearly wrong: Isobel clearly said 'no', she was more drunk than Dan (and therefore he would be taking advantage of her, given the student norm concerning parity of drunkenness), she was a stranger to him (and therefore he was closer to the 'rapist' stereotype), she had accepted his offer of help in getting home rather than agreeing to take him home, and was clearly in a vulnerable condition (F1).

### 3.3.8. Appropriate reactions

Putting themselves in the position of friends to Isobel, the focus group participants offered a further insight on the construction of the scenario as a sexual assault. There was no sense of Isobel being blamed for what happened, but a consensus emerged from the groups as to her having a weak case to present to the police in seeking a prosecution. The discussions of whether Isobel should be advised to go to the police gave an insight on the ways in which her case was seen to lack credibility. Thus, while going to the police was presented as an option when advising Isobel, on balance there were problematic issues or risks associated with it. Isobel's drunkenness at the time was viewed as undermining the credibility of any claim she would make (M1, F2, F4).

The questions raised in the groups as to whether this was rape re-surfaced when considering the police reaction (M2, F1, F2, F4). If the assault did not fulfill the criteria for rape then it was felt that it would not be fruitful to seek support from the Gardáí. Further to this, it was felt that Isobel had less opportunity for redress, having allowed or invited Dan into her flat (F2, F4) and in any event he would be hard to trace or find (F2). As a result of these factors, it was felt that Gardáí might not take her claim seriously. It was questioned whether the legal route could be trusted to ensure that Dan received an appropriate punishment (F1). Overall, Isobel was felt





to have little 'comeback' for what had happened (F2). In balancing this view, one reason offered for reporting Dan was because, if he had acted from an intention to commit an assault, he might be emboldened by what happened. Thus, it was morally important to report him, so that other women could be protected (F3).

In terms of the immediate reaction that friends might have on coming home to discover Isobel in a distressed state, the male groups described a response of going out to look for Dan in order to punish him themselves (M1, M2). This response was discussed in one female group but it was felt to be physically risky (F2). The female focus groups focused more on the need for friends to talk to Isobel and offer her sympathy and support (F1, F4). These groups also emphasised the guilt that her friends might experience in having become separated from her during the night (F2, F3). It was viewed as important to help Isobel piece together what had happened and to collect information on the event (F2). Male groups also described the need to offer reassurance that what had happened was not her fault (M3), and there was discussion of encouraging her to change her behaviour so that she would find herself in a vulnerable position in the future (M1).

### 3.3.9. Conclusion

Just as with Scenario 1, alcohol played a critical role in the interpretation made of Scenario 2. However, on this occasion the perpetrator's use of alcohol was seen as an explanation rather than a plausible excuse for his behaviour. The victim's alcohol consumption was seen as putting her in a vulnerable position, but she was not presumed to experience the same level of regret or self-blame as that attributed to Jane in Scenario 1. This scenario was perceived to be a far more clear-cut event than that described in Scenario 1, due to a relatively close correspondence between Dan and the stereotype for a rapist. He was a stranger who sexually assaulted Isobel despite her clear articulation of non-consent, thereby attracting strong dispositional attributions concerning his bad character. Alcohol provided an explanation for his behaviour in this context, but his drunkenness could not be seen to excuse Dan's actions. While Isobel was expected to suffer strong negative consequences from the assault, she was not seen as likely to experience regret about her own behaviour. The causal motive in this scenario was more strongly associated with Dan. Nevertheless, Isobel's likely reluctance to report this event to the Gardaí was partly attributed to her own actions, in having been drunk and inviting him into her home.

### 3.3.10. Examples of Focus Group Extracts:

**The scenario involving Dan and Isobel is described as relatively clear cut, compared with that of Fred and Jane, because he made a series of wrong decisions:**

**RESP 2:** *It's much more clear cut.*

**RESP 1:** *Yeah, definitely more clear cut.*

**RESP 4:** *Yeah, definitely not cool.*

**INT:** *And what do you think is the big difference that makes it so much more clear cut?*

**RESP 4:** *Because she so clearly said no. I mean ... on a number of occasions.*

**RESP 1:** *Well she seemed to be more drunk than he was and he kept pushing it. Like, he was like, "Oh, I'll take you home" and then "I'll help you into bed" and like...*

**SEVERAL RESPONDENTS:** *Mmm.*

**RESP 2:** *Also that they're strangers...*

**RESP 1:** *Yeah, completely.*

**RESP 4:** *Yeah.*

**RESP 2:** *...and they hadn't gone, kind of, home together, both deciding to go back to a house.*

**RESP 4:** *It was someone he found on the street, kind of.*

**RESP 2:** *It was someone he found.*

**RESP 1:** *In a vulnerable position...*

**RESP 4:** *Yeah.*



**RESP 1:** ...and took advantage of it.

**RESP 2:** Like, the key moment in this whole story is Isobel said she was tired and not feeling well and said goodnight to Dan.

**RESP 4:** Yeah.

**RESP 2:** That...at that point..

**RESP 4:** "Goodbye Dan"

**RESP 2:** ...nice guy for walking her home. Leave.

**RESP 1 & 4:** Yeah.

**RESP 2:** Do you know? That's when...that's when the whole thing changes, and from then on it's ... it's not right. (F1)

**Dan's behaviour in trying it on with several women in the nightclub was not in itself abnormal:**

**INT:** But is that unusual or...do you reckon? Or is that a normal sort of thing for lads to be doing on a Saturday night?

**RESP 8:** Depends on the lad. Depends on the night.

**[General Giggling]**

**RESP 9:** Normal for some lads I would...I would say.

**RESP 8:** Yeah.

**INT:** Yeah. Depends on the character.

**RESP 2:** There are like, especially eighteen year old lads that...there's a lot of...lot of groups of lads who go out..

**INT:** Yeah.

**RESP 2:** ...they're...they're not up for really having any sort of craic. Their whole point of being out in a nightclub is..

**RESP 8:** Yeah, that's your goal for the night like, yeah.

**RESP 2:** ...to pull..

**RESP 8:** Yeah.

**RESP 2:** ...go home, get the ride like. (M2)

**Here Dan is viewed in a very negative light, and an attempt to introduce alcohol as an extenuating circumstance is rejected:**

**RESP 1:** I'm really mad. I don't like him.

**INT and RESP 2:** Yeah.

**RESP 6:** Yeah, he's a prick.

**RESP 4:** He seemed okay for the first half of it..

**RESP 5:** ...like, okay, he seems like a good guy and then I was just kind of like "Why did he do that?"

... **RESP 6:** Yeah, not great. He seemed really caring..

**TWO RESPONDENTS:** Yeah.

**RESP 6:** ...and then it's like he took complete advantage of her.

**RESP 1:** It's kind of like he did her a favour and then he felt "Oh, well, you know, she owes me something now" or something, I don't know.

**RESP 2:** I literally don't even know what someone would be thinking that they would think that was okay. Like, there's no...

**RESP 3:** The other side of it though, was he thinking?

**RESP 2:** Well, yeah.

**RESP 7:** ... he was steady on his feet.

**RESP 4:** But again it's like how people react to drink.

... **RESP 1:** I'm pretty sure he knew what he was doing though.





**RESP 2:** Yeah, I mean I didn't get the...I think even if you were really drunk I don't see how...

**RESP 7:** She was definitely saying no like. (F4)

Dan's behaviour is regarded here as reprehensible and hard to understand:

**RESP 2:** But like no one in their right mind, drink or no drink, should...would be doing that to a girl if they're... like, there's just something odd about that.

**RESP 3:** Yeah, it's like...

**RESP 2:** It's just so invasive. Invasive isn't even the word. I need a stronger word but I can't get it. But it like... because that was...that...that whole paragraph is just like, oh Jesus.

**RESP 3:** It's just dirty.

**SEVERAL RESPONDENTS:** Yeah.

**RESP 2:** There's something seriously wrong there, whether he's sexually misguided or whatever, I don't know. If you could ever think that that could be okay. But yeah, I don't know. (F3)

In this excerpt one group member suggests ways in which Dan's behaviour can be made sense of, but another member disagrees that it can be normalised at all. The group then work out what to call the assault:

**RESP 1:** But the fact that he's eighteen, maybe he's, like, easily impressionable or he might be just out of school and that is kind of a very common attitude with lads, kind of like, you know, get...get the shift no matter what the cost, this kind of stuff like. You've heard awful kind of rape culture things going on in that age group.

**RESP 2:** I think there's a level though of kind of...I could see a lad of that age trying to kind of coerce someone and thinking that was okay but I...I can't, in any sense, justify, you know...I don't know if I'd call that rape but whatever, you know, I can't justify doing that when she's telling him to stop. And in any sense I cannot...

**RESP 1:** Oh no like, I'm not justifying it, I'm just trying to explain maybe why he thought...

**RESP 2:** ...not...not...but in general like, I don't think his age or his drinking or anything makes that okay. Or even in his mind it can make it okay. I just don't see how it could.

**RESP 5:** Is that technically rape? Like...

**RESP 4:** Sexual assault.

**RESP 6:** I think it's assault, yeah.

**RESP 2:** I would have said it's more assault. I don't know if I'd say rape.

**RESP 4:** [Inaudible] Yeah, it's not...yeah, it can't be called...it can't...that...it can't be called rape can it?

**RESP 6:** It is rape because it's not like penetrate...like, it's just non penetration sex.

**SEVERAL RESPONDENTS:** Yeah.

**RESP 6:** It is still sex like, kind of.

**RESP 5:** Is it?

**RESP 6:** Yeah, I'd say so. Would it be? (F4)

The participants empathise with Isobel in this extract, citing several reasons why the assault was so horrific:

**RESP 1:** Yeah, you would definitely...like, she remembers it so like you would definitely consider like that you'd been sexually assaulted in a horrible way by a stranger, you know? That's a bit more...that like...

**RESP 2:** Yeah, it's like he's a stranger, she said no, she was vulnerable, he knew she needed help, just all those things together is just...

**RESP 4:** I wonder like when it said Dan coaxed her like, did he try and like...or was she that drunk that she couldn't just get up out of the room or was he like trying to push her down or...I wonder.

**RESP 2:** And I think as well the fact that they were in her apartment...

**SEVERAL RESPONDENTS:** Yeah.

**RESP 2:** ...that's so scary that you...you have nowhere to go like, as in you're like "I'm home" (F2)



The members of a male focus group concur that Isobel needs support:

**INT:** How would you think is the best way to support her?

**RESP 1:** Be there for her.

**RESP 2:** I think it's em...I might be em...speaking from my own experience...I think it's important, in situations like that, to...to reassure the woman or the victim that they haven't...didn't do anything wrong and that they're not...that there's nothing...nothing wrong with what they did, em...and that they're...they're the victim of the situation and that eh...to be wary of feelings like em...kind of, guilt and em...sort of, self loathing, sort of em...

**INT:** Yeah.

**RESP 2:** ...pointing the blame and the...the kind of, the anger inwards. Em...and make her aware that...of the services that are available for someone in her position. (M3)

Isobel made it clear that she refused consent, but Dan might have found ways to discount these responses:

**INT:** And what are the different ways that Isobel refused consent?

**RESP 1:** Every...well, she said goodnight which is basically "Go away."

**RESP 2:** She was tired, she's not feeling well.

**RESP 1:** Em...she kept saying no.

**RESP 4:** I think it's...I'd say him in his twisted perspective might think because he didn't...there was no penetration, that he didn't rape her. That's like he just was kind of rubbing up against her. Was that what he was doing? Like em...so I'd say he's like "Oh I didn't really do anything" do you know? But that's not, you know?

**RESP 1:** Yeah "I didn't do anything that she would have to say no to."

**RESP 4:** Yeah, do you know?

**RESP 1:** But like of course if she kept saying no...

**RESP 4:** That's probably how he would qualify it in his head that it's not. (F2)

Isobel's options after the event are described as limited, both pragmatically and in terms of the credibility of her claims, leaving her with the option of rationalising what happened:

**INT:** And then what kind of options are open to Isobel after having this experience?

**RESP 1:** Like nothing. How is she ever going to find him? Who is she going to tell? Like nobody can...nobody's going to do anything about it.

**RESP 2:** Yeah. Like I mean maybe she could go back to where she was sitting outside and see was there CCTV or something...

**RESP 4:** Yeah.

**RESP 2:** ...but I don't think you'd even find anything that way, I mean...

**RESP 5:** But even there's the kind of from a like legal point of view she let him into the house, he didn't break in, there's...

**RESP 2:** Yeah.

**RESP 5:** ...you know, kind of...yeah, it's a complete violation but...

**RESP 2:** Yeah.

**RESP 5:** ...to the outside person she let him in, she...you know?

**RESP 2:** And she was drunk and...you know like, I mean...

**RESP 5:** Yeah, you know, there's kind of...horrible like.

**RESP 4:** And there was only the two of them there, nobody probably saw them and they had only saw a guy being...helping a drunker girl home.

**RESP 1:** And I can imagine her thinking like, you know, rationalising it then, being like "Oh well maybe it wasn't that big a deal" you know? "He didn't penetrate me. It was just that" you know like, she'll be thinking "What's the point, everybody's going to find out. I'm just going to have to keep going through this and nothing's going to come of it." You know? (F2)



The role of friends' support would be to help her rationalise what happened, whereas family input would not be helpful:

**RESP 6:** *I think her friends would have calmed her down and said "Look, you didn't get raped."*

**RESP 5:** *Yeah, yeah. It's...*

**RESP 6:** *Some scumbag came in and...*

**RESP 5:** *Ejaculated on ya. [*

*... RESP 6: As bad as it sounds like, I think her friends would convince her not, probably, because that's the way girls would think like, going...*

**RESP 5:** *Yeah, yeah.*

*... RESP 2: Yeah but you know like, they...most people...like, if she told her mother her mother would be like "See, I told you not to drink so much."*

**RESP 1:** *Yeah, exactly.*

**RESP 3:** *Yeah, exactly.*

**RESP 2:** *And she'd be blaming the...the...girl...*

**RESP 4:** *Yeah, that's it, yeah, yeah.*

**RESP 2:** *...when clearly it's one hundred percent not her daughter's fault.*

**RESP 5:** *Yeah, yeah.*

**RESP 1:** *"What...what were you doing on your own?"*

**RESP 3:** *Yeah, yeah.*

**RESP 2:** *Yeah, like it's...*

**RESP 5:** *"Where were your friends?"*

**RESP ?3:** *Yeah.*

**RESP 2:** *Yeah, they look at it the completely wrong way instead of like (M1)*

Dan's character and capacity for regret are discussed in light of the view taken of his character:

**RESP 2:** *I'd hope that he felt massively guilty but you don't know because I'd imagine that he's not a particularly sort of sympathetic person, that he could carry on doing this when she was saying no, no, no. Like...*

**RESP 1:** *He'll probably just push it to the back of his mind too.*

**RESP 2:** *Yeah, yeah.*

**RESP 1:** *I can't imagine him dwelling on it too much. (F4)*

The option of reporting what happened to the police is viewed as hard to go through with:

**RESP 3:** *I would encourage her to go to the police even if there seems like no hope at all of finding him like.*

**TWO RESPONDENTS:** *Yeah.*

**RESP 2:** *It'd be so hard...yeah.*

**RESP 3:** *I think it's part of the process that people need...*

**RESP 1:** *And to document...*

**RESP 3:** *...just a sense of "I did something and they couldn't help me but at least it's something." So I would just encourage her to do...to go through all the process just...*

**RESP 1:** *Yeah.*

**RESP 2:** *It'd be so hard...*

**RESP 3:** *...for her.*

**RESP 2:** *...as a friend though and she's really, really upset. You'd want to just comfort her at the time and then the next day deal with it but I suppose it'd be better to get her to go to the police that night, maybe would it be or...?*

**RESP 1:** *Yeah. I wonder like...I mean I...I take this really seriously like, and we all do obviously, it's horrible, but I wonder like if she did go to the police would they have...would they take her seriously.*

**RESP 2:** *It's just the thing I was wondering. (F2)*



Members of this male group also develop the view that going to the Gardaí is not a realistic option for Isobel to pursue:

**RESP 2:** *I think, kind of, Irish culture would like, you only go to the Gardaí in a real...*

**RESP 8:** *Yeah.*

**RESP 2:** *...what you'd see as a really serious situation*

**RESP 8:** *Yeah.*

**RESP 5:** *Yeah, it's almost...*

**RESP 2:** *Maybe it's just me like.*

**RESP 5:** *...a last resort.*

**SEVERAL RESPONDENTS:** *Yeah.*

**RESP 2:** *... if he went and started having sex with her like, like definitely that's like, you'd go to the guards but not everybody would. Like, what he was saying over there that like, what the...what...what, I think, people portray rape as is penetrative...penetrative sex.*

**INT:** *Yeah.*

**RESP 8:** *And I guess, unfortunately, you might be, well for very...potentially would be like embarrassed to go to the guards about something like that like.*

**SEVERAL RESPONDENTS:** *Yeah.*

**RESP 8:** *Even if...even if you really wanted to like.*

**INT:** *Yeah.*

**RESP 5:** *Well you'd wonder would the guards take it serious like...*

**RESP 8:** *Yeah.*

**RESP 5:** *...when you were drunk.*

**RESP 8:** *Yeah.*

**RESP 5:** *Like, "You're a mess. Go home."*

**SEVERAL RESPONDENTS:** *Yeah.*

**RESP 5:** *Like, I don't mean that in a bad way but like...*

**SEVERAL RESPONDENTS:** *Yeah, yeah.*

**RESP 8:** *Yeah, no, you could very...*

**RESP 5:** *Is...is that a...is that a...*

**RESP 8:** *You would be afraid of that attitude like.*

**RESP 5:** *Yeah, even if you weren't met with that like, is that a fear that you'd have?*

**RESP 8:** *Yeah. (M2)*

Dan's capacity for regret is discussed in this exchange. With alcohol discounted as a sufficient cause for his actions it is believed that Dan showed that he had a bad character:

**INT:** *And then the next day, how do you think Dan would have felt about what happened?*

**RESP 4:** *Hopefully sorry, but I don't know.*

**RESP 2:** *As [Participant Name] said earlier, it totally depends on the type of person he is, you know? But I can't... it doesn't seem like he was drunk enough that he would look back and be like "What was I doing?" It seems like he was kind of with it enough...*

**RESP 1:** *Yeah.*

**RESP 4:** *Yeah, definitely.*

**RESP 2:** *...to know what he was doing.*

**INT:** *Yeah.*

**RESP 2:** *So I don't think it was just this...and I think regardless of how drunk you are, I sort of feel like you're the type of person that would do that or you aren't.*



**RESP 1:** Yeah, I think so as well.

**RESP 2:** Do you know?

**RESP 1:** I really agree with that.

**RESP 2:** I think sometimes you can...you can't use drink as an excuse...

**RESP 1:** No.

**RESP 2:** ...to say, "Oh yeah, I didn't know she was saying no because I was drunk." Like, you...you know when someone's [inaudible].

**RESP 1:** Yeah.

**INT:** So you're kind of not imagining any regret or anything on his part for that?

**RESP 1:** He could have regret.

**RESP 4:** But he would probably...

**RESP 1:** It depends on the type person but I don't think it's going to be dependent on the alcohol. I think it's just he's either going to be the type of person to be like, you know, "I shouldn't have done that" or well, you know, "It turned out well for me" and not really care that he upset her. (F1)

A similar view is expressed in this male focus group:

**INT:** ... the next day, how do you think Dan would have felt about what had happened?

**RESP 1:** Not good.

**RESP 3:** Yeah but, he probably was half cut and going on with his daily life without giving it a second thought.

**INT:** Okay.

**RESP 3:** Like, he probably would have thought like "Oh what...what have I done?" but then he just would carry on I assume.

**INT:** Okay.

**RESP 4:** Felt bad about it, put it down to drunk and then just moved on I suppose.

**RESP 2:** Yeah, I think he...he would have easily em...justified it to himself.

... **RESP 2:** Em...I mean there's so much carried away and so much drunk you can...you can get. Like, it doesn't change you into a different person. You're still yourself and I don't...I think if he's capable of doing that I don't think he's eh....he's going to have a whole lot of remorse. (M3)

Dan was thought likely to engage in editing his account of the night when discussing it with his friends:

**RESP 2:** Probably tell nobody because his mates would be like "Why did you do that?", you know?

**RESP 5:** Yeah.

**RESP 2:** But he'd probably be in his head be like...

**RESP 5:** Yeah, I think...

**RESP 2:** ...I shouldn't have done that?

**RESP 3:** He probably...in fact...

**RESP 2:** You know like, nobody knows so...

**RESP 3:** ...he probably did say it to his friends, "I scored..."

**RESP 2:** Went back with a young one.

**RESP 3:** ...yeah, "went back with this one last night and I scored her" and...

**SEVERAL RESPONDENTS:** Yeah, yeah.

**RESP 2:** But it wouldn't have been like, "She said no and I continued", you know like?

**RESP 3:** The thing is I...I doubt he...yeah, he'd tell it selectively like and...

**RESP 4:** Yeah, I think he was of sound enough mind to be in pretty much the same mindset the next day. (M1)



### 3.4. Scenario 3. Jim & Claire

The scenario that involved Jim and Claire was distinct from the others in that the female was the aggressor. The responses offered by participants were quite distinctive as a result of this. There was a considerably more negative reading made of Jim's character relative to the other victims of sexual assault presented in other scenarios. Although it was acknowledged that it was plausible that a man could be pressurised into having sex, the interpretive script for making sense of this event was less available.

**The main features in the discussion of this scenario were:**

#### 3.4.1. Peers would lack sympathy for Jim

Participants in both male and female focus groups suggested that Jim's male peers would not be sympathetic if he told them what Claire had done (M1, M2, M3, F1, F3, F4), and were likely to make fun of him (M3). The reasoning behind this was that they might presume he had a choice ('why didn't you leave', M1), and that having sex was inherently enjoyable so there was nothing for him to complain about (M1, M2). The reasons suggested in M1 were largely echoed in F1 ('get over it', 'what are you complaining about'). It was suggested in two female groups that Jim might be more likely to avoid a 'lads' mentality and to receive a sympathetic response by disclosing on a one-to-one basis with close friends (F1, F3), however even then friends might minimise the significance of the incident (F1).

#### 3.4.2. Jim must have a weak personality or be different to the norm

In contrast to the two scenarios described above, in which no aspersions were cast on the character of the two females, Jim was subject to personalised, diminishing attributions. Across all the groups, he was seen as either a weak person (e.g., 'insecure', F2) and / or as having characteristics that distinguished him from other men. This allowed the participants to rationalise why he had succumbed to pressure or did not want to have sex with Claire.

One participant in M1 said 'you do not meet many men like Jim', explaining that other men would feel it reflected well on his manhood to be repeatedly asked for sex. Nevertheless, participants in three of the groups referred to personal knowledge of an event like this happening. Jim was perceived as lacking in confidence and having a weak personality (M1, 'it's the type of person he is'). Participants in M2 tried to rationalise why he did not want sex, suggesting the reasons might be that he did not find Claire attractive, he did not want a relationship, it might have been his first time, or perhaps he was attracted to a different female in the friendship group. This array of explanations implied that Jim must have had some specific reason not to go with the male urge to have sex with an available woman. Similarly, female participants in F4 suggested that perhaps Jim is very religious, socially conservative, a virgin, or liked a different girl; most of these reasons position him as having some distinctive characteristic (conservatism, religiosity) that explains his preference not to have sex. The explanatory work engaged in by focus group participants was consistent with the stereotype that men are presumed to be on the lookout for sex, in contrast with the female default strategy of trying not to have sex (M2). Given that Claire was viewed as having a strong personality, Jim was felt to be open to manipulation as an unconfident, shy young man (F2), with a parallel drawn to women in abusive relationships who experience powerlessness (F2).

#### 3.4.3. Jim missed the decision points

Echoing the view that Jim's peers would ask him why he did not leave the bedroom where Claire forced him to have sex, the participants in several groups identified that Jim had some responsibility for what happened. This attribution was based on the belief that Jim made the wrong call on several key decision points – he would have known she was calling him out to have sex, so he should not have left the company of their friends in the first place (M1), and subsequent to this he could have walked out of the room or called for help (M1). Similarly, participants in several female groups suggested he had some responsibility in the incident as he could have walked out of the room or chosen not to engage in sexual intercourse (F1, F4).





#### 3.4.4. Labeling the event

There was considerable prevarication and ambiguity in the labeling offered of the incident. Thus, it was seen as 'unethical' behaviour on the part of Claire (M1, F2) and as an 'unfortunate' event (M1). The most commonly used terms were 'goading' (F1, F2), based on Claire taunting or coercing Jim rather than directly forcing him to have sex (M3, F4). Participants in F4 felt that a female would run away at any opportunity in a similar situation, but Jim remained in the room. Participants in M2 said that as he did engage in sex then there was implicit consent, although those in F2 said he did not give consent. Participants in M3 found it hard to describe what happened as a sexual assault, as there was no forcing or violence, despite it being a violating act on the part of Claire, one in which Jim lacked control (M2).

Two F4 participants did label the incident as a case of rape, while four others said it was not rape because he could have walked away. Participants in the same group offered the view that he might have enjoyed the sex while he was engaged in it, and there was some debate as to whether it would be possible to perform the act if the male is in a state of fear. The idea of 'if he can get it up then he can do it' was also discussed in F2, with the view taken that the physiological reaction is distinct from the meaning he takes from the experience. Participants in F2 also felt that, as rape is a 'foggy term', Jim's clear statement that he did not want to have sex made this a clearer instance of rape than the incident described in Scenario 1 (Fred and Jane). However they also qualified this description by using the term 'emotional rape'.

The scenario did not appear to fulfill the stereotype for a rape, as the two individuals were not strangers (M1). They had earlier physical contact, placing the incident in the typical script for progression toward sex ('why kiss her if you do not want sex', M1). However at another point in the same group the view was offered that kissing might not indicate interest in sex, but can occur from time to time among members of a mixed-gender friendship group (M1).

Comparisons were made in several of the groups with an alternate depiction in which the genders were reversed. Thus, participants in M2 said it would have been a clearer case of rape if the genders were reversed, as the female is presumed to be responsible for withholding or granting consent while the male is presumed to always want sex. In the case of Jim and Claire, they felt that pressure, abuse, and lack of consent were better descriptions than that of 'rape' (M2). Participants in F2 agreed that it would have been more clear-cut if the genders were switched. There was general agreement that the incident would have been worse if the genders were reversed (M1, M2, M3). With a male aggressor there is the added issue of physical threat (M3), and a male being raped is different because there is not penetration (F4). That Jim penetrated Claire was significant, as it was taken to mean that he gave consent at some level through becoming aroused, thereby placing him in the role of the active agent in the scenario (F1, F2). At the time, he may have chosen to have sex to 'show her' he could do it or simply to give in and acquiesce to her demands (F1).

#### 3.4.5. Claire's strategy

Claire did not use physical force to make Jim have sex with her. Her main strategy was described as 'psychological pressure' (M3). She was thought to have used the male stereotype of always being ready for sex, deploying this expectation to call into question whether Jim was 'man enough' to match that standard (M1, M3, F3, F4). The participants in M3 described how psychological pressure could be equally or more distressing as physical force. Claire was perceived as being skilled in manipulative tactics (F3), but this comprised a form of emotional blackmail, sexual harassment, and victimization (F3, F4).

#### 3.4.6. The role of alcohol

Two of the male groups offered explanations of Claire's behaviour that involved the use of alcohol. These are familiar from the discussion of previous scenarios, in that alternative narratives were offered depending on the relative influence of Claire's character or the alcohol (i.e., alcohol as an explanation or an excuse). Thus, if she was drunk then she may not have known any better (M1) (positioning alcohol as an excuse) or that is her reaction when she has alcohol taken (M2). However if she had not been very drunk then her behaviour was believed to arise from her disposition (it was bullying, M1, it was her character, M2).



### 3.4.7. Jim's reactions

Inferences regarding Jim's reactions were grounded in the lack of support or sympathy that he could expect to experience. As he would not be taken seriously, Jim might feel shame for having allowed it to have happened (all male groups). Thus, he would not be inclined to seek social support, and participants in F2 expressed surprise that he spoke to two of his friends about it. All the female focus groups focused on the implications for Jim in relational terms, that he would be left with the problem of being associated with a relationship with Claire, one that he would not want. Participants in several of the female groups also spoke about Jim feeling regretful about what had happened in a manner that conferred him with some responsibility (he will feel disappointed with himself, similar to Jane, and experience guilt, F2; that he will regret having consumed too much alcohol, F3; regret that he engaged in sex for the wrong reasons due to drinking, F4). It was agreed that Jim will feel bad about what happened, although participants in F4 commented that the impact would not be so great as that experienced by Isobel in Scenario 2. Jim was felt to be unusual in associating sex exclusively with being in a committed relationship (F2, F3, F4). It was felt that Jim lacked life experience to be able to deal with this event (F3). He might be concerned that Claire will spread the story that he had sex with her (F4), and this could be a strategy that Claire decides to use to embarrass him socially (F3).

### 3.4.8. His friends' reactions

Following on from the perceived lack of sympathy that Jim would encounter, participants anticipated his friends to react in a manner consistent with a harsh 'lads culture', for example that he needs to 'grow a pair' (M1). In reflecting on the incident, males in the same group felt this will not be the biggest problem Jim encounters in life and that he should learn from it. More typically, young men would have sex if it was offered, or might choose to slag Claire off later (M1). Gender differences were remarked on in three groups, based on the idea that Jim's male and female peers might react differently, leading to a potential split in the friendship group. It was thought that females would assume he should now have a relationship with her, having had sex with her (M2, F3), or think that Jim must have led her on and behaved badly to leave the bedroom before she woke, whereas guys might think Claire is crazy (F4) or a 'freak' (F2).

### 3.4.9. Claire's reactions

Inferences about Claire's likely reactions brought out stereotypes about what type of person would be most likely to behave as she did. Participants in M1 and M2 remarked that some women do behave in a sexually aggressive, pressuring manner, and those who do so are generally 'ugly'. There was curiosity as to what Claire looked like, to test this hypothesis. A complementary attitude was described in F3, when it was suggested that Claire would feel she must be 'dog ugly' if Jim refused to have sex with her.

It was thought that Claire would not experience regret for her actions, although this would depend on whether she was a demanding person or had a particular interest in Jim (F1). She will feel she got what she wanted (M1), that she had used sex to achieve a relationship with Jim in which she could control him and had no respect for him (F2). Claire was felt to get a boost in self-esteem and self-validation from managing to have sex with Jim (F2). In keeping with the alternate storylines noted earlier concerning dispositional vs. alcohol-fuelled causes, F4 participants suggested that Claire's experience of regret for forcing Jim to have sex would depend on whether her behaviour was inspired by drinking or her pushy personality.

In common with the other female groups, members of F2 could not identify with Claire's behaviour, and felt that the lack of sympathy she inspired 'makes it easier to call this rape'. A number of negative comments were made about Claire (e.g., 'psycho', 'very weird', F3). In a way these attributions recall those made of Dan (a 'prick'), but whereas he was seen as driven by a male urge to have sexual satisfaction, Claire was seen as an outlier, not a typical woman (F4). Participants in F2 mitigated their perception of Claire's behaviour as strange by discussing Jim's responsibility in the incident, seeing the man as the person who chooses to penetrate the woman.





### 3.4.10. Options

Jim was seen as having comparatively few options for redress, compared with the women portrayed in the other scenarios. It was felt that the Gardaí would not take this incident seriously (M2). There was a low level of awareness about supports available through voluntary organisations (M3). For F2 participants, Jim's limited options were reflective of the sex-seeking characteristic attributed to men in society. They felt that his case against her was undermined by the physical intimacy he had with her prior to sex. It was suggested that Jim should get counseling (F3, F4), talk with his friends (F3, F4), seek support or information via the internet (F4), and needs to learn that men can say no (F3).

### 3.4.11. Conclusion

This scenario was interpreted in a distinctive manner by participants across the focus groups. Alcohol was a relatively minor input on the sense-making engaged in by the students, and was used largely to explain Claire's behaviour. This suggests a connection to the narratives deployed in the responses made to earlier scenarios (that alcohol consumption provides the rationale for behaviour, or that behaviour is motivated by a bad character). While the aggressor in this scenario was perceived in a negative light, she was understood using a different gender schema to the male stereotype invoked to understand Scenarios 1 and 2. Claire was seen as an atypical female, a sub-schema of the female gender stereotype who was sexually aggressive.

Jim was made sense of against the backdrop of the male agentic stereotype. He was compared unfavourably in this light as a man who lacked agency in the normal sense of being able to control his behaviour. Unlike the Jane and Isobel characters portrayed in the previous scenarios, Jim was regarded as agentic in another sense, however, as he was perceived to have made a choice to comply with Claire's sexual demands despite not wanting to do so. The male role of agency in sex still applied and thus it was perceived that he must have given consent to have sex because he was an active participant. The underlying rationale for his choice was not positioned in terms of his use of alcohol, but due to a character flaw of weakness. Considerable interpretive work was carried out by participants to make sense of his lack of interest in having sex with Claire. Rather than being seen as having the right to refuse sex, he was seen as having some distinctive qualities, such as social conservatism or religiosity.

### 3.4.12. Examples of Focus Group Extracts:

**The pressure to live up to the male stereotype of being always ready for sex is invoked in this extract:**

**RESP 4:** *It's fairly common. It wouldn't be talked about as much ... as male and female I suppose.*

**RESP 2:** *I think, like, everyone knows and everyone agrees that it's wrong for a man to...to physically force a woman to have sex but em...and it ought to be wrong for a woman to force a man to have sex but then again it's a...it's a...it's somehow frowned upon for a man to turn down sex or to be not up for it all the time. (M3)*

**Here the members of a male group discuss ways in which Jim should have behaved differently:**

**RESP 2:** *...because again, not that I'm being sexist or equality issues but, you know, he's a man, he could have been at like...you know...there's people downstairs.*

**RESP 6:** *He could have walked out.*

**RESP 2:** *He could have been like, yeah, open the door a little bit, and then shout.*

**RESP 6:** *And that's what I'm saying...*

**RESP 2:** *"Come on, will someone come get me", you know like? He could have...*

**RESP 6:** *...someone referred to it earlier, he probably has confidence issues.*

**RESP 1:** *This bitch is nuts.*

**RESP 6:** *He's probably scared that she's going to turn around saying to all her mates "Ah Jesus, Jim wouldn't even..."*

**RESP 2:** *Oh yeah, he didn't have.*



**RESP 1:** Yeah.

**RESP 6:** ... "Jim wouldn't even have sex with me." So this guy is obviously clearly...like, as opposed to another guy like, a confident guy walked in and goes "Here, your one's upstairs fucking gagging for it off me", you know?

**RESP 2:** Yeah, yeah.

**[General Laughter]**

**RESP 6:** That's the two different types of blokes. (M1)

**Jim's capacity to have chosen a different outcome is debated in this extract, and the conclusion is reached that what happened is not equivalent to a woman being forced into sex:**

**RESP 5:** And like even the word regret shows that is it a kind of like, a choice for him, thinking to himself "Oh God I shouldn't have done that", so maybe this kind of...he had consent. He had the choice...

**INT:** Yeah.

**RESP 5:** ...whether to have sex with her or not so...obviously she was pressurising him but maybe he had a choice, he could go back downstairs again.

... **RESP 8:** I suppose the choi...the feeling of choice though is the fact that, if you have a choice you feel that you're in control. I don't think he ever felt that he was in control at that stage.

**RESP 5:** Yeah.

**RESP 2:** She was taunting him like.

**RESP 8:** Oh she was being ... an absolute bitch.

**RESP 2:** ...if you switched the names here everyone would just say immediately rape like.

**RESP 8:** Yeah, yeah.

**RESP 2:** And I think that's...it's...that's what it is like, it's just social...social outlook on it would be it's not because it's a guy and, do you know...

**RESP 8:** Yeah.

**RESP 2:** ...physically he has to be aroused...

**RESP 8:** Yeah.

**RESP 2:** ...while a girl doesn't necessarily have to be.

**RESP 4:** It's like the girl is the one that's responsible for consent. It's presumed that the guy is up for it like, you know? (M2)

**Here a focus group debate whether Jim could describe what happened to him as rape, highlighting the meaning to be taken from the victim's experience of regret after the incident:**

**RESP 1:** Em...I think that, like, the person's first answer is kind of the one that's normally taken seriously as far as consent goes so if you have to keep asking someone until they say yes it's not really consent. So I'd say it probably counts as rape. That's my theory but...

**RESP 2:** I would say more say sort of coercion because I think...

**RESP 3:** Yeah.

**RESP 2:** ...when I think of rape I think of...that someone just does not have a choice. Like, it's happening to them and then they...

**RESP 3:** They physically can't get up and walk away.

**RESP 2:** ...he just could have stopped. Yeah. That's what I think of when I think of rape and that's not what happened to him. But that's my opinion of it.

**RESP 6:** I'm pretty sure it's actually the exact opposite. If you regret it at all like it's...that was rape, yeah, definitely I'd say.

**RESP 2:** I...I don't think so.

**RESP 4:** If you regret it at all?

**RESP 6:** Yeah. I think if...



**RESP 2:** *I don't think that...*

**RESP 6:** *...he regrets it like.*

**RESP 2:** *No, I think...*

**RESP 6:** *...Because he regretted it before.*

**RESP 2:** *...if I had...if I went out and had sex with a guy tonight, willingly and was happy with it at the time, and the next day I regretted it..*

**RESP 5:** *Yeah, you can't call it rape.*

**RESP 2:** *...there is no way I would call that rape.*

**RESP 6:** *But he's like...*

**RESP 6:** *... he regretted it before and then like, you know, obviously we don't know during, but after he did as well like, you know? It was definitely rape like. He said no, he meant no. You know? He said no more than once like.*

**RESP 2:** *Yeah.*

**RESP 1:** *Yeah I'd have to agree with that.*

**RESP 6:** *And then, bam like, you know, and he woke up and regretted it as well like, I think that's rape like. I know he did actually go ahead with it and although he didn't want to he did, so...*

**RESP 2:** *But I think that's it really. Although he didn't want to, he did, and he could have not. Like, I think it's a grey area (F4)*

**In this extract the group do not label the incident as a sexual assault and do not identify with Jim's responses:**

**INT:** *... what label would you apply to this incident?*

**RESP 2:** *I wouldn't...it's not a criminal offence at all. [inaudible]*

**RESP 1:** *Unfortunate I would...*

**RESP 3:** *Yeah.*

**RESP 5:** *Taken advantage of...*

**RESP 4:** *Unethical like...[inaudible].*

**RESP 3:** *Yeah, that's a good way of putting it, yeah.*

**RESP 6:** *It's unethical but again it comes down to Jim.*

**... RESP 6:** *If Jim doesn't want to do it Jim shouldn't have done it*

**RESP 3:** *But she took advantage...*

**RESP 2:** *He should have just left.*

**RESP 3:** *...she took advantage of that...*

**RESP 6:** *I can't imagine...I can't imagine me or any of my friends being touted into having sex with a bird like. (M1)*

**The lack of identification with Claire meant it was easier to label the incident as one of rape:**

**RESP 2:** *Yeah. Like what...yeah, I don't know, I just...I can't really understand it.*

**RESP 6:** *But I think...*

**RESP 1:** *Can't identify with her at all.*

**RESP 6:** *...all of that makes it easier to call this rape then.*

**RESP 1:** *Yeah.*

**RESP 6:** *Where...I don't feel like it's...*

**RESP 2:** *It's...I think it's definitely easier to call it rape than it is to call the Jane and Fred thing rape. (F2)*



**Yet the absence of physical forcing made it harder for members of this focus group to regard it as rape:**

**RESP 2:** *It is verbally abusive but it's...it's a strange one because I don't know where...like, she probably couldn't physically have forced him into it like...*

**RESP 4:** *Yeah.*

**RESP 2:** *...you know, that's just the way it is that like...*

**RESP 4:** *So on some level there was consent, yeah. (F1)*

**In this extract from a female focus group, Jim is classified as being unusual. The assault is viewed as non-equivalent to a woman being forced into sex:**

**RESP 6:** *But sure like he might have been really religious or something like, been a virgin or something, I don't know like...*

**RESP 2:** *Yeah.*

**RESP 6:** *...and you know, wanted that to be special and now it's not.*

**RESP 4:** *And it is very hard to compare a girl being raped to a guy being raped because they're completely different situations. Like, obviously it's...it's...it's a horrible, horrible thing to happen em...and for girls, I'm not... it's not an easier thing to happen but...okay, it actually...it is an easier thing to happen em...*

**RESP 1:** *I think...I know this is really, like, detailed, or whatever but I think penetration itself has certain kind of emotional things that go along with it...*

**RESP 4:** *Yeah.*

**RESP 1:** *...as opposed to, you know, being the guy who kind of...*

**RESP 3:** *But he clearly felt that as well because he's, like, he says after one night of sex he hadn't wanted a serious relationship whereas one night of sex does not necessarily imply a relationship. Whereas he's thinking along the lines that maybe it does, so...*

**RESP 2:** *Yeah, I'm kind of surprised by that.*

**RESP 3:** *Yeah, I was surprised by that as well. (F4)*

**The non-equivalence of a male being forced into sex and a female being forced into sex is discussed here:**

**RESP 2:** *You can't...the problem is you can't reverse the situation because if you had it the other way around and you had a man verbally pressuring a woman into it and then her deciding "Okay, I'll just do it" and then it became this thing where they both decided to do it, even though she had been pressured into it, but he hadn't physically made her do anything, she had decided...you can't really reverse it that way because it seems like...*

**RESP 1:** *I don't know though, I think...I'd still think the woman could still...if he's just like, oh like, "You should" or, you know like, "You're frigid" or a prude or whatever like, she still has the option to get up and walk away.*

**RESP 2:** *I know that...no, yeah, I know that but I mean, he's...it's coming back to this whole thing because he's the...I can't verbalise this...*

**RESP 3:** *Yeah, from a physical...*

**RESP 2:** *From a physical point of view, you can't reverse it in that way, do you know?*

**RESP 3:** *Like, I think as well that in the reverse scenario that em...even from...I'm trying to see how I'd articulate this but em...that there might even just be more of a physical threat from a man even...even if he is em... going about this in a, like a verbal way, like this scenario, that, saying, you know, "Oh..." em...I don't know, whatever...whatever he's saying to her but at the same time I think there's still an underlying physical threat as well.*

**RESP 1:** *That he could overpower me if he wanted to. (F1)*



This extract illustrates the view that Jim could expect little sympathy from his peers:

**INT:** Right, okay, what responses would you expect Jim's friends to have given him when he spoke to them the day after?

**...RESP 2:** Why didn't you just leave?

**RESP 5:** I don't think they would have been too sympathetic anyway, if we're honest.

**RESP 2:** Yeah. Again like, she wasn't physical and...okay, maybe.

**RESP 3:** What way do you mean though? Because like, that...

**RESP 5:** Well I mean they would have took the piss out of him, wouldn't they like?

**RESP 4:** Yeah.

**RESP 3:** Okay, yeah.

**RESP 4:** I agree.

**RESP 3:** But, you know, still like, like, you can have someone taking the piss because of "why didn't you just go leave" or taking the piss because like, "come on man, you had sex, it's grand". That kind of thing like, so...

**RESP 5:** Oh yeah, that's a good point, like, yeah...

**... RESP 5:** But none of it would be positive for him, you know what I mean?

**SEVERAL RESPONDENTS:** Yeah.

**RESP 2:** Because like again like, just like slagging him, and it's like "Oh right, yeah", you know?

**RESP 6:** He's obviously that type of bloke that would actually, this would upset him while there's...there's two types of blokes, this would upset and there's another kind of a person who would...who would have had the sex and then wouldn't have cared about it like, you know? (M1)

This female focus group take a more optimistic view of whether Jim could expect to receive support from his friends:

**RESP 5:** Or whether they saw her as...the same way Jim did or had a different view of her. But I suppose like, if they were good enough friends to Jim, they'd probably see how upset he was like, and they would obviously know it'd be a big thing, for especially a guy, to tell his friends. Then I'm assuming they would be supportive of him, and you know, not be taunting or laughing at him when he's trying to explain how he's feeling to them. And I do think guys can be like that. Like the majority of guys can be, you know? They can...

**INT:** They can be sensitive?

**RESP 5:** ...they can be like that too, yeah...

**INT:** Yeah.

**RESP 5:** ...when their friend...when they can see that, you know, [inaudible] how upset Jim was.

**INT:** Yeah.

**RESP 5:** [Inaudible] I do think they can be quite sensitive, you know, towards their friends.

**RESP 1:** Yeah.

**RESP 5:** I don't think it's...I don't think guys are always stereotypical. Do you know?

**RESP 3:** Yeah.

**RESP 1:** Yeah. Boys are good at, like, rallying around. (F3)

Jim's reactions are not endorsed here, although it is conceded that he was bullied:

**RESP 4:** Like, because he will be confronted. He's nineteen. He will be confronted with much more, like, problematic eh...issues...

**RESP 2:** Than that.

**RESP 4:** ...than having sex...

**INT:** Okay.

**RESP 4:** ...if he doesn't learn how to say no. But I understand from everyone's point of view that it is bullying playing on his...preying on his weaknesses. (M1)



In this exchange, Jim is viewed as the agentic figure and as such is thought to have had a choice in what happened:

**RESP 2:** *The other thing is, and this is probably, like, very specific but it's saying although he didn't want to, Jim had sex with Clare so he still...like, it's the guy who is doing the inserting so it's...like, it's more of a decision on his part...*

**RESP 1:** *Yeah.*

**RESP 2:** *...that if he doesn't want to do it, he...he...*

**RESP 4:** *He just walks off like, yeah.*

**RESP 2:** *...just walks. He can't do it whereas from the female's perspective you can get something put into you without your consent (F1)*

In this extract, Jim is portrayed as lacking a strong personality, and Claire is viewed as being an unsympathetic character:

**RESP 1:** *...and like Jim may be a guy who's quite shy, a bit socially anxious, finds it difficult to say no in life anyway and sometimes women can as well, you know, and those are very easy people to manipulate and to...like I mean, I just...I feel sor...really sorry for Jim. I feel like he didn't have much of a choice. Em...*

**RESP 2:** *Yeah.*

**RESP 1:** *...you know?*

**RESP 2:** *It's the...it's the way he felt the next day, I mean...*

**RESP 1:** *Yeah.*

**RESP 2:** *...the regret, he was upset. I mean I just like...and I'm glad he spoke to two of his friends about it actually because...*

**RESP 1:** *Mmm, that's surprising.*

**RESP 2:** *...I wouldn't ... have expected that. Em...I don't know, I just...I think it's a horrible thing. Yeah, I hate Claire as well. (F2)*

Claire's motives are discussed, and the view is expressed that 'ugly birds' behave in this sexually aggressive manner:

**RESP 1:** *I think she was scratching the notch on the bedpost. [Laughing]*

**RESP 4:** *Yeah, I think she achieved her...I think she achieved her goal.*

**RESP 6:** *She achieved her goal.*

**RESP 1:** *Yeah, yeah, she did.*

**RESP 6:** *And she probably wondered where your man Jim was gone because he wasn't there anymore.*

**RESP 1:** *Yeah. "Where's Jim gone?"*

**RESP 4:** *I think...I think she definitely...*

**RESP 6:** *She achieved her goal. She set out on a mission, so there again, like it's...you...you do meet girls like that. They only have one thing and they...they...they try get it out of you.*

**RESP 1:** *Yeah. Usually ugly birds aren't they? (M1)*

The nature of the pressure applied by Claire is discussed, the pressure was psychological and this means that he 'wasn't forced':

**RESP 3:** *Like, there is a lot of emotional blackmail here and sometimes it can be even worse than physical pressure.*

**RESP 2:** *Yeah.*

**INT:** *Yeah.*

**RESP 4:** *Yeah, like, she emasculates him into having sex with her basically.*

**INT:** *Yeah.*





**RESP 2:** *Em...it seems like the...if...if the...if the genders were reversed it would have been...it would seem worse. But that'd also be, sort of, the...the...the kind of, the implicit physical threat that men are generally able to hold over women. Em...there's no, as I said, there's...there's nothing...there's nothing saying he felt physically forced, it was purely...it was purely an emotional or em...*

**INT:** *Yeah.*

**RESP 2:** *...a kind of a mental thing. Em...so he didn't...he didn't, like, properly or enthusiastically consent em...at all, but em...it's...it's hard to call that. It's hard to call it kind of assault when he wasn't...*

**RESP 2:** *...wasn't forced into it and there was no...there was never any implicit threat at all of...of violence. (M3)*

**Claire's motives and behaviour are debated in this female focus group, there is no sense of identification or normalising of what she did:**

**RESP 6:** *She's crazy.*

**RESP 3:** *I think it was a real shock, just...we normally attach these kind of situations with the fella taking advantage of the girl or...so when you read all this about Claire it was like, Jesus, there's a girl at that, oh God.*

**RESP 5:** *Yeah, but why would she say that or why would she do that?*

**RESP 3:** *Yeah, God that's really strange for a girl kind of. Em...she seemed to know how to get what she wants. I think she played on...I suppose men have...are seen to have more of a physical side whereas she's using kind of emotional blackmail and I suppose there's a side of peer pressure as well where she said a real man could have sex any time, so in that sense you could interpret that that he em...she may go and like kind of bad mouth him or say, you know, he wasn't up for it, he couldn't do it, all that. So she kind of played on that so em...yeah, that kind of forced him into it.*

**RESP 1:** *I think casting aspersions on a guy's masculinity is something that they tend to be really sensitive about because men are supposed to be so macho and, you know...the usual stereotype is oh a guy is never going to turn down sex no matter who it's with but whereas that's not really true.*

**RESP 2:** *I think like it's a pretty crappy scenario for him, like, he obviously didn't want to and it's crap that he's upset but then I don't think it's as bad as a lot of situations, just even like the last one that we read, you know? He could have just left the bedroom...*

**RESP 3:** *Yeah.*

**RESP 2:** *...if he didn't want to at the end of the day like, you know? He might have felt less of a man for a day but I don't think...so in that sense I wouldn't say it's as bad as the last one so...but it's still pretty crappy.*

**RESP 6:** *[Inaudible] ...but it is bad. He's got to hang out with this girl for like, do you know, they're only in first year. (F4)*

**Jim's options are viewed as limited, as there is no clear label for what happened to him and the police would be unlikely to take him seriously:**

**RESP 9:** *There's no clear label for it really like.*

**RESP 5:** *Yeah. Even going to a friend is like...*

**RESP 8:** *Yeah, I think he'd find it hard to be taken seriously.*

**RESP 5:** *Yeah.*

**RESP 8:** *Eh...well you'd at least feel that you would.*

**RESP 5:** *There's a lot of...I'd say there'd be a lot of shame...*

**INT:** *Yeah.*

**RESP 5:** *...for him, even to divulge that to anybody. I know you said he spoke to two of his close friends but, to go outside that like...like...*

**RESP 8:** *So you'd feel that...*

**RESP 2:** *It's one of those, if you went to the Gardaí about it like, they'd...they'd probably just...*

**RESP 8:** *Yeah.*

**RESP 2:** *...not...they'd write...they'd take a statement and never bother following up on it like. (M2)*



The relational aspects of the consequences for Jim are described here. It is thought likely that he will come under pressure to defend his actions:

**RESP 2:** *I think now that that has happened, like his...his fear was he didn't want to get into a relationship with her, and like, obviously he really doesn't now. But she'll go back and tell like some of her friends "Oh yeah, we had sex last night."*

**INT:** *Yeah.*

**RESP 2:** *And then, do you know, he won't make any moves towards her and then on other nights out he... some of the...the girls in the group would probably be, who are friends with Claire, would be approaching Jim going "Oh why don't you like Claire? Why...why...why...you slept with her."*

**RESP 8:** *Yeah.*

**RESP 2:** *"Why...why won't you go out with her like?"*

**RESP 5:** *Yeah.*

**INT:** *Yeah.*

**RESP 2:** *"She really likes you." As well, before this, I'd say the girls were probably, like, if they had kissed on a few times, their perception of what was going on could have influences...influenced some of Claire's actions like...*

**INT:** *Yeah.*

**RESP 2:** *...why she was being so pushy. She might have been told repeatedly from her friends, "Oh yeah, go for it. Yeah, he definitely likes you."*

**RESP 8:** *"Oh yeah, yeah, he really likes you, yeah."*

**RESP 2:** *Yeah. Because, they just...they don't want to say that he doesn't and maybe they think that he does like her. (M2)*

This extract describes some reticence with seeking support from a Rape Crisis Centre if the assault does not fit the stereotype held for 'rape':

**RESP 1:** *Rape Crisis Centre if there was one in his area that deals with male cases as well I'd say.*

**RESP 3:** *The other side of it is though if, like, initial...like, straight away when you see a Rape Crisis Centre, usually you'd em...associate it with rape. And if we're having difficulty labelling this as rape...*

**RESP 1:** *Well I don't think a Rape Crisis Centre would judge you as to the correct definition...*

**RESP 3:** *Oh, not in the slightest but...*

**RESP 4:** *Yeah.*

**RESP 2:** *No.*

**RESP 3:** *...you know when you're at home and you're having like...you know, you're emotionally upset and, you know...*

**RESP 1:** *Yeah, he mightn't see it as the right place for him.*

**RESP 3:** *...you fear being judged and all that and you don't want to be putting yourself in a situation...*

**RESP 2:** *Yeah.*

**RESP 3:** *...where you may not be received too well and if you em...attach a Rape Crisis Centre to rape you may feel that you're wasting their time turning up with something like this. That's if you don't see it as rape. (F4)*



Claire is depicted here as having several options to shape the view that others take of the incident:

**RESP 2:** Yeah, she can't be feeling too good about herself.

**RESP 1:** Yeah. She'd have to feel bad as well for putting the pressure on him

**RESP 3:** She could also probably be angry like. "He went like. I was supposed to get him after this" or something really crazy.

**RESP 1:** Yeah.

**RESP 6:** Yeah like, because she could totally change and then, like that...

**RESP 3:** Blame him.

**RESP 6:** ...cry rape, do you know?

**RESP 3:** Yeah.

**RESP 6:** Because he rejected her [inaudible].

**RESP 2:** Yeah.

**RESP 6:** The next morning.

**RESP 3:** Probably not rape but like she'd probably tell everyone like "Oh yeah, he was really lovely and then we had sex and now he's just pissed off. And he's one of our group and like he's a douche" and like, you know, that kind of thing?

**RESP 1:** Yeah. And all the girls would be like "Oh, he had sex and then he left her." (F3)

### 3.5. Scenario 4. Michelle & Ben

Just as in Scenario 1, the two characters portrayed in Scenario 4 knew each other. Michelle and Ben were going out together for a month. Ben was portrayed as causing Michelle to become more drunk than she would have planned, then using force to get oral sex. His premeditation and use of force were important factors in the highly negative view taken of Ben, which placed him in the same zone of disgust as Dan, who had forced himself on Isobel as a stranger.

Scenarios 1-3 were administered to all the focus groups. Due to time restrictions Scenario 4 was not administered to F3.

The main features arising the discussion of this scenario were:

#### 3.5.1. Explaining Michelle's uncertainty about naming the incident

Michelle was described as experiencing uncertainty in how to name or label what happened to her. The participants were asked what they felt had motivated this uncertainty. The responses provide an insight on what aspects of the incident appeared discrepant from an account based on sexual assault or rape. Two of the female focus groups in particular identified a set of reasons that might account for Michelle's uncertainty: that she was in a relationship with Ben (F1, F4, M1), she was drunk when the incident occurred (F1), she did not say 'no' (F1, F4), it was oral sex rather than vaginal sex that was forced on her (F4), and she was young and inexperienced in life (F1). These factors highlight the importance attributed in all of the scenarios to the context surrounding the acts carried out by the sexual aggressor.

#### 3.5.2. Rape

The incident was described as a rape in all of the male focus groups. There was more ambiguity expressed in the female focus groups. For participants in F1, it was a sexual assault, which was quite plausibly rape. Participants in F2 expressed uncertainty about whether it was rape, as there was no vaginal penetration, although it was acknowledged that it did represent an 'invasion'. The F2 participants concluded that the label should perhaps not be the focus. It was more important for them to acknowledge that something wrong happened which was sufficient to prompt the person to seek help. One of the F4 participants said that it was a



rape, as oral penetration had occurred, whereas two other participants in that group suggested sexual assault as the appropriate term.

The key characteristics that framed the incident as a rape or serious sexual assault were the elements of physical force and penetration (M1, M2), which represented a dominating use of power by Ben (M2), premeditation (indicated by Ben topping up Michelle's drinks, M2, F1), that Ben took advantage of Michelle when she was more drunk than him (F1), and the lack of consent given (M2). For participants in M3 it was clear that Michelle pushing Ben away indicated non-consent. This point prompted a discussion in F1 as to the difficulty of communicating non-consent when the person is drunk, highlighting the important role played by non-verbal responses in this context. Similarly, F4 participants felt that it was not realistic that verbal consent would be requested and given for each act, but that there was an onus on Ben to check whether he had Michelle's consent.

Michelle not saying 'no' was explained in several different ways; as a reflection of lack of confidence due to being in an early stage in the relationship, her acquiescence to Ben's will, or due to feeling sick (F4). In particular, it would be expected that there would be a verbal discussion considering that Michelle had not given Ben oral sex prior to this (M2, F1, F2, F4). This underscores the inappropriateness of Ben proceeding without Michelle's verbal consent. Males in the M2 group said that the pre-existing relationship between Michelle and Ben did not have a bearing on how his actions should be interpreted, as there was no hint of Michelle providing consent. Nevertheless, in the same group there was discussion of how Michelle's level of 'weakly pushing' Ben away might not have come across to him as convincing.

Participants in M3 identified two factors that complicated the description of what happened as rape: the stereotype of a rapist as a violent stranger and the existence of a pre-existing relationship between Ben and Michelle. In F1 there was a link made to the narrative of the male sex urge rendered uncontrollable through drunkenness. That is, as Ben was 20 years old, male, and drunk – this suggested a context in which he might get carried away due to the influence of alcohol. However the premeditation that Ben apparently displayed meant that this narrative was not judged to be as good a fit as one in which he acted out of an intention to force his will on Michelle. This corresponded with the view expressed in F2, that Ben was a sinister character, who forced Michelle to give him oral sex, displayed force by laying on top of her, had topped up her drinks, and may well have forced her to give oral sex because he thought there would be fewer consequences than if he raped her vaginally (F2). Members of the same group also felt that this incident was unnecessary on Ben's part; if he had displayed more patience, as the relationship would have moved to a sexual level in time anyway. However, Ben had conveyed disrespect for Michelle as a person through his use of force, which had included removing her ability to convey non-consent non-verbally by laying on top of her (F2). For participants in this group (and M1), this was described as the most clear case scenario, with alcohol not having an important role in interpreting the case or in deciding whether it was rape (M1, F2).

### 3.5.3. The impact of the incident on Michelle

As with the other female victims of sexual assault portrayed in the scenarios, whereas Ben would not be much affected by this incident, it was judged that Michelle was going to experience serious negative repercussions (M2, M3, F1). Participants in F2 felt that it will be particularly shocking for her as she seems 'straight laced', a typing indicated by her perceived high level of responsibility in setting limits on her drinking, not going out that often, and holding off on having sex. It was felt that Michelle was likely to lose trust in other men because of the way Ben abused her trust (F2, F4), and may fear another abusive act taking place in the future. She might cut down on her drinking, as part of blaming herself for what happened (F2), and articulate stronger boundaries in future (F4). Social consequences were also identified, in that if there are mutual friends it will be socially awkward for Michelle (F4).



### 3.5.4. Interpreting Ben's behaviour

Ben topped up Michelle's drinks without her knowledge, which was viewed as completely unjustifiable. The participants in M3 said that the male role of buying alcohol for females was to show you are interested, not to ply them with alcohol. It was felt that Ben should have known better than to have forced Michelle to have oral sex. The inexcusable nature of his behaviour was underlined by the expectation that preferences and desires can be spoken about more openly in a relationship than in a one-night hook up (M1). According to M1 participants, he was 'thinking with his willy', led by the male sex urge, and thinking about his own gratification (F1). Drinking was seen as contributing to his failure to think through his actions. He probably would not have done this while sober (M1). However other young men would not do this even with drink, and his action appeared to be premeditated.

Participants in M2 felt that Ben's line of reasoning at the time was that, as he had been going out with Michelle for a month, it was time for sex. It was inferred that he was sexually frustrated and dissatisfied with the relationship ('it's getting stale'). He was approaching the situation from a view of having an 'entitlement' to sex (M3, F2, F4). Because he could not wait and was getting fed up (M3), he might have decided on a strategy of 'I'll get her a little bit drunk' (M2). This was disrespecting her right to choose, but participants in the M2 group felt he did not understand that she did not want sex and may have a problem understanding personal boundaries. The view that he might have wanted to get her 'a little bit drunk' is consistent with premeditation, but not to the extent of setting out to get Michelle completely incapacitated. This view was echoed in F2, where participants suggested he might have thought topping up Michelle's drinks would 'loosen her up' (F2). Participants in the same group felt this reasoning made sense to him because he had a disrespectful attitude that you have to take sex because girls will not give it to you, and that it was 'just' a blowjob. Similarly, F4 participants suggested Ben was frustrated and felt he would get further with Michelle sexually if she were more drunk. As with several other groups, F4 participants felt that he was unlikely to have been thinking in a premeditated sense about raping her. As to his choice of action in forcing Michelle's head down on his penis, F4 participants speculated that Ben might have felt she needed encouragement, or perhaps it was a fetish of his, but ultimately it showed that he did not care about her feelings or preferences.

This shared narrative among the groups positions Ben as a domineering male who bullied Michelle to satisfy his sexual urges, not caring that it was at the cost of her autonomy. Consistent with this, it was felt that Ben was an unsympathetic character who would not be likely to display regret. Participants in three groups (M1, F1, F4) said that he will regret his action if it is followed up by the Gardaí, although he would not see it as wrong himself. He will think she is getting 'freaked out over nothing', yet will have insight that he did wrong because he will tailor what he tells his friends about his night (M2). His manipulation of Michelle, in getting her more drunk than she would wish to, was taken as suggestive of a likely lack of remorse (F1, F2). It was not alone his character that would lead to a lack of reflection; this response was also likely to arise from his youth (F1). His reaction would be important, F1 participants said, because if he were to acknowledge it was wrong or he is sorry, it could mitigate the view taken of him. Thus, Fred had been more open in comparison. In regard to Ben's behaviour the next day, F2 participants felt that he would be motivated to minimise the significance of the event in order to avoid getting into trouble. However he would know internally that he had behaved improperly.

### 3.5.5. Michelle's options

There was approval voiced for Michelle's decision to break up with Ben (F2, M3). There was support as well for the idea that she should report the incident to the Gardaí, as Ben should be punished for his actions (M1, M3, F4). Indeed, given that he might behave this way in the future there was a degree of social responsibility to do so (F1, F2, F4). Yet there was concern about getting involved with the Gardaí (F1, F2). Participants in M1 suggested that she should ask other people for advice on this, for instance in handling the decision to stay over at Ben's house after the incident, and as there was no physical evidence of the act it would be his word against hers (F2).



It was advised that Michelle should talk to supportive family and friends (M2), although participants in M3 suggested that friends might impose their own views and interpretation on the event. Other options for support included the college counseling service and the Rape Crisis Centre (F2, M3), and the Students Union welfare officer (F2). Participants in F4 suggested going to a health care practitioner, although there was some concern voiced as to whether the doctor would have the responsibility to inform her parents.

### 3.5.6. Conclusion

Two of Ben's decisions were particularly linked to the highly negative view taken of him as a person. His decision to top up Michelle's drinks without her knowledge removed her ability to later give or refuse consent for sex. Secondly, his forcing of her head down on to his penis meant that she lacked any control in whether to take part in the act. As with the interpretations made of the other scenarios, two explanatory narratives were suggested. These referred to Ben (a) being motivated by the male sex urge and becoming uninhibited as a result of drinking, and to his (b) being motivated to take sex by force as a result of having a reprehensible character. The factors of premeditation and forcing led participants to choose the latter narrative, so that the narrative featuring the male sex drive facilitated by alcohol provided a vehicle for largely dispositional attributions to be made. The association made with the male rapist stereotype was sufficient to render judgements of Ben to be similar to those made of Dan, who was a stranger to his victim.

As with the other scenarios that featured a female victim, Michelle was not subject to any comparable character-based analysis. It was understood that she had her control removed from her by Ben. By comparison with Isobel and Jane, the reactions that Michelle was thought likely to experience did not tend to include the discussion of regret. Whereas the other two female victims had freely chosen to consume alcohol, Michelle had not realised that her drinks were being topped up. As a result she would have little to regret, which in turn points to some level of responsibility being attributed to Isobel and Jane, who were presumed to experience some regret for their drinking. In common with other scenarios, however, there was no strong view expressed that Michelle should report Ben to the Gardaí for his actions.

### 3.5.7. Examples of Focus Group Extracts:

**In this extract one group member tries to suggest that it might be possible to normalise Ben's act of forcing Michelle's head down on him, but is overruled by other group members:**

**RESP 6:** *Sexual assault straight ahead like. You don't force a girl's head down.*

**RESP 1:** *Topping her drinks up as well. I nearly missed that line.*

**RESP 2:** *Yeah.*

**RESP 6:** *Well the...the...she doesn't know, it doesn't say for sure.*

**RESP 1:** *Oh right yeah.*

**RESP 2:** *Yeah, she doesn't know.*

**RESP 6:** *The fact that he forced her head down, pushed her head down, like you don't even...like, you don't do that to your girlfriend. ... Well, not to any girl. It's sexual assault.*

**RESP 1:** *Yeah.*

**RESP 2:** *Nah, but how many times have you been there kissing a woman and then you like, touch the head..*

**RESP 6:** *Never.*

**RESP 2:** *... and then they go down, you know what I mean like? You touch the head, you know, when they're going down.*

**RESP 4:** *That's different. That is different. (M1)*





Here the label of rape is viewed as an appropriate fit:

**INT:** Okay. Michelle didn't know what to call or label what happened to her. Can you...can you guys suggest any options she has?

**RESP 3:** Date rape. Yeah, at least that's what I've been...I'm sorry, it's what I've heard that refer...incidents like that referenced like. I mean it's like that he may have been ruffing her drink or something and I've heard those things referenced to as date rapes.

**RESP 3:** ... Yeah and that then he took advantage. That's how I heard them referenced to.

**RESP 2:** Yeah I agree with [Participant Name] yeah. You...you don't even have to...I don't think you have to em... slip her something to...to be...for it to be date rape and you don't have to top up her drinks I think. If, you know...I think just the fact...even if she gets herself drunk, all by her own accord, it can still be date rape. But yeah, no, I'd...I'd agree with that one. (M3)

This extract illustrates how views of rape are debated by the group members, with some differences between members and at the same time agreement on a commonality – that rape is difficult to define:

**RESP 3:** But it's...but it's the fine line of defining rape again because there was nothing done to her physically like.

**RESP 4:** But at the same time she couldn't get away if he had her head.

**RESP 2:** Yeah.

**RESP 3:** Yes, yes, yes I...yeah, I'm not saying that I...that I'm saying that it's not...but it's...

**RESP 4:** Yeah.

**RESP 3:** ...again, how do you...

**RESP 2:** What is rape?

**RESP 4:** Yeah.

**RESP 3:** ...define what rape is?

**RESP 2:** Yeah.

**RESP 3:** It's because something was done to me, it was an invasion to me...

**RESP 2:** I think that's why I said ... rapey as opposed to rape, you know? It's kind of like

**RESP 1:** [Inaudible] saying, you know, I would say that is an invasion...

**RESP 5:** Yeah, I think it is too.

**RESP 1:** ...because there's something going into her body. It just doesn't happen to be ... the other end like. Eh...yeah ... we keep coming back to this difficulty with defining rape. (F2)

In this exchange from a female focus group, the differentiation between rape and sexual assault is highlighted as relying on whether penetration occurs:

**RESP 6:** She was raped.

**RESP 7:** Yeah.

**RESP 6:** Definitely. Oral sex, yeah.

... **RESP 1:** I'd say sexual assault, personally.

**RESP 2:** Sexual assault again, yeah.

**RESP 6:** But he was penetrating her at the same time. He goes into her mouth like, you know?

**RESP 1:** Oh yeah. (F4)



Similarly, the male group members here take the view that Ben's actions were completely unjustifiable:

**Michelle wondered what to call or label what has happened to her. Can you suggest the options she has in this situation?**

**RESP 2:** Yeah, I think she was raped. Em...she, like, if, like, regardless of if they were in or out of a relationship, regardless of they had sex or not before, he forced her, repeatedly, on to him like.

**RESP 9:** A month's not a long time either like.

**RESP 4:** Yeah.

**RESP 2:** Well like, even that bit like, just, I don't think it makes a lot of difference how long they've been going out.

**RESP 5:** They could...

**RESP 9:** Yeah.

**RESP 5:** ...they could be married like, you know?

**RESP 8:** Yeah, it shouldn't matter if...

**RESP 2:** Yeah.

**RESP 8:** ...it was ten years or a month, you know? (M2)

**Ben 'should have known', indicating that his behaviour was directly in contravention of the social norm:**

**RESP 4:** Yeah, he should have known. Yeah, he should have.

**RESP 6:** You know, you know?

**INT:** Yeah.

**RESP 2:** I mean if you're dating that far like, you can ask.

**RESP 4:** "Are you okay?" like.

**RESP 2:** You know? It's not like if it's a stranger, you know? You ask.

**RESP 6:** But you're still in a situation that you...

**RESP 2:** "Do you want to have sex?" (M1)

**The use of force and penetration was viewed throughout the groups as a decisive feature of the incident, with reference made to the case of Dan and Isobel:**

**RESP 4:** Forced though. Like, forced like. That's the...that's the key word I reckon.

**RESP 1:** Yeah, yeah.

**RESP 6:** It says he forced her like. That's clearly sexual assault.

**RESP 4:** Yeah, yeah. I agree.

**RESP 6:** And I'd nearly put that...I know we said sexual assault earlier on...I...I...you'd put this in category more of rape than...

**RESP 3:** Yeah, that's right.

**RESP 6:** ...than your one...your one who gave your man a wank like.

**RESP 2:** The one of wanking, yeah. [Inaudible]

**RESP 6:** That...that's sexual assault but this is...

**RESP 2:** Rape.

**RESP 6:** ...again, I know it's not intercourse but it's cock in mouth, it's a big difference.

**RESP 3:** It's penetrative yeah. It is.

**RESP 6:** Penetration. (M1)



The stereotype of a rapist is discussed here, with the view expressed that it is an inaccurate view. That Ben was in a relationship with Michelle was no bar to the possibility of rape occurring:

**RESP 2:** *Em...I think there's a lot of...I think people seem to think that...that rapists are these sort of people who...who hide down dark back alleys and have...have dungeons and wear masks and creep out to...to like snatch...*

**INT:** *Yeah.*

**RESP 2:** *...their victims off the streets when it's so much more likely, I think, to be eh...to be someone you know, particularly eh...your boyfriend or your husband or something. So, I think she's...I think the facts are in front of her but she...I think a lot of people in her situation would be...would say, well, he's not...not a rapist, he's not this...*

**INT:** *Yeah.*

**RESP 2:** *...he's not a monster like, even though what he did was...was monstrous.*

**RESP 4:** *It's more confusing because she knows him personally. (M3)*

In this extract, Michelle's rejection of Ben's advances is described, with Ben viewed as insensitive to her reactions:

**RESP 4:** *...the fact that she tried to push him away...*

**INT:** *Yeah.*

**RESP 4:** *...eh...should be a fairly clear indicator that she's not into it.*

**INT:** *Okay.*

**RESP 2:** *Yeah.*

**RESP 3:** *But he probably felt he was entitled to, like. They had been in a relationship for a month, they hadn't... hadn't had sex so it has this feeling that he has got tired of beating around the bush and tried to be more proactive but not in the best of ways.*

**INT:** *Yeah. Do you think...how do you think he felt about it afterwards?*

**RESP 4:** *Well, he denied he done anything wrong.*

**RESP 3:** *Yeah.*

**RESP 2:** *Yeah, I think was right. I think there's a strong sense of entitlement there.*

**INT:** *Yeah.*

**RESP 2:** *And I don't think that would go away after the fact.*

**RESP 5:** *Because I...I...I...I would think...see where it says em...she like, pushed him away...*

**INT:** *Yeah.*

**RESP 5:** *...some guys just really just don't understand signs at all. (M3)*

The male respondents in this focus group concur that Ben had no consent for what he did:

**INT:** *What else could he have done to check with her that he had her consent?*

**RESP 9:** *I don't think he was ever interested in it if his intention was to get her drunk like, so...I don't know.*

**RESP 8:** *But, even if...even if he was, it is kind of a...it's not a situation you'd often find yourself in, to explicitly ask.*

**SEVERAL RESPONDENTS:** *Yeah.*

**RESP 8:** *You know? I mean, whether it should be or not like, it's not...*

**TWO RESPONDENTS:** *Yeah.*

... **RESP 9:** *I mean he had to physically push her down.*

... **RESP 4:** *Well like, consent is either verbal or with your body and she wasn't able to give verbal consent and it was just with her body. ... I don't know is there a third way of giving consent. I don't know.*

**RESP 5:** *I think just being there isn't enough for ... consent like, you know?*

... **RESP 9:** *Especially when they hadn't done it before like. ... You know? That's even worse like. (M2)*



The respondents here position Ben's rationale for his behaviour in terms of the male sex urge, with the forcing of Michelle returned to as an illustration of his insensitivity to her feelings:

**RESP 1:** He was probably just thinking about sex and immediate gratification and not really thinking about the consequences and not really thinking about her feelings.

**RESP 2:** That head thing.

**RESP 2:** ... It really bothers me, that bit. (F1)

Here the male sex urge and the impact of alcohol are added as contextual factors that help to explain Ben's behaviour:

**RESP 6:** He's thinking with his willy.

**RESP 3:** ...frustrated and...yeah, exactly. Just wanted it like.

**RESP 2:** Yeah, "Been days and a month, come on", you know? Maybe he was thinking that.

**RESP 2:** Yeah, yeah. Not that that's an excuse by any means.

**RESP 6:** Yeah, that's it at the end of the day. Quite a lot...a lot of lads get in trouble because they think with their...their eh...

**RESP 2:** Genitals.

**RESP 6:** ...their genitals instead of their brains.

... **RESP 6:** And drinking added to that again, you know, because it's...

**RESP 3:** Yeah.

**RESP 6:** ...it seems lads em...have a mission when they go out drinking. Especially young kids. (M1)

Ben's actions are framed in terms of alcohol use and the male sex drive – that he felt that he would stand a better chance of having sexual relations with Michelle if she was drunk, and was motivated by his sexual frustration:

**RESP 4:** He em...like maybe if he was in the relationship with her for a month he might have been getting frustrated or maybe he had been hoping for sex sooner and all these different things would have run through his head and maybe he thought "Oh, she's got a little more drunk tonight..."

**RESP 2:** Yeah.

**RESP 4:** "...maybe she'll be more up for it or more..." kind of...

**RESP 6:** Fluid.

**RESP 1:** Receptive.

**RESP 4:** ...yeah, receptive to it, so, like obviously it was not the right thing to do but in his mind he probably wasn't setting out to...end goal being "I will rape her because it'll be easier. It'll be "Maybe we will have sex." (F4)

Here the disappointment of group members with Ben's behaviour is apparent, with his behaviour contrasted with Michelle's apparent self-restraint and caution:

**RESP 1:** What's wrong with people? How hard is it just to do this normally? Like he doesn't have to...this was so unnecessary.

**RESP 2:** Yeah.

**RESP 2:** Like she obviously likes him if she's going out with him.

**RESP 1:** Yeah, she would have had sex with him eventually.

**RESP 4:** It would have happened, yeah.

**RESP 2:** Em...yeah, I just...oh...oh I think it's really sad.

**RESP 1:** Which actually then makes me feel more like Ben is a bit more malicious because...

... **RESP 2:** Like she seems like quite a kind of a responsible like...

**RESP 4:** Yeah, she...I think...

**RESP 2:** ...kid. I mean she doesn't to...to get drunk, she doesn't want to ever...like she only has her four pints of beer, she only goes out once a week, she's in a relationship with a guy and like wants to hold off on having sex. (F2)



These participants highlight the expectation that, in a relationship, it is reasonable to expect some explicit discussion to occur before moving into a new phase of sexual intimacy:

**RESP 2:** ...you always say "Look, do you want to do this?" or "Do you want to do this now?" or "Do you want this to..." like I think that's not...and, you know, in general, if you're going home someone from a night out that that conversation doesn't happen but they've never had sex before...

**RESP 3:** Yeah.

**RESP 2:** ...so I think, because they're in a relationship, that's...that would...it's the respectful thing to do.

**RESP 4:** It's big deal, like it should (F1)

In this extract there is little credence given to the idea that Ben would be remorseful. His premeditation is indicative of a rapist mentality, however one group member describes the possibility that he might mature over time:

**INT:** And how do you think he might have felt about it afterwards, looking back in hindsight?

**RESP 3:** Well, the fact that he was...that it was premeditated kind of makes me wonder as to whether really he'd be that remorseful.

**RESP 2 & 4:** Yeah.

**RESP 4:** It doesn't seem like he would be.

**RESP 2:** Yeah, I have my doubts as well.

**RESP 3:** Do you know? If...if it's something which...it completely sounds like it's something that he had planned so...

**RESP 2:** I think he's...he's...like, it's not an excuse but when you're young as well, or that age, he might be less likely to kind of sit down and have a real think about himself and his role in it, you know, than he might be in a few years time, whereas I think the most likely scenario is she's broken up with him, he'll just be like "Oh..."

**RESP 4:** "What can you do?"

**RESP 2:** "...what can..."

**RESP 4:** "Next"

**RESP 2:** Yeah, next. (F1)

Several of the reasons typically cited for Michelle's uncertainty in labeling the event are described here – that she was in a relationship with Ben and that he did not have vaginal sex with her:

**INT:** Eh...why do you think she feels uncertain about what to call what happened to her?

**RESP 8:** She might think...

**RESP 9:** Maybe because they're in a relationship.

**SEVERAL RESPONDENTS:** Yeah.

**RESP 2:** It could be that eh...she's...she's not sure does this constitute rape. I think it does because he's put his penis inside her so I think it is rape like.

**INT:** Do you reckon there'd be confusion arising from the relationship thing or would that make a difference?

**RESP 5:** Well I mean I suppose there's the expectation about if you've been going out with somebody that, you know, you'll have sex or whatever. But, I mean, just because expectations are there, like you know, there's still... consent is still part of that negotiation but the fact is that there's no, again like, there's no consent there. (M2)

Similar views are expressed in this female focus group:

**INT:** And why do you think it is that Michelle feels uncertain about what to label what's happened to her?

**RESP 7:** Because she was technically in a relationship.

**RESP 2:** Mmm.

**RESP 6:** Yeah, it wasn't a stranger.

**RESP 1:** Because she...she didn't really say no either so she's probably confused.

**RESP 7:** Well she did try to push him off.

**RESP 4:** And because it wasn't...she said it wasn't...they never said anything about it being, like, full sex, that maybe she doesn't see it as rape because it was only oral sex. Not only, but like, you know? (F4)



This extract is typical of the discussion made in the groups as to Michelle's likely reactions. She is viewed as having some responsibility to report the incident in an attempt to reduce the risk to other women, but is also seen as experiencing considerable distress and loss of trust:

**RESP 1:** *I suppose if he's that sort of person and he gets away with it, then maybe he'd do it again, which I suppose is where, you know, the girl who reports it, like, although like she has to face the consequences for herself, she does maybe help somebody in the future, or stops it from happening to someone else. Em...I don't know, the consequences are...*

**RESP 2:** *Yeah, poor Michelle.*

**RESP 4:** *I know. She's still upset days later so it seems like it is going to have a pretty negative impact on her life.*

**RESP 2:** *Yeah, she seems like she's really vulnerable.*

**RESP 4 & 1:** *Yeah.*

**RESP 2:** *And that it might affect her trust of people a lot I'd say.*

**RESP 3:** *Yeah.*

**RESP 4:** *Yeah, definitely.*

**RESP 2:** *And maybe here...she...like, she mightn't want to drink, do you know, if she's had this kind of a bad experience as well like, that might...*

**RESP 1:** *Yeah. She's definitely emotionally scarred anyway. (F1)*

Michelle's options for seeking support are viewed as somewhat limited in this extract, with little elaboration or indication of specific knowledge of support services:

**INT:** *Do you reckon there's any other options?*

**RESP 4:** *There's always support like the Rape Crisis Centre and such. So, like, there is support and organisations in place.*

**INT:** *... What about friends?*

**RESP 3:** *Yeah ... but friends can only help you to a certain point.*

**INT:** *Yeah. Okay.*

**RESP 4:** *And because it's someone she knows personally, it's a little bit of a messy thing getting friends involved as well.*

**INT:** *Okay.*

**RESP 4:** *Because there'd be a lot of conflicting attitudes.*

**RESP 5:** *She...she like could...could go to the eh...kind of counselling services in her college or whatever. (M3)*

In this discussion of Michelle's options for seeking support, some uncertainty is expressed as to the reporting responsibilities of a GP:

**RESP 3:** *Em...probably a health practitioner as well.*

**RESP 2:** *Yeah, actually, I didn't think of that.*

**RESP 1:** *I think if you say something like that to the doctor, aren't they, like, obliged to report it? I'm not sure.*

**RESP 2:** *No, I don't think so.*

**RESP 3:** *No, patient confidentiality but...*

**RESP 1:** *I think it's only if under eighteen...*

**RESP 6:** *It's pretty [inaudible].*

**RESP 1:** *...I think that they have to say it, possibly.*

**RESP 2:** *I think then they can tell your parents, is that right? They can talk to your...but I don't...I don't know if they can go to the guards about it.*

**RESP 3:** *But just for your own wellbeing, a health practitioner.*

**RESP 2:** *Yeah, yeah.*

**RESP 6:** *She'd probably want to go to like, some student union maybe and just look into getting counselling anyway just because that's really, like, forceful. She obviously felt...she said...it says that she felt it was wrong, humiliated, you know, he did force her head onto him. (F4)*





In this extract, Michelle is thought to be reticent to go to the Gardai because she was in a relationship with Ben. She is thought to have limited options, and the prospect of a male-typed response of violence is invoked:

**RESP 2:** *She obviously really liked this guy if she was going out with him, especially when he...after a month like, they're surely still in that loved up, honeymoon stage like. So...*

**RESP 4:** *Like, going to the guards would seem maybe a bit harsh or...well, from her point of view...*

**INT:** *Yeah.*

**RESP 4:** *...if she was going out with him. But then, I don't know what the next step down is because, you know, he's kind of getting away scot free then really, you know?*

**RESP 2:** *Yeah.*

**RESP 4:** *Without getting any punishment or...because he did commit a crime, you know? But, maybe she's...I don't know what the next step down could be.*

**RESP 2:** *Get...get some lads to beat the shite out of him. (M2)*

The options for Michelle in reporting the event are discussed in this female focus group, with the view taken that it would be difficult to go to the police:

**RESP 3:** *How prepared do you think are the guards here to deal with something like that? Perhaps I would go... if I know that this exists ... I would go because I know they might be ready to listen to what I've got to say but I wouldn't have the courage to just go into the guards and tell them this is what happened to me like.*

**RESP 4:** *Yeah, no, I could do...I could ring a centre or...*

**RESP 2:** *There's probably a person in the...in the guards though that's in charge of these things.*

**RESP 1:** *No, they're...they're useless.*

**RESP 2:** *Really, yeah? See I don't know but I...*

**RESP 1:** *They might have a woman guard...*

**RESP 2:** *Yeah.*

**RESP 1:** *...to come and talk to you*

**RESP 2:** *Yeah. I think, yeah, I think I would probably ask ... like a college, you know em...*

**RESP 4:** *Yeah.*

**RESP 2:** *...the welfare people or something. I would definitely find out more about it*

**RESP 1:** *But you might feel you need to act sooner than that.*

**RESP 2:** *Yeah. I don't know, but like because she knows who he is...see there's not going to be any evidence of it really, is there?*

**RESP 1:** *No I suppose not.*

**RESP 4:** *And it's that horrible your word against his (F2)*

In this example of focus group members debating the scope to take the incident to the police, the members model and think through how Michelle's claim would appear. This illustrates the questioning anticipated should a complaint be made:

**RESP 6:** *...first, to see what they say. I...I would...I would, say, if I was a girl and this happened to me I'd go for advice before I went to the police. That's just me being logical you know.*

**RESP 1:** *Yeah.*

**RESP 6:** *Because you don't want to go to the police and then cause a big actual ruction.*

**RESP 3:** *Yeah, well, if she knows what happened she knows what happened but like, both, you know?*

**RESP 4:** *Yeah.*

**RESP 3:** *She needs support either way, you know?*

**RESP 4:** *She's had time to think about it and she still feels distressed so...*

**RESP 3:** *Yeah.*

**RESP 6:** *Then again from...from a legal perspective, he's just going to argue saying "Why did she stay there 'til the morning if she felt so upset about this?" you know?*

**RESP 4:** *It might not have been feasible, she might not have had the money for a taxi or something.*

**RESP 6:** *Well she...she got home the next morning, why (M1)*



### 3.6. Online Survey of University Students

The online survey was used as an opportunity to triangulate the focus group findings. Two of the same scenarios were presented (Scenarios 1 and 3). Following the analysis of responses, it was found that the responses made to both of these scenarios were consistent with those made by focus group participants. This helped to confirm the robustness of the focus group findings among a broader sample of university students. As expected, the responses made to the online survey were variable in length and degree of elaboration between respondents. There was also no opportunity for interaction, consensus development, or teasing out of different viewpoints as there had been in focus groups. The main advantage of the online survey over focus groups is in tapping into a broader sample of students and in the personal privacy available to participants when crafting responses. This helped to address the issue of smaller numbers of participants in focus groups, and the potential for socially desirable responses, two potential weaknesses of the focus group methodology.

The online survey was also used to expand on the findings from one of the focus group scenarios. An adapted version of Scenario 4 was presented in the online survey, to assess how perceptions of the Ben and Michelle scenario would differ if Ben's premeditated topping up of Michelle's drinks was not included. Scenario 4 was amended to indicate that Michelle had made the personal choice to drink heavily herself. The focus groups read that Michelle believed she had consumed the equivalent of four pints of beer (her normal limit). She felt much more intoxicated than normal and inferred that Ben had topped up her drinks without her knowledge. In the online survey version, Michelle shared a naggin of vodka with Ben and then drank the equivalent of seven pints of beer over a period of four hours. Thus, Michelle's intoxication was directly attributable to her own drinking behaviour. This amendment was made to explore whether less damning judgements of Ben would be made and concomitantly, if Michelle would be viewed differently.

Having established that the responses made to the two other scenarios presented online were effectively equivalent to those made in the focus groups, we analysed the responses to the online version of Scenario 4. The comparative analysis of focus group and online survey responses was done in a qualitative sense, to assess the general tone and character of responses. The following comparisons were made:

- **Labeling the event as rape or sexual assault:** The most common descriptive labels used by online participants were rape and sexual assault, similar to focus group responses. Although the element of premeditation was removed in the online version, Ben's forcing of Michelle and oral penetration were regularly cited as indicative of sexual assault or rape. There did not appear to be much difference between online and focus group participants in what label was deemed applicable.
- **Perceptions of Ben as regretful:** With premeditation removed, there appeared to be more openness among online respondents to seeing Ben as capable of regret. Equivalent numbers of those participants who made a clear statement on this suggested regretful / lack of regret on Ben's part. This was a notable difference from the attributions made in focus groups. Thus, for some online respondents, Ben did not appear to be as close to the rapist stereotype, once the element of premeditation was removed.
- **Reasons why Michelle was uncertain about labeling the event:** A similar range of reasons for Michelle's uncertainty were cited as for focus groups – the most frequent reasons were that she was in a relationship with Ben, she did not verbalise her non-consent, she had been drinking, and as the assault did not include vaginal penetration.
- **Perceptions of Michelle's drinking:** Very few online respondents regarded Michelle as drinking less than the norm for students. However, approximately equal numbers regarded her as drinking at a normal level for students as those who perceived to drink more than the norm. This confirmed the impact of changing the information about her drinking behaviour, but also suggests a high threshold for acceptable consumption.



- **How will Michelle react after this incident:** Given that Michelle was seen as a heavier drinker in the online scenario, it was of interest to consider whether she would be seen as experiencing similar or different reactions to the event. The likely reactions ascribed to Michelle were quite consistent with those discussed in the focus groups. There were references to feeling bad about herself and experiencing shame, but there was no discernible elevation in the self-blame Michelle was thought likely to go through. This indicates that her drinking behaviour in the online scenario did not shape social evaluations into a more harsh reading of Michelle's character or degree of self-blame. Drinking heavily did not place her in a less credible position. Just as with the focus groups, the attributional focus was on Ben's behaviour.

## 3.7. Participant Reflections and Recommendations

### 3.7.1. Reflections on Consent

At the end of the scenario-based discussion, participants were asked by the moderator to reflect on the issues that had arisen. F1 participants described there having been more 'grey areas' than they had anticipated at the outset of the group. These grey areas included the difficulty of defining consent and their limited awareness of differences that might exist between forms of non-consensual sex such as sexual assault or rape. Similarly, participants in F2 felt there was considerable complexity in terminology around unwanted sex and failure to get consent. Essentially, consent to sex brought with it a number of ambiguities and difficulties, arising from lack of education or social norms (F4).

F1 participants acknowledged that non-verbal consent brings with it considerable ambiguity of interpretation (F1), and that some men lack the 'emotional intelligence' to read the signals (F2). This point was taken up in F4, where there was support for the idea of having verbal consent as the norm, or at least that it should be sought when there is any uncertainty, such as if one person is less drunk and needs to be clear whether the other person can give consent. At the same time, F4 participants clarified that consent should not be seen as something that could be credibly described as a formal process. This comment echoed the discordance expressed in all the groups between the physicality of getting together with another person and the idea of 'form filling' to indicate consent.

Confidence in negotiating consent was founded on congruence within the person and within relationships. Thus, F2 participants described the importance of feeling safe and the need to feel comfortable about walking away from a situation. However, confidence, self-esteem and respect for others were seen as difficult to achieve in early adulthood (F2). Thus, the couples portrayed in the scenarios were felt to lack the ability to talk about consent, and were members of a culture characterised by the objectification of women and stereotypes of gendered sexuality (F2).

It was felt that, even when consent to sex is given, it might be following pressure and manipulation – and is therefore not consent at all (F1). In addition, alcohol consumption was acknowledged as impairing the ability to give consent (F1). The presence of alcohol made a situation more difficult to interpret as it then becomes difficult to know whether a person is giving informed consent (F3). Drinking is part of what makes consent to sex an ambiguous topic, and contributes to impaired decision making (M2). Further, victim blaming was felt to arise due to the presence of alcohol, both in terms of self-blame through regret or disappointment at one's own level of drinking and the exposure of the victim to weakness in the legal process (F2).

There was some discussion of the 'Jim and Claire' scenario when participants were asked to reflect on the plausibility of the cases that had been presented. It was felt by some participants that this case was the least likely to be described as representing non-consensual sex (F1, F3). However, participants in one of these groups (F1) also made the point that, as Jim was drunk, he did not have the capacity to give consent. Participants in M1 said that, as some men cannot stand up for themselves, it was useful to hear about this case. The other case singled out for discussion at this point was that of 'Jane and Fred'. This case was perceived as particularly difficult to interpret due to uncertainty over whether Jane was conscious at the time of sex (F1, F2, F4). By contrast, 'Dan and Isobel' was easier to interpret because Isobel had no choice in the scenario (F4).



### 3.7.2. Recommendations from Participants

The participants in each focus group were asked to make suggestions as to the strategies that would make it easier for young adults to avoid non-consensual sex. One of the key recommendations was for the scenario-based approach to be utilised as a strategy for critical reflection. This recommendation was also taken up by respondents to the online survey. It was suggested that discussion of scenarios would help to tease out a fuller understanding of consent (F1). A case study approach was felt to be effective in making people think (F2). A scenario-based approach was seen as appropriate for college students and for students in secondary schools (F3). Talking about a complex, real-world scenario was felt to be a useful means of involving people in knowledge generation. For participants in M1 this was an important issue, as it was felt that young people should be actively involved rather than 'educated' about an issue. For M2 participants, the use of scenarios in secondary schools would help young people develop a more realistic understanding of the consent issues that arise, as publicised cases tend to fit the 'rape stereotype' of the use of physical violence by strangers. Moreover, scenarios would get people to think about important issues that might be neglected otherwise, such as the scope for men to be victims of sexual assault (M2).

Several other strategies were discussed by the focus groups, and were reflective of the suggestions made by online respondents:

- Change norms about the acceptability of drinking to excess (F1). This could happen by promoting methods and opportunities to get to know each other and socialise that are not predicated on alcohol use (F3). For instance, the activities offered by a number of student-led societies offer the opportunity to do this
- Encourage men to achieve a better understanding of women's perspectives on consent (F1, F3), for instance in getting a better insight on the ill-informed assumption that remaining quiet means that consent is given, or reinforcing the need for men to check if it is ok to progress further (F1)
- Work on attitudes of young people while they are still in school (F3, F4). Classes on negotiation of consent should be compulsory in schools (M1). More of the material currently covered in schools seems oriented to girls, and places responsibility on them in particular (M2). However, by focusing on functional issues, sex education in schools neglects the social and emotional elements of being sexually active – issues that ought to be tackled before people get to college (M3)
- Focus on students when they arrive in college, for example by making consent a topic that is covered in the 'Fresher's Week' induction exercise (M2, M3) and the yearly SHAG week (a Students Union sex education initiative, M3)
- Work through friendship groups to encourage people to mind each other and look out for one another (F3)
- Use of the varied communication channels available to people on a night out. Thus, there was a suggestion to use social media to promote better awareness of links between alcohol and non-consent (M1), and to target communication opportunities accessible to people on a night out, such as messaging in toilets or in taxis (M1)

Finally, focus group participants were asked to suggest other scenario types that should be looked at future to broaden our knowledge of non-consent to sexual activity. Several suggestions were made, to look at long-term relationships where there is an abusive partner (F1); a scenario where the female says 'no' to sex but still responds (F1); to look at relationships where circumstances change due to tiredness, stress, pregnancy, etc. (F2); to consider scenarios that illustrate cultural differences in consent and gender expectations (F2); to include scenarios that reflect non-consent in a LGBT context (M3, F4); a scenario that includes subsequent regret rather than lack of consent at the time of sex taking place (F4); and a scenario in which there is a more considerable age difference between the two individuals (M1).



## 4. Discussion

**Both the focus group discussions and online survey responses demonstrated that non-consenting sexual activity was unacceptable to the students who took part in the study. This was reflected in the views of male students just as much as those of female students.**

The students believed it was wrong for an individual to engage in a sexual activity with another person who did not do so willingly. At the same time, the process of giving and receiving consent was regarded as a largely implicit, tacit process. Ironically, consent was particularly unlikely to be verbalised or articulated in hook ups, the very situation where each partner knew little about the other's sexual preferences and boundaries. In this sense, consent represented a grey area – an implicit, unspoken process that students thought they could navigate, but which opened the door to misinterpretation.

Knowledge and perceptions of control regarding consent can be characterised as a 'grey area' in several other respects. There was considerable ambiguity and uncertainty over how instances of non-consenting sexual activity should be named. The legal criteria for 'rape' and 'sexual assault' were not clearly understood. A further source of uncertainty was revealed in how students spoke about the options open to them for reporting rape and sexual assault. Even when discussing behaviour seen as highly improper and degrading, there was continual doubt expressed over whether the Gardaí would be supportive of a complaint. There was an underlying anxiety about withstanding a legal 'inquisition' of the victim's behaviour or choices.

Finally, complexity was added to the students' understanding of consent through the contextual factors that informed scenario interpretation. Gender expectations, beliefs about hook up scenarios, relationship norms, and the 'progression toward sex' script all impacted on how the students made sense of the scenarios. Thus, the overall picture of attitudes regarding consent to sex can be best summarised as a 'grey area', characterised by:

- The tacit nature of negotiating and communicating consent
- Uncertainty expressed about differentiating forms of non-consenting sexual activity
- Doubt raised over the possibility of seeking legal redress in a supportive atmosphere, and
- The complexity arising from the social context in which consent is embedded.

The opacity of 'consent', as a concept, a practice, and a basis for seeking redress and support was underlined by its intersection with two other significant attitudinal resources – expectations for gender roles and for alcohol use. These contextual factors represented the key social knowledge resources through which the scenarios were understood.

Because drunk sex was seen as a typical feature of hook ups and established relationships, alcohol was viewed as problematising how consent is communicated and read. The actions of the perpetrators depicted in the scenarios were judged to be facilitated or enabled by alcohol consumption, and the victims of sexual assault were seen as having lost control over their choices through drinking. Two of the aggressors (Dan, Ben) were seen as behaving in a way that they would not have done if sober. In these instances, alcohol was viewed as helping to explain their behaviour, but was not regarded as excusing what they did. Both Dan and Ben were seen as having a 'bad character'. In Scenario 1, however, Fred's drinking, coupled with Jane being drunk herself, was positioned as the key explanatory factor. His drinking was implicated in a 'messy situation', in which Jane herself was attributed some responsibility, despite her being drunk to the extent that she could not remember later when she had said or done. Fred's behaviour was given a more sympathetic reading than that made of the other sexual aggressors – his level of drunkenness was similar to that of Jane, they knew each other already, she had apparently willingly engaged in the earlier part of the progression toward sex, and she may have given consent to sex at the time.



The students did not consider Jane's underlying incapacity to give consent when drunk to the point of a later blackout of memory. This illustrates the use made of alcohol in generating a narrative in which responsibility for sex is attributed to the victim, despite their high level of drunkenness at the time. Having a 'blackout' of this nature is a common phenomenon among students. In a recent survey of 1,144 university students in Ireland (McCaffrey et al., 2014), over 80% of regular binge drinkers indicated that they had been drunk at some point to the level of not remembering later what they had said or done. Given the high prevalence of blackout experiences, a high proportion of female students may be exposed to the possibility of their grievance regarding unwanted sex being 'written off', due to the mistaken perception that they were able to give consent at the time. This points to an overly liberal 'threshold' for acceptable drunkenness among students.

Responses to Scenario 3 illustrated intriguing issues regarding the reversal of gender expectations. This scenario featured Jim and Claire, and provided insight on the interpretations made of male claims of non-consenting sex. Students felt that Claire had unfairly used the male stereotype of always being up for sex, pressuring Jim into having sex with her. Ironically, the students themselves used stereotypical expectations to make sense of Jim's behaviour. Jim was viewed in a manner compatible with the expectation for the man to be the agentic figure in a sexual encounter – that he did show agency by having penetrative sex with Claire, while concurrently he was somehow deficient or weak in relation to the normal expectations held for men. This scenario was significant in that it was the only one in which dispositional attributions for the victim were forceful features of the focus group discussions. Of all the victims portrayed in the scenarios, he was felt to have a significant level of responsibility for what happened. Jim was judged to have had the freedom to walk away. He was seen as a weak man manipulated by a pushy woman. His preference not to have sex posed a challenge to the image of men being interested in sex all of the time. This incongruence with the students' expectations had to be explained by classifying him as an untypical man, for example, as one who was socially conservative or a virgin.

Jim's behaviour was viewed as counter-normative to the expectations held for young males. More usually, scenario protagonists were made sense of in a manner consistent with gender expectations. There were numerous references to stereotypes for men – primarily the assumptions that men continually seek sex and a dominant role in relationships. Males attracted dispositional attributions, with their behaviour taken to reflect personal intentions and their sex drive. With the exception of Claire, who was regarded as a deviant woman, females in the scenarios were interpreted in terms of situational factors, for example loss of control following too much to drink or distress as a result of sexual assault. One important implication of this was that it was clear to participants that the female victims of sexual aggression were not to be blamed for what happened to them. Largely, there was little interest in analyzing the personality or intentions of the females in the scenarios. There was also a high degree of uniformity in the reactions ascribed to female victims. Compared with the attentional focus commanded by the male perpetrators, the female victims were under-elaborated or individualised.

The students utilised an interpretive repertoire based on traditional gender roles – an implicit, unspoken script for gradual progression toward sex that is led by the male. The role of women in this context was to provide silent agreement or use largely non-verbal means to halt the progression. Acquiescence to this relational dynamic entails putting the male in a position of control. It means running a continuing risk of the man misinterpreting the woman's signals or of the female being unable to give these signals if too drunk to do so. Numerous references made to the youth and inexperience of young adults underscore the potential for problems to arise when sexual partners lack an equal voice and associated agency.

Unarticulated consent, framed by intoxication, was understood by the research participants to be problematic, especially in the responses that followed the reflection after working through the scenarios. The focus group participants identified themselves and their peers as lacking preparation to deal with the issues that arise when negotiating consent and critiquing peer norms. It was felt that a more systematic, communication-based approach was required for adolescents and young adults to think and talk through the meaning of consent. In particular, involvement in active methods, such as discussion of realistic scenarios, was identified as a promising strategy to move from principles to practice in the critical consideration of consent.

These findings are discussed below by outlining a conceptual model. This represents the knowledge base that underlies student attitudes to consent, as well as providing a critical perspective on the role of alcohol in non-consenting sexual activity, and the gender politics inherent in relying on implicit consent.





## 4.1. Sex without Consent is Wrong – But it's a Grey Area

### 4.1.1. What is Not Grey – A Clear Belief That Non-Consenting Sexual Activity is Wrong

The focus group participants clearly expressed the view that sexual assault is wrong, with little evidence of a gender difference in the expression of this belief. There was also an understanding that sexual assault has serious, long-lasting consequences for victims. The role of gender in this study is occupied by the use made of gender-based expectations for making sense of the cases. While they were unequivocal in the view that it is wrong to engage in sexual activity without mutual consent, the students acknowledged a need to achieve a more informed approach to defining consent and considering the nature of sexual assault.

Although there was clarity of principle in this regard, consent emerged as a 'grey area' in several important respects, as outlined below:

#### 4.1.1.1. Consent is a tacit process

Sexual activity arises through a 'progression toward sex' script. Following the initiation of physical intimacy in a hook up, males and females play complementary roles in the subsequent progression toward sexual activity. Alcohol plays a critical role in this process, empowering individuals to have the confidence to make a pass in the first place. Alcohol also features in the script insofar as it is regarded as unethical to try to make progress with someone who is at a different level of drunkenness, as this would be taking advantage. With a reduced inhibition on their sexual urge due to the impact of alcohol, males are perceived to push the progression through successive levels of physical intimacy. The role of the female is to acquiesce or display willingness to take part. Progression is not solely based on physical signs. In a nightclub context, indicating an interest in leaving the club is taken as a signal of interest in sex. For the most part, there is a reliance on a tacit process for communicating and reading consent within this script of progression to sex.

#### 4.1.1.2. Non-consenting sex is difficult to name

There was considerable prevarication and uncertainty surrounding the naming and classification of different forms of non-consenting sex. The ability to name forms of non-consenting sexual activity is clearly an important tool for recognising and differentiating instances of sexual assault. There was, for instance, a lack of knowledge concerning the definition of rape and how it is different to sexual assault. The stereotype for rape expressed in the focus groups was for a stranger who violently forced a woman to have vaginal sex with him, having premeditated the action. This stereotype limited the students in considering whether other instances of assault might constitute rape.

In the case of Jim and Claire, in particular, there was use made of 'sub-assault' terms, such as 'goading' or 'taunting', and references were made to Fred's behaviour in Scenario 1 as 'unethical'. One issue that was important in this context was the range of ways in which the person's rights can be violated. The different forms of sexual assault described in the scenarios elicited different responses, and these responses interacted with contextual knowledge about the relationship of the scenario protagonists and the stereotypes they evoked. The scenarios described:

- Penetrative sex; the form of assault most clearly identifiable to students as 'rape', but in the case of Fred and Jane, the female was thought capable of giving consent even though very drunk
- Oral sex; although Ben's forcing of Michelle was perceived as reprehensible, some students considered forced oral sex to be incompatible with rape as it did not involve vaginal penetration
- Masturbation; Dan's forcing Isobel to masturbate him was viewed very negatively because it was combined with his intrusion into her home and bed, and
- Forced sex; Jim was perceived by some students to have given consent for sex because he took part in the sex act, despite not wanting to do so.



### 4.1.1.3. Doubts about reporting

The 'grey area' analogy concerning consent extended to the arena of reporting, involvement in the judicial system, and seeking formal support. Because none of the events met the stereotyped criteria for assault or rape that were envisioned, serious doubts were raised whether any of the victims would be likely to report the event. There were complicating issues raised in regard to each case, leading the students to believe that the Gardaí would probably not take the complaint seriously or that the victim would have to undergo a stressful struggle to get justice.

Personal alcohol consumption cut across all the scenarios as a complicating factor believed to undermine victim credibility. Thus, Jane's case was felt to be undermined because she was drunk when the sex with Fred occurred, and as she could not remember what had happened. Similarly, Isobel's credibility was reduced because she was drunk. Although Michelle had been induced to drink more than she wanted to by Ben, it was felt that this would be impossible to prove. Each case also raised particular issues that were seen as undermining the tendency to report what had happened. For instance, Jane had appeared to have willingly engaged in some level of physical intimacy with Fred. In Jim's case, it was thought that it would be difficult to demonstrate that he had been forced to have sex under duress. Because Isobel had allowed Dan into her home, the students suggested that this might indicate an invitation to him to become intimate. Michelle had stayed over in Ben's house after the forced oral sex, which the students said would be difficult to explain.

The doubts about reporting were underpinned by a lack of information. Information gaps existed concerning:

- The legal definition of rape and sexual assault
- The process of reporting and the supports available to victims from the Gardaí, and
- The services available through non-statutory support services. The Rape Crisis Centres were referred to, but even in this context there was doubt raised as to whether it was possible to access this support if the assault did not constitute what was understood as 'rape'.

The final factor that mitigated against an attitude of open disclosure to the police was the frightening prospect of having one's credibility questioned in a legal process that might involve court appearances. The prospect of being quizzed about the choices and behaviour that the victim had engaged in was seen as traumatising in itself. Although not judging the victims as responsible for what had happened (except in the case of Jim), the students were able to critically evaluate the potential 'weaknesses' in the case that the victim could make. These were viewed as critical gaps in credibility that meant that, at best, victims would be likely to seek support from friends, family members, or via the internet. Even in these circumstances, there was discussion among students of the potential stigma and judgemental attitude that might be encountered.

### 4.1.1.4. The complexity arising from social context

The interpretations made of the scenarios were coloured by the students' existing social knowledge. Thus, there was extensive use made of contextual factors based on prior expectations. For instance, the existence of a prior relationship between the aggressor and victim was a strong influence – Dan's status as a stranger made his behaviour appear particularly wrong, the hook up nature of Fred and Jane's relationship made it more plausible that they were progressing toward sex. The perpetrator's age was also implicated – Dan's age was considered as a mitigating factor in some discussions, and the gravity of labeling Fred as a rapist at his age was taken into account.

Gender expectations were a decisive factor, as the causal narrative generated in the groups drew extensively on the male sex drive and the more passive role in sexual activity attributed to females. Similarly, expectations for alcohol use comprised a highly influential lens through which the scenarios were considered. Alcohol was perceived to have a generic role in impairing the ability to read and give consent, and the more specific phenomenon of a 'blackout' introduced considerable ambiguity to the interpretation of Scenario 1. Gender and alcohol use are given particular attention below.



#### 4.1.1.5. Lack of preparedness

A number of factors contributed to a lack of preparedness in applying a principled approach to non-consenting sexual activity to complex scenarios:

- The tacit nature of the consenting process
- A lack of knowledge concerning sexual assault and rape
- Complexity and contextuality associated with the scenarios, and
- An underlying uncertainty regarding disclosure and reporting.

Given that consent was a 'grey area' for students, they felt ill-prepared to deal with problematic issues that arise in relation to non-consent in sexual relationships.

Having set out the model regarding consent, we will consider two contextual factors that interacted to shape the sense-making activity engaged in by students – alcohol and gender.

## 4.2. Alcohol and Consent

At the beginning of each focus group, an initial discussion took place of the role that alcohol plays in student culture. There was consensus that alcohol is embedded in student culture and has many personal and social functions. Underpinning these effects of facilitating personal confidence, social interaction, fun experiences and adventures, was the notion that alcohol causes typically self-regulating young adults to lose their inhibitions. Alcohol was closely tied to the expression of sexuality, as loss of inhibition through drinking was believed to empower individuals to seek sexual partners. Positioned in terms of its contribution to non-consenting sex, however, this loss of inhibition was transformed into a loss of control. The aggressors were perceived to lose control over their sexual urges, and the victims were seen as losing control over the ability to resist sexual predation.

Alcohol was seen as making it possible to behave and have interactions that would otherwise be impossible. It allowed interactions that are outside the norm, permitted people to say things they would normally not voice, allowed advances to be made without taking it personally if they are rebuffed, permitted strangers or acquaintances to hook up and progress to sex during the course of a night, and facilitated nascent relationships to move to a sexual level. The loosening of constraints on sexualised behaviour runs parallel to the opening of possibilities in other domains – being involved in outrageous behaviour, forming deeper bonds with friends, and having more fun than normal. The contribution that alcohol made to sexual expressiveness was one aspect of its multi-faceted capacity to open up new experiences.

Expectations for loss of inhibition interacted with gender expectations. Thus, it was seen as quite plausible for men to lose control over their sexual urges once their normal self-regulatory tendencies were suppressed through drunkenness. The female sexual aggressor portrayed in Scenario 3, Claire, was viewed as an unusual, atypical woman, whereas the male aggressors in the other scenarios were readily understood as acting out a male sex urge. The next issue that arises in this context is whether the alcohol-fuelled loss of control experienced by the aggressor was excusable or simply an explanation. The critical point in this regard is whether the person was viewed as acting 'in character' or 'out of character'. These two narratives were invoked in response to each scenario. In one, the aggressor was acting out of character due to the effects of alcohol, and in the other the aggressor's actions were facilitated or explained by alcohol use but were fundamentally a reflection of a 'bad character'.

On balance, it was felt that the latter narrative was most applicable to understanding the actions carried out by Ben, Dan, and Claire, whereas the 'out of character' narrative was applied to Fred, contingent on his having had sex with Jane when she was conscious (rather than passed out). The factors that were taken into account in determining the choice of the 'bad character' narrative were whether a pre-existing relationship existed (i.e., Dan was a stranger), premeditation (i.e., Ben had decided to get Michelle drunk without her agreement), the use



of force (i.e., Ben's use of physical force), or pressure (Claire's use of psychological pressure against Jim). Thus, the aggressors were seen as having internal, dispositional characteristics, leading to negative labeling, whereas Fred and Jane were believed to have been caught up in a 'messy situation'.

Thus, while lessening of inhibition was a desired state, the cost of this was the risk of loss of control and subsequent violation through sexual assault. Alcohol was understood to have a critical role in non-consensual sex, where lowered inhibition is transformed into loss of control. Males were believed to lose control of their ability to regulate their drive for sex through cognitive impairment. The woman is in the position of losing control over her ability to refuse male action, due to becoming cognitively impaired, or can find herself in a situation where no control can be exercised. Alcohol also removes control subsequent to the act, as the victim is viewed as being unable to report what has happened. This view was based on the belief that being drunk causes a victim to lose credibility. Thus, there was discussion of Jane having to take some responsibility for what happened to her, because she was seen as voluntarily relinquishing control through her alcohol consumption. Michelle, on the other hand, was seen as having had her control taken from her by Ben, who caused her to become drunk.

Alcohol contributed significantly to consent being a grey area for the students who took part in the study. Not alone was there ambiguity or lack of knowledge concerning what is meant by consent, rape and sexual assault, alcohol rendered the real-world scenarios more complex. There was perceived ambiguity about the capacity of the woman to offer consent when very drunk, and the presence of alcohol mediated the degree to which the male perpetrator's actions were seen as assault. While empathic responses were made to the scenario characters cast in the position of victims, the presence of alcohol made straightforward interpretations of the scenarios more difficult to achieve. Issues such as prior acquaintance, use of force, premeditation, and the placement of an assault within the normative 'progression' narrative of sexual encounters, meant that interpretations were seldom straightforward. Besides these sources of ambiguity and complexity, victims entered an interpretive limbo by being associated with alcohol use – one in which they lost control of the narrative.

Nowhere was this more evident than in the case of 'blackout' attributed to Jane. Although she was not in a position legally to give consent, it was felt that, provided she was conscious at the time, Jane's non-verbal signals might have made Fred's behaviour understandable. There was little awareness expressed in the focus groups about the acceptable limit of drunkenness before a person crossed the threshold of competence to give consent. This is reflective of the discussion of 'drinking limits' made within the groups. The notion of a self-imposed limit to drinking was not easily related to, and several references were made to lack of money or continued access to alcohol being the main limiting factors on how much alcohol might be consumed. There were numerous references to environmental factors that promoted a higher limit on consumption, such as being in a party environment or a nightclub. Thus, within the student culture, it was acceptable to be very drunk. While there was a recognition that being drunk brings with it cognitive impairment, there was little consideration of the implications of being impaired cognitively for the ability to give consent to sex. Thus, being so drunk as to later be unable to remember (i.e., in a state of 'blackout') is a particularly ambiguous position for victims of sexual assault. However, experiencing a blackout is nonetheless a common experience for young adults in Ireland.



### 4.3. Gender Stereotyping: The Agentic Male

The dynamics of giving and reading consent were firmly placed within a heterosex relationship model. Males were viewed as playing the agentic role ('you keep going until they say no'), one based on attempting to break down female resistance ('men go out looking for sex, women to avoid having sex'). Traditional gender stereotypes were drawn on extensively in the interpretations made of the scenarios. The male was perceived to be the active agent in the sexual encounter, associated with the stereotype of sex-seeking. Inhibitions on this drive were thought to be removed by alcohol consumption.

Consistent with this sense of agency, the male sexual aggressors were the focus of attention and of the interpretive work carried out by the focus group participants. This represents an interesting inversion of the traditional concern that the character of the victim of a sexual assault becomes a subject for analysis and critique among observers. In our study, the male character turned out to be the main focus of analysis. The primary attributional query pursued by our study participants was to ascertain whether the sexual assault could be best explained by reference to an acting out of the male sex urge facilitated by alcohol, or to a dispositional, character-based intention to carry out a sexual assault, facilitated but not excused by alcohol consumption.

Fred was seen as the protagonist most likely to be interpreted as being motivated by the male sex drive made uninhibited through alcohol. By contrast, Dan and Ben were understood to be bad characters whose unattractive dispositional urges were facilitated by drinking. In either instance, alcohol was a situational enabler for antisocial sexual urges that were disrespectful of the rights of the woman. But in the former case alcohol came closer to excusing the behaviour, whereas in the latter case it was an explanation that could nonetheless not be excused. It is notable that drinking had a prominent role in the assumptions made about motivations for sexual violence. Just as attitudes toward consent were indicative of lack of preparedness to deal with applied consent problems, student attitudes to alcohol use suggested the need for reflection and social change.

The interpretations made of the female victims were marked by perspective taking. The focus group respondents could imagine that the sexual acts were violating and threatening, and would have serious negative consequences. While there was considerable ambiguity and room for inclusion of contextual factors when understanding the incidents, there was little if any ambiguity about the right of the woman to choose whether to take part in sexual activity. References to the regret that Jane and Isobel in particular might experience did point to some level of responsibility being attributed to them for what happened. Similarly, the view that these women might consider limiting their drinking in future pointed to a suggestion that the incidents would not have occurred had they not got drunk. On a critical note, while there was little evidence of a negative character analysis of the victims, compared with the attentional focus made of the males described in the scenarios, the women were rather invisible. They did not attract the same analysis of motive and character as did the males. This suggests a lack of differentiation in views of how victims might experience the consequences of sexual violence. It was assumed that victims would go through an initial period of distress, followed by regret and guilt. There was little allowance for individual variation in these responses, and comparatively little elaboration on how these reactions would be experienced by the victims.



## 4.4. Implications and Recommendations

Study participants suggested several strategies for better informing young adults about non-consenting sexual activity, and in particular addressing the influence of alcohol. Student recommendations were introduced above and are put in the context of the research literature below, to form the set of recommendations that arises from the study:

### Recommendation 1

**Improve preparedness for negotiating consent.** Situations in which consent becomes problematic or threatening arise in complex, real-world circumstances. Students in second-level and third-level education should be targeted using an engagement strategy to encourage the knowledge and skills required for applying the understanding of consent to a range of relationships and types of sexual activity.

### Recommendation 2

**Promote a better understanding of alcohol as a source of risk and harm.** In the context of this study, alcohol was viewed as a liberator to a greater degree than it was seen as a threat to well-being. Nevertheless, while alcohol made possible valued interactions, it threatened catastrophic loss of control. Strategies to engage students in critical thinking on this issue should make use of several active themes in the alcohol research literature, as these have not been sufficiently linked with the literature on sexual violence.

Firstly, binge alcohol consumption is increasingly framed as a source of anti-social behaviour and 'harm to others' (Casswell et al., 2011). The meaning of alcohol as a harm in the sexual domain can be considerably elaborated through novel health promotion initiatives. Secondly, research on 'protective behavioural strategies' has emerged in recent years as a more positive angle on promoting positive behaviour, rather than focusing exclusively on young people as risk-takers who endanger themselves (Palmer et al., 2010). Regular binge drinkers typically evidence fewer protective behaviours, and there is considerable scope to highlight the connection between adopting protective strategies and subsequent avoidance of sexual violence. Finally, online strategies to reduce harmful drinking among university students have made extensive use of the 'binge drinking' concept to focus student self-evaluations of drinking behaviour (Hustad et al., 2010). Threats to sexual health should be incorporated more explicitly within these systems.

### Recommendation 3

**Improve knowledge and attitudes to reporting sexual assault and seeking professional support.** The services and supports available through statutory agencies such as the Gardaí and HSE, and non-statutory bodies such as Rape Crisis Network Ireland, were not well understood by students who took part in this study. Messaging and information campaigns should address this lack of knowledge. There is also a more fundamental attitudinal shift required in how the police, legal, and judicial systems are perceived, to overcome the current picture of uncertainty, lack of confidence, and fear. The subject of help seeking among young adults has attracted considerable research, which can be used as a resource for understanding how to help overcome normative perceptions of stigma about seeking formal help (McCart et al., 2010).

### Recommendation 4

**Employ novel means to involve and inform adolescents and young adults.** The research strategy employed in this study, using real-world scenarios, was evaluated positively. A number of students in focus groups and via the online survey suggested that the methodology should be used as a basis for engaging young people in thinking about consent and applying their understanding. The scenarios proved to be non-threatening, did not require personal information to be disclosed, and were an effective tool to elicit vibrant discussion. With adaptation, the scenario methodology could be used as a strategy for encouraging personal empowerment in relation to consent.





## Recommendation 5

**Support for a 'decision point' approach to managing consent.** Research participants typically identified critical choices and points at which decisions were made in each scenario (i.e., decision points). The concept of decision points potentially affords the development of a skill-based approach for managing problematic consent situations. By accommodating the idea of active decision making in their own approach to managing consent, students could become more critically aware of the points at which their behaviour, or the behaviour of their partner, could threaten consent.

## 4.5. Study Conclusion

Using a multi-method qualitative approach, this study provided an insight into the interaction of attitudes to consent to sex and alcohol use, among the current generation of university students in Ireland. The study found that there was a cross-gender consensus on the unacceptability of non-consenting sexual encounters and on the importance of avoiding victim blaming. Yet there were subtle attributions of responsibility to victims, reflected in advice about changing drinking behaviours and in assumptions about victim regret and self-blame.

For the most part, the sense-making and interpretations of the hypothetical scenarios focused on the perpetrators of sexual violence. Particularly when there were scenario features that recall the rape myth stereotype, such as use of force, premeditation, or stranger status, then dispositional and unequivocally negative attributions were made of the sexual aggressor. In these circumstances, alcohol was seen as providing the explanatory background to an event, rather than an excuse.

Nevertheless, alcohol was seen as complicating the scenarios, potentially obscuring perpetrator responsibility and restricting the options open to victims of sexual assault or rape. Along with beliefs about alcohol use, gender expectations were used to frame consenting sexual activity as a script in which progressive levels of intimacy take place. There were numerous ways in which this process could become problematic – due to the overriding nature of male agency, female passivity, unspoken consent, and impaired decision making due to intoxication.

The study findings are encouraging insofar as a culture of victim blaming was not apparent. The findings demonstrated a notable inversion of the traditional, unwelcome focus on the character of the victim when making sense of sexual violence. However, the attentional focus applied to the perpetrator meant that perceptions of victims lacked individualisation. In addition, the prominent role attributed to alcohol in making sense of the hypothetical scenarios is uncomfortable, given the degree to which alcohol use is regarded as a positive, unquestioned feature of the student experience.

The appropriate response to the study findings is to support more systematic, communication-based approaches, with the aim of changing the current intersection between attitudes to alcohol use and non-consenting sexual activity. In response, more socially aware, communication-based approaches are required, capable of empowering youth to think through the applied meaning of consent. Young people should be regarded as partners to health professionals, peer educators, and others in achieving change in the status quo. The use of active, stimulating methods of engagement should help youth move from principles to practice in their critical thinking about consent.



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# Appendix 1

## Study Materials

### Focus Group Topic Guide

#### Topic 1. Understanding of alcohol use by students, and of consent to sex

Socialising is an important part of college life. I want to start by asking about this, what are the main ways that student socialise?

**Prompts / follow-ups:** Social situations where drinking arises; The role alcohol plays in how students socialise; Positive / negative / mixed associations students might have with alcohol; Role of alcohol in friendships and relationships.

Most students are sexually active during their college years, but we haven't got a good understanding of how young adults talk about or negotiate consent to sex. At a general level, what kind of discussion of consent might two young adults have before sex?

Prompts / follow-ups: **The meaning of consent; Influence of alcohol on discussion of consent; How someone** might give agreement to a sexual act; Couples talking about consent; Stages in a relationship; Short-term relationships / casual hooking up; Situations where lack of consent is more likely; How non-consent is negotiated.



## Topic 2. Critical incident 1.

Jane is a 22 year old woman. One night she went home with a male acquaintance, Fred, 22, following a night out with friends. The night began with 'pre-drinking' in someone's flat, before going to a nightclub and drinking shots. Jane knew Fred casually from her social network, as a friend of one of her girl friends, she came across him about once a week.

It was not the first time that Jane had spent the night at Fred's flat, but previously it was in the company of her other female friends. Jane drank more than her normal amount on the night out (she drank the equivalent of one 'shoulder' of vodka). Fred had drunk about the same amount. The two had started kissing at the nightclub and decided to go back to Fred's flat. Following willing participation in physical affection like kissing and genital contact, Jane then blacked out on the couch in the living room; she could not remember what happened next when she woke up in the morning. Jane woke at about 7AM, still on the couch. It took a few minutes for her to get her bearings. She realised that Fred had had sex with her while she was blacked out.

Fred woke up and came out from his bedroom. When Jane asked him what had happened, he said that she had not objected to sex and that he had used a condom. Fred said he believed at the time that she was willing, even though she did not verbally say it.

Jane became upset and left the flat in a distressed state. She went home to the house she shared with three other female students. She didn't tell them about what had happened but was clearly upset. She talked to her best friend on the phone later that day. At that point Jane labelled the event as rape but did not want to go to the police.

After each incident, the moderator asks for a summary from the group, as to the main points arising from the incident.

### Follow-up questions

1. What kind of relationship did Jane and Fred have prior to this event?
2. What was your response reading about their relationship becoming more physical, at the nightclub and when they first arrived back to his flat? Is this a plausible scenario?
3. Jane is described as having a black out, what is your understanding of a black out?
4. What he thinks back on it, what kind of reasoning will Fred have for his behaviour?
5. Jane spoke to Frank the morning after, what do you think each of them was thinking during that talk?
6. What reaction might Jane have had, after she left Fred's flat and went back to her house?
7. Later that day she labelled the event as rape. Is this the label you would use? What terms might students use for unwanted sex, pressure to have sex, etc.?



**Topic 3. Critical incident 2.**

Dan is an 18 year old student. One Saturday over Christmas, he and a group of male friends started drinking in the pub at 4PM, watching a match on TV. They carried on and end up at a nightclub. He had approached several different women in the club but they weren't interested.

Dan's friends went to the takeaway after the nightclub, at 2AM, but he decided to back to his own flat. Dan had consumed about 10 pints that day, he felt steady on his feet but fairly drunk.

On the way he met Isobel, a 21 year-old student. She was sitting on the pavement along a suburban street, and started chatting to Dan as he passed by. Isobel told him she had been out with friends, but had a row with them and got upset. She had wandered off, now she wanted to go home.

Isobel was chatty and in good form but was slurring some of her words. She knew she had been sick earlier but didn't remember how many drinks she had.

Dan realised Isobel needed assistance. He said he would take her home. He helped her up, keeping her focused and holding Isobel's arm to keep her from stumbling.

When they got to Isobel's apartment, Dan found the keys in her pocket, helping her inside. Isobel said she was tired and not feeling well, and said goodnight to Dan. He said he would help her into bed. He lay down beside Isobel and they started kissing for a few minutes.

Dan opened Isobel's top, then took her hand and pushed it on to his penis to masturbate him. Isobel said no, she did not want to. Dan coaxed her on anyway, he started pushing against her, until he came about a minute later. During that time Isobel had been saying no and trying to persuade him to stop.

When he finished she told him to get out, Dan said sorry, that he got carried away, and left. Soon after, her friends who shared the apartment arrived back from their night out. They found her crying, saying someone had raped her.

**Follow-up questions**

1. What kind of night out did (a) Dan, and (b) Isobel, have on the night described?
2. Dan realised Isobel needed assistance when he met her. What other options did he have that he might have taken instead of what he did?
3. How plausible is this situation where two individuals meet up after a nightclub?
4. How did Isobel refuse consent? How would she have felt when he persisted?
5. The next day, how do you think Dan would have felt about what happened?
6. What options might Isobel have to get support and report what happened? Which ones is she most likely to select?
7. If you were one Isobel's friends arriving home, how would you think she could be best supported?





### Topic 4. Critical incident 3.

Jim (19) and Claire (19) were part of a group of about 8 friends. They had got to know each other during 1st year in college. All of them were taking the same course and went out socialising together each week. Jim and Claire had kissed a few times on previous nights out, but Jim didn't want to get more involved, he found her quite pushy.

There were a few nights out after the exams, on the last of which there was an incident between Jim and Claire.

The night began with pre-drinking cans of beer and spirits in someone's house. Then they went out and had a few drinks in two different pubs, before coming back to the house around midnight. They put on some music and all decided to take part in a drinking game. This was still going on at 1AM, when Claire called Jim out of the room to ask him for some help.

She brought him upstairs to her bedroom, he was stumbling a bit as he had a lot to drink and Claire seemed much the same. They started kissing and after a while Jim wanted to go back downstairs. Claire said he could sleep in her room with her, but he said he didn't want to.

She became more demanding, pressuring him to have sex with her. Among other things, Claire taunted him by saying a real man could have sex anytime, so what was wrong with him. Although he didn't want to, Jim had sex with Claire.

The next morning, Jim woke up with a sharp feeling of regret. He hadn't wanted a serious relationship with Claire, and felt forced into having sex with her. She was still asleep beside Jim, so he got up and left to go back to his own house. Later that day he spoke to two of his close friends about why he felt upset.

#### Follow-up questions

1. What responses would you expect Jim's friends to have given him, when he spoke to them the day after the event described in this incident?
2. Can you talk about what might be underlying Jim's feeling of regret when he woke up the next day?
3. What kinds of labels might be applied to this incident where Claire pressured Jim into having sex, even though he did not want to?
4. What kind of options has he got, in terms of actions or responses he might make following this incident?
5. The incident doesn't describe Claire's reaction when she wakes up the next morning, what kind of responses might she have, do you think?
6. Are there any implications for the group arising from what happened due to Claire's behaviour?
7. In terms of how plausible this incident is, can you talk further about pressure to have sex from a woman toward a man?



### Topic 5. Critical incident 4.

Michelle is a 19 year-old woman who had been in a relationship with Ben, 20, for one month, having met him in college a few months before. They had not had sex.

One Friday night when the two of them were out together at the pub she got more drunk than she did normally. When she went out, usually once a week, she drank the equivalent of four pints of beer. She was careful not to get to the point where she had to rely on someone or would need help getting home.

On this occasion, Michelle had the equivalent of four pints of beer. She felt more drunk than she normally would from this amount. Later, she thought that Ben had probably been topping up her drinks without her knowledge, to get her more drunk. He usually drank more, and had about 9 pints of beer that night.

At around 1AM, Michelle felt unsteady and unwell. Ben brought her back to the house he shared with two other students, which was empty for the weekend. In his bedroom, Michelle was aware that he began to touch and grope her but she couldn't manage to say that she wanted him to stop. She weakly tried to push him away a few times, but he lay on top of her.

After touching her, Ben proceeded to get Michelle to give him oral sex, forcing her head down on to him. She felt upset when he was finished but did not say anything about what had happened. She felt withdrawn and humiliated. Michelle stayed in Ben's house until early morning, then left to go home. Later that day she rang Ben to tell him they were finished. Michelle asked why he had done things to her against her will. Ben denied doing anything wrong, that he hadn't "taken advantage" of her, and that she was drunk but had not objected.

Now, a few days later, Michelle feels upset and is wondering what to call or label the event that happened to her.

#### Follow-up questions

1. Michelle wondered what to call or label what happened to her. Can you suggest what options she has?
2. Why does Michelle feel uncertain about what to call what happened to her?
3. What kind of actions could Michelle take if she concludes Ben was wrong to behave how he did? What actions do you think she should take?
4. Michelle felt that her limit for drinking was the equivalent of four pints. How do students decide on what is the right level of drinking for them?
5. Ben continued to touch Michelle, but she didn't feel able to say no. What else could he have done to check whether he had her consent?
6. Can you suggest what Ben was thinking, when he used force to get oral sex? How might he have felt about it afterwards?
7. Considering Ben and Michelle individually, what kind of effects and implications will this event have, e.g., in the weeks or months afterwards?



**Topic 6. Winding down the group.**

Thank you for your insights on these incidents. You have provided valuable information that we can consider in trying to understand attitudes to alcohol use and non-consent to sex.

To finish up, I want to first ask you if you can make any suggestions for strategies or topics, to better inform young adults about the relationship between alcohol and non-consenting sexual activity.

Finally, I would like to ask you to evaluate the critical incidents that we presented here today, as to whether they appeared realistic or plausible. Have you any suggestions for improving their relevance to situations that might arise? Or suggestions for other scenarios that can arise, which we did not include?

The focus group will finish with the researcher asking participants if they feel ok and offering follow-up assistance through the support provided by RCNI and NUI Galway counselling services.



## Online Survey Materials

### Adapted Michelle and Ben Scenario, Without Premeditated Topping-Up of Drinks

Michelle is a 19 year-old woman who had been in a relationship with Ben, 20, for one month, having met him in college a few months before. They had not had sex.

One Friday evening the two of them shared a naggin of vodka in Ben's house, between 5PM and 9PM, before they went out together to the pub. Michelle drank about the same as she normally would when she goes out, the equivalent of seven pints of beer, over 4 hours. That's the limit she usually sets for herself. Ben usually drinks a bit more than her, and had about 9 pints of beer that night over the same time.

At around 1AM, Michelle felt unsteady and unwell. Ben brought her back to the house he shared with two other male students, which was empty for the weekend. In his bedroom, Michelle was aware that Ben began to touch and grope her but she couldn't manage to say that she wanted him to stop. She weakly tried to push him away a few times, but he lay on top of her.

After touching her, Ben proceeded to get Michelle to give him oral sex, forcing her head down on to him. She felt upset when he was finished but did not say anything about what had happened. She felt withdrawn and humiliated. Michelle stayed in Ben's house until early morning, then left to go home. Later that day she rang Ben to tell him they were finished. Michelle asked why he had done things to her against her will. Ben denied doing anything wrong, that he hadn't "taken advantage" of her, and that she was drunk but had not objected.

Now, a few days later, Michelle feels upset and is wondering what to call or label the event that happened to her.

### Open-Ended Questions

1. Labelling this Event. Michelle seems uncertain what to call / label what happened to her – Please describe why she might be uncertain, what her options are for what to call it, and what label you think is the most applicable to this situation.
2. Alcohol Use. Michelle set a limit for her drinking when she was out. Can you describe how students decide on what is the right level of drinking for them (and how Michelle's limit compares to the usual norm)?
3. What Actions Michelle Might Take. What actions could Michelle take if she concludes Ben was wrong to do what he did? What do you think she should do?
4. Ben's Perspective. Can you suggest what Ben was thinking when they got back to his place, and when he behaved as he did?
5. After the Event. How will Ben and Michelle have felt the next day? Will the event have any implications for them in the weeks or months ahead? If so, please suggest what they might be.
6. Your overall reaction to this scenario. Please describe any reactions or thoughts you have about this event involving Michelle and Ben that you haven't given already.



### Adapted Questions Used for Jane and Fred Scenario

1. Background to this Event. How would you describe the relationship Jane and Fred had prior to this event?
2. The First Part of the Scenario. Please describe your reaction to what was happening in the first part of the scenario, i.e. at the nightclub, and on Jane and Fred first arriving back at his flat (what kind of night were they having, how was their relationship changing, if this a typical scenario on a night out, etc.).
3. Black Out. Jane is described as having a 'black out', a term that can mean different things. In this particular situation, what kind of 'black out' do you think she experienced?
4. The Next Day. Please describe what each person might have been thinking the next morning (e.g., how Fred might explain his behaviour to himself, what feelings or reactions Jane may have had when she left Fred's flat).
5. Rape and Sexual Assault. Later Jane labelled what had happened as rape. Please describe what labels might be appropriate; would you label what happened as rape or would a different name/label be better (if not 'rape' can you give some of the other terms students might use for unwanted sex, pressure to have sex, etc.)?
6. Do you have any other reactions or views on the scenario involving Fred and Jane?

### Adapted Questions Used for Jim and Claire Scenario

1. Before the Event. How would you describe the relationship Jim and Claire had before this incident? How would you describe the group of friends described in the scenario?
2. Your Reaction to What Happened. What are your thoughts about this scenario where Claire pressures Jim into having sex (e.g., is it rape/sexual assault - or are there better labels than these to describe it, was it something he could have managed differently, is it serious / not very serious)?
3. Jim's Reaction. How might Jim respond to this incident (e.g., what support options has he got, should he report it, what kind of support would be best for him)?
4. Claire's Reaction. The scenario doesn't describe Claire's reaction when she wakes up the next morning. How do you think she would likely feel and think about what happened?
5. Reactions Among Their Group of Friends. What kind of responses would you expect Jim's friends to have given him, when he spoke to them the day after the event described in this incident?
6. Are there any other reactions or views you want to give on the scenario involving Jim and Claire?











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