Yes Means Yes, No Means No, and Closing the Door Means Sure? Exploring Internal and External Cues of Consent to Sex Among Young Adults in Aotearoa New Zealand

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Abstract

As Aotearoa New Zealand endeavours to eliminate sexual violence through its national strategy, *Te Aorerekura*, we need to direct more attention towards contemporary sex and consent culture. However, to develop relevant policy, it is imperative that there is psychological insight into how consent is understood within the sociocultural context. The current study aimed to explore how young adults consent to sex by assessing feelings that influenced the decision to engage in a recent sexual interaction and how/if they communicated this willingness through behaviours. An online questionnaire that included the Internal Consent Scale and External Consent Scale by Jozkowski et al. (2014) was completed by 509 young adults. Preliminary analyses indicated group differences: those in a relationship were more likely to experience feelings of consent and use communication behaviours than single individuals; Rainbow young adults were more likely to use verbal cues whereas heterosexual young adults were more likely to suggest sex "just happened"; and males reported using more behaviours to convey consent than females. The main analyses involved performing exploratory factor analyses. The Internal Consent Scale was refined from the original 25-item, five factor structure to a two-factor solution: Factor 1 was comprised of seven items pertaining to cognitive perceptions associated with affirming willingness and Factor 2 was composed of seven items posited to represent physiological arousal. Although the current study also obtained a five-factor solution for the External Consent Scale, the underlying structure did not replicate, thus raising concern about the subscales. Overall, these findings provide an important contribution to the emerging literature regarding cues of consent which is imperative for the prevention of sexual violence.

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Attestation of Authorship

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person (except where explicitly defined in the acknowledgements), nor material which to a substantial extent has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.

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Ethics Approval

Approved by the Auckland University of Technology Ethics Committee on 21 November 2022, AUTEC Reference 22/290 (see Appendix A).

Yes Means Yes, No Means No, and Closing the Door Means Sure? Exploring Internal and External Cues of Consent to Sex Among Young Adults in Aotearoa New Zealand

Sexual violence is a ubiquitous social problem that transcends all demographic groups, profoundly harming individuals, families, and communities across Aotearoa New Zealand (Fanslow et al., 2021; Te Puna Aonui, 2021). It is estimated that about one in four adults – 1.1 million people – have been subject to sexual assault (Ministry of Justice, 2023b).

Sexual violence is an umbrella term that refers to a broad continuum of unsolicited sexual behaviours, encompassing (but not limited to) verbal harassment, unwanted touching, and forced penetration (Gavey, 2014; Gavey & Farley, 2020; Mossman et al., 2009; World Health Organisation, 2012). Crucially, these sexual acts are imposed toward or upon another person without their consent, thus violating that person's dignity, respect, and bodily autonomy (Gavey, 2014).

Prevalence of Sexual Violence Victimisation in Aotearoa New Zealand

Ministry of Justice (2023a, 2023b) reported that approximately one in 50 adults are victimised per annum. However, people from particular communities are more likely to be harmed: adults with a disability, women, Māori, students, young people aged 15–29, and those with diverse sexualities. For instance, 40 percent of victims were aged 15 to 29 years old. Consequently, it is imperative that psychology delves into young adult experiences of sex and consent (or lack thereof) to explore what attitudes are operating in the Aotearoa New Zealand context.

Furthermore, it is evident that sexual violence is rampant in student communities. Thursdays in Black Aotearoa (2017) reported that, when presented with a list of behaviours, 83 percent of tertiary students said they had experienced unwanted or offensive acts (e.g., cat calls, sexual comments, deliberate touching) and 53 percent of 936 respondents reported a

total of 1,976 incidences of sexual assault. Notably, 19 percent of participants indicated an instance where they had sex but felt unable to give consent, yet only nine percent reported rape. Stewart (2021) documented that 30 percent of students disclosed non-consensual sexual contact, attempted rape, or rape, with incapacitation being the most frequently reported tactic, followed by force, criticism, lies, fear, threat, and authority. Similarly, Beres et al. (2020) found that more than one in four students reported victimisation since enrolling at university, including attempted coercion, non-consensual sexual contact, and rape.

Contemporary Sociopolitical Context in Aotearoa New Zealand

In December 2021, the Government inaugurated *Te Aorerekura*, the National Strategy to Eliminate Family Violence and Sexual Violence (Te Puna Aonui, 2021). This collaborative approach, which is designed to span 25-years, defines two shifts to address sexual consent:

Consent Education

An imperative strategy for prevention of unwanted sexual behaviour is to advocate for healthy consent practices in sexual relationships (Willis & Smith, 2022). *Shift four: Towards investment in primary prevention* emphasised the importance of young people having respectful social norms and confidence in creating consenting relationships (Te Puna Aonui, 2021). Hence, local research that explores how young people understand sexual consent is vital so educational resources can be relevant and realistic. This is especially pertinent at present as Relationship and Sexuality Education has become a political debate: the Government pledged to replace its guidelines which prompted more than 30 specialist community organisations to advocate for retainment of current standards (Mental Health Foundation, 2024; Ministry of Education, 2020; New Zealand National Party & New Zealand First, 2023).

Additionally, there have been calls from the sexual violence sector to implement compulsory consent education for first-year university students (Ternouth, 2023). Evidence

suggests that programmes can promote positive perceptions of social norms, increase intention and ability to intervene to prevent harm, and increase empathy and support for survivors (Zapp et al., 2021). Beres (2020) explained that effective programmes are characterised by a clear framework that understands how sexual violence operates within the sociocultural context, specifies behaviours that need to be addressed, and articulates mechanisms for behavioural and attitudinal change. Hence, programme development would benefit from local research that explores how young adults conceptualise sexual consent.

Consent Law Reform

Shift five: Towards safe, accessible, and integrated responses commits to effective statutory action (Te Puna Aonui, 2021). However, there are no explicit approaches outlined to address current legislation. Thus, in September 2022, the Minister for the Prevention of Family and Sexual Violence received a petition with over 12,000 signatures that advocated for law reform by adopting a positive definition of consent and an age of consent, as well as re-evaluating how reasonable belief is argued in court so that rape myth is not perpetuated (Macdonald, 2022; New Zealand Parliament, 2022).

Currently, Section 128A of Crimes Act 1961 stipulates that "allowing sexual activity does not amount to consent in some circumstances" and depicts situations in which a person may not consent, such as when unconscious, "so intoxicated", forced, threatened, mistaken, or lacking physical or intellectual capacity (New Zealand Legislation, 2023). Also, it is specified that one does not consent just because they do not protest or physically resist.

A criticism of the existing law is the lack of a positive definition, as it essentially lists what consent is not. Whilst there is a common law definition that true consent is freely given by an individual able to make a rational decision (Te Kura Kaiwhakawā, 2023), overall, the incongruence between statute, common law, education, and media has led to misconceptions

becoming popular social beliefs. This ultimately fails to provide clarity in informing acceptable social norms and standards of behaviour in contemporary society.

Thus, to address the prolific problem that is sexual violence in young adult communities across Aotearoa New Zealand, it is imperative that we grasp the psychological constructs of sexual consent in this social group by exploring the feelings that influence sexual decision-making and the behaviours expressed to communicate one's willingness to engage in sexual activity, though, a preliminary issue in assessing these constructs is the definition of sexual consent, as this is a debatable social matter in itself (Flecha et al., 2020; Muehlenhard et al., 2016).

Literature Review

Conceptualising Sexual Consent

Firstly, due to its centrality to sexual violence discourse, it is essential that the concept of sexual consent is reviewed. The definition of sexual consent is a contentious cross-disciplinary contemporary social issue (Flecha et al., 2020). Described by Beres as a "slippery" (2018, p. 181) and "nebulous" (2007, p. 94) concept, there is no consistent definition of sexual consent across contexts or disciplines, despite its importance for addressing sexual violence. As such, Beres (2022, p. 137) argued that current research relegated sexual consent to "an epistemology of ignorance".

As considered by Muehlenhard et al. (2016), there may be social consensus that sexual behaviour requires consent from everyone involved in the activity, however, if there are numerous discrepant understandings of what consent is and how it is given, this apparent consensus is merely illusionary. As postulated by Baldwin-White (2021), despite individuals being taught to check that the sexual interaction they are about to engage in is consensual, it is plausible that each unique person has their own perception on what consent is, the signals

that are indicative of consent, and how to ensure that consent is present. Hence, we cannot rely on a common sense meaning as this ambiguity abets harm.

Simply, sexual consent can be construed as the communication of one's willingness to participate in sexual activity (Edwards et al., 2024). This explanation encompasses propositions by Willis and Jozkowski (2019) that sexual consent is "one's voluntary, sober, and conscious willingness to engage in a particular sexual behaviour with a particular person within a particular context" (p. 1723) and Beres' (2007) description that consent is some form of agreement to participate in sexual activity.

However, consent is complex to comprehend from a conceptual standpoint due to social and cultural perceptions, structures, and influences (Hirsch et al., 2019). Ergo, conceptualisations of consent range from exploring mental processes, including one's feelings and attitudes, to interpreting behaviours, such as physical actions and verbal cues, to distinguishing acts of moral transformation by which person B's consent renders person A's behaviour as permissible (Beres, 2007; Hickman & Muehlenhard, 1999).

Therefore, it is essential to examine contemporary theories on sexual consent, which Muehlenhard et al. (2016) summarised as *Consent as an Internal State of Willingness*, *Consent as an Act of Explicitly Agreeing to Something*, and *Consent as Behaviour That Someone Else Interprets as Willingness.*

Consent as an Internal State of Willingness to Engage in Sexual Behaviour

Muehlenhard et al. (2016) described *Consent as an Internal State of Willingness* as someone's mental status of being prepared to engage in sexual activity, comprised of thoughts, feelings, emotions, and attitudes that determine one's intention and subsequent decision to have sex. There are various feelings associated with one's willingness to participate in sexual activity. Jozkowski et al. (2014) explained that being interested and aroused whilst having a sense of safety and comfort, along with feelings of security,

certainty, and readiness, are quintessential feelings corresponding to consent, as well as physiological sensations such as feeling flushed, heated, or erect/vaginally lubricated. Additionally, Jozkowski et al. (2014) identified the importance of the sex feeling consensual, desired, wanted, and agreed to.

A contentious aspect of the internal state conceptualisation is the argument that consent is often over-simplified as being the direct manifestation of sexual desire (Fenner, 2017). Sex is commonly conflated into a unidimensional model that assumes wanted sex is inherently consensual and that unwanted sex is fundamentally non-consensual, so to challenge this dichotomy, Peterson and Muehlenhard (2007) defined two distinct concepts: *wanting* was conceptualised as a continuous, multidimensional measure of an individual's desire, inclination, or wish for sex, whereas *consenting* referred to one's willingness or agreeableness to partake in a sexual act. The authors proposed that wanting may influence a decision about whether to consent, but asserted that wanting is not equivalent to consent. For example, an individual may desire a sexual experience, perhaps due to arousal or to enhance a relationship, but decide that they do not want to engage in sexual activity, maybe because it would be socially inappropriate or they do not have contraception available – this would be non-consensual sex. Alternatively, an individual may not want to engage in a sexual behaviour but still be willing to, such as to satisfy their partner's sexual desire or for personal gain – this sexual activity would be consensual. As emphasised by Muehlenhard et al. (2016), conflating 'want' and 'consent' can be problematic when behaviours indicative of desire are interpreted as being signals of willingness to have sex.

A pioneering article in this discourse by O'Sullivan and Allgeier (1998) found that more than one-third of 160 college students reported consenting to unwanted sexual activity within a two week period. The respondents, all of whom where in committed dating relationships, kept dairies of their sexual interactions for a fortnight. Common motives

included satisfying a partner's needs, promoting intimacy, and avoiding relationship tension, with many participants perceiving positive outcomes from being willing to engage in undesired sex.

A limitation of the *Consent as an Internal State of Willingness* conceptualisation is that if consent is just the mental act of making a decision that one is willing to engage in sexual behaviour, then sexual partners can never confirm that the other person has truly consented as we are not privy to the emotional experience of others (Hickman & Muehlenhard, 1999; Willis & Smith, 2022). Here, person A is reliant on their observations of person B's behaviour to make inferences about whether person B is indicating willingness to engage in sexual behaviour. Thus, the practical applicability of this definition, such as in policy and legislation, is hindered due to its reliance on interpersonal interpretation (Muehlenhard et al., 2016). Therefore, synthesising this internalised state explanation with behavioural conceptualisations may be beneficial for producing a more robust understanding of sexual consent.

Consent as External Behaviour that Indicates or Infers Willingness to Engage in Sexual Activity

Sexual partners communicate consent through a myriad of external behaviours, encompassing explicit and implicit, verbal and nonverbal signals (Beres, 2014b; Jozkowski et al., 2014; Muehlenhard et al., 2016; Willis & Smith, 2022).

Consent as an Act of Explicitly Agreeing to Something. The second of Muehlenhard et al.'s (2016) meanings was *Consent as an Act of Explicitly Agreeing to Something*. This conceptualisation referred to direct verbal communication by an individual of their willingness to have sex. People demonstrate this explicit agreement by clearly vocalising their interest in sexual behaviour, such as asking a potential partner if they want to have sex with them (Jozkowski et al., 2014).

However, Hickman and Muehlenhard (1999) postulated that communicating consent is far more complex than simply responding yes to someone's initiation of sexual behaviour. To explore interpretation of consent signals, the authors surveyed 378 U.S. undergraduate students about their actual behaviour and responses to hypothetical scenarios. Participants reported infrequent use of direct verbal expressions (e.g., saying, "I would like to sleep with you", "I want to have sex with you", and "Yes") and were more likely to exhibit no response cues (e.g., not resisting sexual advances, not stopping kissing or touching, not saying no) to indicate consent to sex. Male respondents were more likely to demonstrate nonverbal signals of consent (e.g., getting physically closer or starting to have intercourse without saying anything) rather than using direct verbal expressions. Female respondents were more likely to use indirect verbal (e.g., asking if he has a condom) and indirect nonverbal (e.g., rubbing, fondling, and touching sexually) behaviours to convey consent. Contrarily, in the scenario of interpreting a partner's willingness to have sex, direct verbal and direct nonverbal signals were rated to be most indicative of consent, whilst no response was rated as least indicative of consent. Respondent interpretations of behaviours were inversely related to how they reported actually demonstrating consent: participants endorsed direct verbal cues as the best way to communicate consent but in actuality reported reliance on nonverbal signals.

Explicit verbal consent can be considered difficult to articulate and may be viewed as unnecessary if individuals are concerned that it may reveal incompatibilities that could threaten their relationship and evoke negative feelings about oneself or their partner (Edwards et al., 2022). Based on findings from an online qualitative survey completed by 231 U.S. adult participants, Edwards et al. (2022) predicted that the decision to engage in explicit verbal communication was dependent on perceptions of rewards and barriers. Firstly, communication quality was impacted by one's skills, as many respondents acknowledged the benefits of clarifying expectations and avoiding misunderstandings, whilst the following

themes arose to explain problems with engaging in explicit verbal consent: miscommunication, refusal, awkwardness, unnaturalness, potential unresponsiveness, waiting for the right moment, complication due to the context, lack of communication skills, and inexperience of consent communication. Contradictory comments were found in the narrative from respondents, so it was difficult to draw a consensus on what is deemed to be socially preferable. For example, direct communication was generally said to clarify ambiguity and prevent miscommunication based on nonverbal signals (e.g., facial expressions) or inferred interest (e.g., "playing hard to get"), however, many participants described the process as immature and cumbersome, with a suggestion that direct verbal consent is creepy and pushy. Relational and emotional experiences were another category of rewards and barriers, dependent on beliefs that explicit verbal consent would enhance or compromise the relationship, whether the practice would adhere to or contravene acceptable social and relationship norms, and whether it would prompt positive (e.g., sense of acceptance, comfort, respect, trust) or negative (e.g., feelings of embarrassment, anxiety, shame, discomfort, annoyance) emotional reactions for themselves or their partner. Moreover, rewards and barriers were characterised by enhanced or reduced sexual quality (whether direct consent made them feel more at ease during sex or ruined the mood), facilitation of access to sex, and streamlined consent communication over time, compared to navigating sexual incompatibility. Lastly, safety and coercion were associated with rewards of sexual safety, respect for boundaries, and legal and social protection, as well as the barrier of sexual boundary violations. Overall, Edwards et al. (2022) concluded that it appears these perceived barriers are inhibiting the motivation of individuals to engage in direct consent behaviours.

Sexual script theory, originally posited by Gagnon and Simon (1973) may facilitate understanding of why explicit verbal consent is not always deemed necessary. Sexual scripts are metaphoric mental representations constructed by individuals to interpret social norms

and stereotype patterns of behaviour pertaining to sexuality and sexual relationships, ultimately so that they can make sense of their experiences (Wiederman, 2015). Thus, these cognitive schemas assist individuals in their compliance with shared sociocultural understandings, for example, by suggesting what are appropriate sexual behaviours to engage in, the typical sequence of sexual acts, and how to navigate sexual situations (Beres, 2014a; Wiederman, 2015). Essentially, these scripts form the basis of a person's social learning, enabling them to decode and enact sexual information, such as language and behaviours (Fenner, 2017). For example, Muehlenhard (1995–1996) illustrated two sexual scripts void of verbal consent to convey how verbal assertion of consent can be absent in sexual scenarios – the narrative in which a dominant man makes advances towards a passive woman who eventually becomes aroused and succumbs to him, and the cliché of two partners being so aroused that they almost tear off each other's clothing in their haste to have sex. Here, the first script is an example of how sexual scripts can perpetuate stereotypes and traditional gender roles, such as illustrating expectations of men being dominant and assertive while women are portrayed as submissive and passive in sexual interactions, or how consent-seeking (e.g., ascertaining a partner's consent or non-consent) or consent-pressuring (e.g., sexual demanding or boundary testing) behaviours are assumed to be conveyed by men whilst women are perceived as responsible for consent-enacting (i.e., clearly demonstrating consent or non-consent as the gatekeepers of sex) (Shumlich & Fisher, 2018). Gagnon and Simon (1973) posed that there are three levels of sexual scripts: cultural scripts, which are influenced by the sexual norms portrayed in social institutions, such as media, education, legislation, government, and religion, and what these deem to be appropriate or inappropriate sexual conduct: what is instructed, encouraged, or envied, compared to what is deemed to be warned against, stigmatised, or immoral; interpersonal scripts, which are curated through socialisation and learning via personal sexual encounters; and intrapsychic scripts, which is

one's personal sexuality, desires, fantasies, and mental rehearsals (Beres, 2014a; Wiederman, 2015).

Generally, research indicates that people often do not express consent with explicit verbal communication, but rather opt for indirect behaviours, and so, people often rely on nonverbal signals more than verbal cues (Jozkowski et al., 2014; Muehlenhard et al., 2016). Consequently, it can be inferred that current sexual scripts in Western cultures do not necessitate explicit verbal consent prior to engaging in sexual behaviour.

Muehlenhard et al. (1992) suggested that definitions of consent allow for a wide repertoire of verbal and nonverbal behaviours to communicate consent, as defining sexual violence as all sexual behaviour that occurs without explicit verbal consent would include behaviour in which those involved would consider themselves willingly engaged.

Consent as Behaviour That Someone Else Interprets as Willingness. In contrast to explicit agreement, the final meaning posited by Muehlenhard et al. (2016) was *Consent as Behaviour That Someone Else Interprets as Willingness*. Here, consent is a behavioural expression of agreement implied through actions that are presumed to be indicative of willingness, as inferred by the observer.

Hickman and Muehlenhard (1999), Beres (2007), and Jozkowski et al. (2014) elucidated that external behaviours of consent can include nonverbal signals, such as increasing physical proximity, making facial expressions, reciprocating a partner's advances, and engaging in some level of sexual activity such as kissing, touching, moaning, or removing clothing. Alternatively, passive behaviours considered to be indicative of consent are associated with allowing the sexual interaction to progress, not demonstrating resistance to someone's advances, as well as no response signals (e.g., not saying or doing anything). Other behaviours include attaining privacy, such as changing location or closing a door, and signalling intoxication. In contrast, behaviours can be more direct - but not an explicit

agreement - such as implying interest in sex (e.g., talking about getting a condom), initiating sexual activity, verbalising intent, or continuing with sexual behaviour unless stopped by their partner.

Thus, there is a lot of nuance in behavioural cues and verbal communication. Beres (2010) conducted unstructured interviews with 21 young adults about casual sex, some of whom commented on how they "just know" when someone wants to have sex with them whereas others described behaviours they pay attention to so that they can gauge a potential partner's interest. Participants also discussed refusing sex or signalling discomfort, both verbally and nonverbally, but overall these cues were indirect. Despite this nuance, one male stated that "anyone with a shred of empathy or perception should be able to tell when someone else is uncomfortable" (p. 8).

Shumlich and Fisher (2018) conducted a thematic analysis of 92 Canadian undergraduate student responses to open-ended questions about sexual interactions with new and long-term partners. The authors identified elements that tend to be spontaneously incorporated into sexual encounters to gain understanding of common sexual scripts: Sex proceeding with escalating intensity of nonverbal sexual behaviour (e.g., increasing physical contact, engaging in foreplay, removing clothing); Passive behaviours that do not indicate unwillingness to have sex (e.g., going to another location, being guided through the sexual interaction); Indirect verbal communication of interest in sex (e.g., asking about going home, questions about contraception); Indications that sex "just happened" (e.g., progression to intercourse was "obvious", they had an intuitive sense that their partner was willing); and Direct discussions relevant to sexual consent (though often not directly addressing consent, e.g., expressing "I'm ready", checking in with their partner, conversations in advance). Overall, nonverbal sexual behaviours were the most commonly described elements of a sexual interaction whereas consent was very rarely unambiguously expressed, rather, it was

generally inferred or at times completely absent. When verbal expressions regarding sexual activity did occur, respondents relied on coded language as a proxy for consent, veiling their consent in questions about safe sex or asking if their potential partner would like to go somewhere else.

An issue with the *Consent as Behaviour That Someone Else Interprets as Willingness* conceptualisation is the reliance on the observer and their interpretation of an individual's behaviour as different observers are likely to make various assumptions and rely on their personal understanding of consent and threshold of comfort (Muehlenhard et al., 2016). Nonverbal cues can be ambiguous, and so, this conceptualisation enables the potential for miscommunication, allowing one person to selectively infer another's signals, which in turn, may substantiate claims of reasonable belief based on rape myths (Hickman & Muehlenhard, 1999).

Rape myths are defined as prejudicial, stereotyped, generally false beliefs that serve to downplay, deny, or justify rape (Burt, 1980; Lonsway & Fitzgerald, 1994). These attitudes were captured in the Illinois Rape Myth Acceptance Scale developed by Payne et al. (1999) with items pertaining to seven themes, such as: She asked for it (e.g., "A woman who dresses in skimpy clothes should not be surprised if a man tries to force her to have sex" and "If a woman is raped while she is drunk, she is at least somewhat responsible for letting things get out of control"); It wasn't really rape (e.g., "If a woman doesn't physically fight back, you can't really say that it was rape"); He didn't mean to (e.g., "Rape happens when a man's sex drive gets out of control"); and Rape is a trivial event (e.g., "If a woman is willing to 'make out' with a guy, then it's no big deal if he goes a little further and has sex"). However, research has since suggested that modern beliefs have become more subtle and covert. Gerger et al.'s (2007) Acceptance of Modern Myths about Sexual Aggression Scale adopts less blatant language to curate a contemporary assessment of the current trivialisation of sexual

violence, for example, “It is a biological necessity for men to release sexual pressure from time to time” and “Once a man and a woman have started ‘‘making out’’, a woman’s misgivings against sex will automatically disappear”. Subscales include antagonising victim demands, believing that male coercion is natural in sexual relationships, exonerating perpetrators due to situational factors (e.g., alcohol consumption by both victim and perpetrator), downplaying the scope of the issue, and opposing policies designed to alleviate the impacts of sexual violence.

Gavey (2018) summarised that numerous studies have found that men who endorse rape myths are more likely to demonstrate higher sexual aggression or coercion, accept a narrow definition of rape, hold victim-blaming attitudes, and exhibit a higher rape proclivity. Due to how rape myths jeopardise the Aotearoa New Zealand justice response, McDonald et al. (2020) emphasised that the current enmeshment of rape myths in contemporary societal beliefs must be addressed. The authors explained that if a juror endorses a rape myth, be it knowingly or ignorantly, they interpret evidence through the lens of this schema, thus impairing their ability to evaluate the evidence fairly and draw reasonable conclusions via logical inferences, ultimately undermining determinations about consent.

Another limitation with the *Consent as Behaviour That Someone Else Interprets as Willingness* is the role of inaction. Muehlenhard et al. (2016) made the distinction that, although consent in the sense of *Consent as Behaviour That Someone Else Interprets as Willingness* is often regarded as implied consent, here it may be more appropriate to frame it as inferred consent. Studies frequently report that there is a gap between standards and practice due to a majority of individuals expressing their consent primarily through non-resistance or “doing nothing” rather than using direct, explicit forms of communication (Edwards et al., 2022; Hickman & Muehlenhard, 1999; Jozkowski et al., 2014; Willis, Blunt-

Vinti, et al., 2019). However, this enables a sexual script that normalises silence or inaction as a reasonable presumption that consent is present (Muehlenhard et al., 2016).

Altogether, although internalised feelings and externalised behaviours of consent are correlated, Jozkowski et al. (2014) argued that the weak to moderate relationships between these constructs suggested that consent as an internal state of willingness and consent as an externalised behaviour, either to explicitly communicate agreement or to infer interest, are separate and uniquely contribute to an overall conceptualisation of sexual consent. Willis, Blunt-Vinti, et al. (2019) agreed that sexual cognitions tend to precede sexual behaviour, finding that greater feelings of consent were associated with active communication (which included implicit and nonverbal cues).

Standards of Consent Communication

Negotiations of one's willingness are interactions that occur in specific social contexts, scripted by cultural norms and gendered discourse about sex, love, power, and consent (Powell, 2010). However, there are different approaches that people use to communicate their consent.

Presumptive Consent: "No Means No"

Traditional sexual scripts expect that consent is given unless certain extreme, negative circumstances exist, thus permitting the passive assumption that consent is granted unless explicitly and unequivocally withdrawn (Muehlenhard et al., 2016).

Hence, the "No Means No" slogan emphasised bodily autonomy and sexual sovereignty as users of this motto challenged sexual objectification by asserting refusal to non-consensual interactions, reclaiming agency (Harris, 2018). "No Means No" resonated with a prevalent feminist critique, as articulated by MacKinnon (1989), which portrayed hetero-patriarchal sex as a structure where "Man fucks woman: Subject verb object" (p. 124).

Here, "No" empowered women as agents who were able to assert noncompliance, thus challenging the misogynistic portrayal of ‘woman’ (Harris, 2018).

Although originally popularised to emphasise that a woman’s refusal should be taken seriously, the “No Means No” rhetoric has since been labelled as outdated due to its simplicity being deemed insufficient. It is argued that feminists previously fought for the ability to say “No” so that, now, women have the ability to say “Yes” (Garber, 2018).

Here, “No Means No” operates within the traditional sexual script in which a man initiates a sexual interaction and the woman acts as the gatekeeper. If she is not willing to engage in sexual activity, she is bestowed with the responsibility to resist or refuse his advances (Wiederman, 2015). Therefore, the burden for stopping the sexual interaction is placed on the woman and, if non-consensual sex occurs, she may be blamed for not doing enough to stop it (Muehlenhard et al., 2016).

Moreover, “No Means No” may now be associated with a presumptive approach to consent. Recent discourse has suggested it is a problematic perspective due to there being a multitude of reasons that may prevent someone from verbally resisting sexual behaviour that they do not consent to, such as feelings of embarrassment, confusion, or fear, as well as social pressures, such as norms, relationships, and power imbalances, or being in some way incapacitated, such as being unconscious or intoxicated. “No Means No” is rendered ineffective in situations where one is unable to say “No” (Hickman & Muehlenhard, 1999; Muehlenhard et al., 2016).

Furthermore, another issue with the “No Means No” standard is that the initiator may interpret refusal as fleeting or insincere: even when someone says “No”, they may be ignored. Token Resistance to Sex is a belief that women decline sexual advances despite an intention to consent to sexual activity – that women say “No” but really mean “Yes” (Muehlenhard & Hollabaugh, 1988). Also known as Scripted Refusal, this traditional sexual script portrays a

man as taking initiative in a sexual scenario by persisting in his attempt for a sexual interaction despite a woman superficially verbalising her unwillingness, despite an intention to have sex with him; she must act coy due to the cultural expectation that women should not directly convey interest to freely engage in sex, and so, should offer an initial tokenistic denial of the man's sexual advance (Check & Malamuth, 1983; Muehlenhard, 2011). Typically, this belief is demonstrated in statements such as "When a woman waits until the very last minute to object to sex in a sexual interaction, she probably really wants to have sex" and "When a man only has to use a minimal amount of force on a woman to get her to have sex, it probably means she wanted him to force her" (Osman, 1998).

Muehlenhard and Hollabaugh (1988) reported that 39 percent of women enrolled in a psychology course at a Texas university had used token resistance in a sexual interaction, with 90 percent noting that they did not want to appear promiscuous. More recently, Rerick et al. (2024) tested the effect of sexual arousal on sexual attitudes, as primed through a narrative writing exercise, with a sample of 716 college students. Participants in the arousal condition were more likely to endorse a belief in token resistance to sex and required a slightly higher number of "no" responses to believe that a woman was not consenting to sex. These findings suggest that sexual arousal alters perception of direct refusals. Women were more likely to endorse belief in female token resistance than men, whereas there were no significant gender differences in endorsement of male token resistance. Findings suggested that male belief in female token resistance to sex may be declining as the percentage of male endorsement was lower than that of studies from the 1990s.

Hence, the original notion of verbal language being the sole determinant of consent has shifted to acknowledge the complexity of nonverbal communication and interpretation in sexual relationships (Flecha et al., 2020).

Affirmative Consent: Yes Means Yes

In 1991, a revolutionary framework of sexual consent was articulated by a radical feminist group at Antioch College and adopted into the U.S. university's conduct code: "The act of willingly and verbally agreeing to engage in specific sexual contact or conduct", elaborating that "Obtaining consent is an on-going process in any sexual interaction. Verbal consent should be obtained with each new level of physical and/or sexual contact or conduct in any given interaction." (Abrams & Herman, 1994). Originally met with widespread mockery from mainstream media, including a now infamous 'Is it Date Rape?' Saturday Night Live skit[1], there has since been a significant cultural shift in sexual consent ideologies (Serisier, 2020). Transitioning from being controversial to conventional, many educational institutions in Western nations have adopted affirmative consent policies (Featherstone et al., 2024). Most universities, institutes, wānanga, and polytechnics in Aotearoa New Zealand have such policies (New Zealand Family Violence Clearinghouse, 2024).

Communicative consent models gained traction in the 1990s following Pineau's (1989) influential article that argued against traditional sexual scripts that illustrate men as sexually pursuant whilst women are expected to be accommodating, thus resulting in "sexual miscommunication" due to "confusing" circumstances (Powell, 2010). Pineau (1989) advocated for a new model of sexual consent in which partners have a mutual desire for sexual enjoyment, and so, actively communicate to achieve mutual pleasure.

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[1] The 'Is it Date Rape?' skit depicted a parody of the quiz show Jeopardy, in which two contestants chose from categories such as "She Was Drunk", "She Led Me On", and "I Paid For Dinner". For example, the female Victimisation Studies student responds "Date Rape! No always means no!" to a scenario of a woman replying "No" to a man asking "Would you mind if we had sexual intercourse?". The game progresses to a bonus round where the male Fraternity Brother contestant had 30 seconds to attain the female student's consent to sex. The skit concludes with the host announcing the prize of a trip for both contestants to the 'Lover's Hideaway Beach Hotel', to which she screams 'No!' repeatedly while he cheers as the screen fades out (SNL Transcripts Tonight, 2018).

Essentially, affirmative consent frameworks endorse an enthusiastic, clearly communicated, voluntary, ongoing agreement to engage in informed sexual behaviour (National Sexual Violence Resource Center, 2015; Rape Prevention Education, 2020). New Zealand Police (n.d.) employ this standard, having stated that a person consents to sexual activity if they do so actively, freely, voluntarily, and consciously without being pressured. While this is somewhat congruent with the common law proposition that true consent is freely given by a person who is in a position to make a rational decision (Te Kura Kaiwhakawā, 2023), it does not quite align with Crimes Act 1961 that currently does not provide a positive definition of sexual consent (New Zealand Legislation, 2023).

Muehlenhard et al. (2016) explained that unlike the "No Means No" standard that places responsibility on person B as the recipient of a sexual advance to resist or refuse sex, an affirmative consent standard directs the responsibility at person A as the initiator of a sexual interaction to confirm person B's consent: "Yes Means Yes" – no does not mean yes, silence is not indicative of yes, so only yes can mean yes (when it is not elicited through coercion).

To champion the "Yes Means Yes" standard, explicit verbal communication is a focal message in contemporary consent education, describing consent as a conversation and promoting this discussion as sexy to challenge the perception that verbal consent disrupts spontaneity or disturbs the mood (Beres, 2018).

Graham et al. (2021) conducted a focus group study at an Aotearoa New Zealand university to explore student perspectives of sexual violence prevention campaigns. The authors reported that there was consensus among interviewed students that previous learning about consent had been simplistic (e.g., the concept of "No Means No"), and so, participants suggested that future campaigns should focus on expanding on this limited knowledge, such as by presenting the concept of affirmative and ongoing consent.

However, as previously discussed in the *Consent as an Act of Explicitly Agreeing to Something* section, there are limitations to this standard of sexual consent as people frequently report difficulty using direct verbal behaviour to express their willingness to engage in sex, rather, they rely on indirect verbal cues or nonverbal signals to suggest their interest to a potential partner. Powell (2010) summarised that young people's experiences suggest that despite the "Yes Means Yes" affirmative standard of consent requiring active negotiation, this is not how sex is currently negotiated in their everyday practice. Nonetheless, this dominant model in sexual violence prevention education prompts an individual to identify subtle, at times ambiguous, often nonverbal cues, and then have confidence to actively ascertain consent – ultimately, this may be unrealistic.

Behavioural Indications of Consent: Closing a Door Means Sure?

As emphasised in the aforementioned *Consent as Behaviour That Someone Else Interprets as Willingness* discourse, there are numerous nonverbal behaviours that some people perceive as conveying consent.

Current research advises that consent is more nuanced than traditional, lay, or legal definitions of consent that advocate for an explicit verbal assertion of willingness to engage in sexual behaviour, and so, both the "No Means No" and "Yes Means Yes" approaches appear to be inconsistent with normative sexual scripts of heterosexual seduction (Fenner, 2017). Ultimately, these standards may be rendered redundant in actual socialisation.

However, affirmative consent can be defined to include explicit nonverbal or indirect verbal communications of "Yes" (Featherstone et al., 2024). An example of an affirmative standard of consent that encapsulates nonverbal behaviour is the 2022 legislation amendment in Victoria, Australia (Victorian Legislation, 2022) which defined consent as an ongoing, mutual communication and decision-making process between each person involved in a sexual act and that consent cannot be assumed but only based on a person's communication of

consent, verbal and nonverbal. This Bill was informed by the Victorian Law Reform Commission (2021) who urged the State Government to move to a strong affirmative "Yes Means Yes" model of consent so that the onus would be placed on the initiator of sex to take steps to ensure that the other person was actively consenting to sexual behaviour before and during the sexual act.

A limitation with this standard of consent is that people are often reliant on subtle signals which can easily be misread as consent. Powell (2010) proposed that while many young people arguably are able to interpret these cues, much of this understanding remains unarticulated – that they "just know" – and so, are not readily subjecting these cues to conscious reflection, but rather, are relying on sexual scripts and gendered norms to perceive sexual scenarios. Therefore, Powell (2010) advocated for developing strategies for young people to promote a more communicative negotiation of consent into their everyday sexual practice so that practical dispositions can be normalised as a contemporary sexual script.

To ascertain the current status of consent standards in young adult communities in Aotearoa New Zealand, it would be beneficial to explore the behaviours that young people are actually using. Thus, a validated psychometric measure relevant to the sociocultural context is required for future research to be relevant.

Jozkowski et al. (2014) Psychometric Assessment of Internal and External Consent Scales

In 2014, Jozkowski et al. published the article *Consenting to Sexual Activity: The Development and Psychometric Assessment of Dual Measures of Consent* to present the Internal Consent Scale (ICS) and External Consent Scale (ECS) that they had constructed to explore college students' personal perceptions and expressions of sexual consent.

To articulate constructs of sexual consent, the authors underwent three phases to produce the ICS and ECS: collating qualitative data from students, writing and reviewing

instruments, and administering a quantitative survey about sexual decision-making and communication to students at a Midwest university during an introductory health course. The final sample of 660 participants was predominantly female (67.9%), White (80.2%), heterosexual (94.4%), and aged 18 to 24 years old (96.1%).

After preliminary analyses to refine the measures, Jozkowski et al. (2014) reported that both the ICS and ECS loaded onto five factors and that "each corresponding factor held together in a logical fashion" (p. 445) to ultimately propose components that constitute internalised feelings and externalised behaviours that are indicative of consent to sex.

The final 25-item ICS was categorised into feelings associated with Physical Response (e.g., "I felt rapid heart beat"), Safety/Comfort (e.g., "I felt secure"), Arousal (e.g., "I felt turned on"), Consent/Want (e.g., "The sex felt agreed to"), and Readiness (e.g., "I felt ready"). Whereas, the five behavioural classifications of the 18-item ECS were Direct Nonverbal Behaviours (e.g., "I touched my partner, showed him/her what I wanted through touch or increasing physical contact between myself and the other person"), Passive Behaviours (e.g., "I let the sexual activity progress to the point of intercourse"), Communication/Initiator Behaviour (e.g., "I used verbal cues such as communicating my interest in sexual behavior or asking if he/she wanted to have sex with me"), Borderline Pressure (e.g., "I just kept moving forward in sexual behaviors/actions unless my partner stopped me"), and No Response Signals (e.g., "It just happened").

The authors posited that the results suggested that the measures were reliable and valid assessments of an individual's internalised feelings of consent toward a sexual activity and of external behaviour used to communicate consent to that activity, asserting that the final ICS had excellent to very good factor loading scores and excellent Cronbach's alpha scores above $\alpha = .90$ whilst the ECS had excellent to acceptable factor loadings as well as acceptable to very good Cronbach's alpha scores above $\alpha = .67$.

Regarding the study's findings, Jozkowski et al. (2014) discussed that higher scores from men on the ICS and its factors (except for Physical Response) may be due to cultural endorsement of traditional sexual scripts. Thus, the authors suggested that men may feel less inhibited about their feelings to consent to sex due to the societal expectation that men want and are ready to have sex, whereas women may report lower ICS scores due to conflicting internalised feelings of consent due to contradictory social ideas about appropriate sexual expression for women and how this can impact their reputation.

Gender differences for ECS behaviours were also highlighted in the context of traditional sexual scripts as men were more likely to exhibit Borderline Pressure (e.g., "I took my partner somewhere private" and "I just kept moving forward in sexual behaviours/actions unless my partner stopped me") whereas women scored higher on Passive Behaviours (e.g., "I did not resist my partner's attempts for sexual activity" and "I reciprocated my partner's advances") and No Response Signals (e.g., "I did not say anything").

Moreover, differences by relationship status were also reported. Those who were in a relationship scored higher on all ICS factors except Physical Response. The authors suggested that this may imply that being with a consistent partner promotes a sense of confidence in one's feelings to consent to sex whereas being with a casual partner may involve reduced feelings of safety, comfort, and security which may impact feelings of consent. For the ECS, single participants scored higher on the Borderline Pressure factor which may indicate that single individuals, in particular single men, may be more likely than those in a relationship to rely on taking a partner somewhere private, closing the door, or continuing to move forward in sexual behaviour unless stopped to communicate their consent.

Since publication, the ICS and ECS have been employed in numerous studies due to being the dominant validated psychometric measures in the literature.

Walsh et al. (2019) Confirmatory Factor Analysis

Walsh et al. (2019) aimed to validate the ICS and ECS by replicating the factor structure published in the original Jozkowski et al. (2014) study.

The online survey was comprised of questions about demographics, when the sexual interaction occurred, which acts were involved, their relationship to their sexual partner, the gender of their partner, if there were multiple partners, and if substances were used prior to the interaction, as well as the ICS and ECS. It was completed by 610 undergraduate students enrolled at a large public university in the U.S. Northeast – the final sample was predominantly female (71.9%), White (56.0%), heterosexual (90.3%), and were 21.29 years old on average.

Walsh et al. (2019) concluded that their analyses provided support for the ICS in its current format. The authors suggested that the ICS had high internal consistency among items as the study reported that Cronbach's alpha for the total scale was $\alpha = .97$ and its subscales ranged between .81 to .96. A five-factor confirmatory factor analysis was performed, and it was reported that an acceptable fit to the data was found. All items loaded between .49 to .69 and factor correlations ranged between .74 and .98, so deemed as acceptable to good.

In contrast, Walsh et al. (2019) signalled that further research could investigate the ECS. The authors posited that the five-factor confirmatory factor analysis had an acceptable fit to the data and that the total Cronbach's alpha was considered very good at $\alpha = .89$. The Direct Nonverbal Behaviours and Passive Behaviours subscales had strong factor loadings (.74 to .90) and Cronbach's alpha coefficients (.82 and .78 respectively), whilst Borderline Pressure and Communication/Initiator Behaviour had moderately strong factor loadings (.56 to .82) coinciding with moderately low Cronbach's alpha coefficients (.58 and .55 respectively), whereas No Response Signals had poor factor loadings (.16 to 1.06) and low internal reliability ($\alpha = .32$) and was subsequently excluded from further analysis.

Walsh et al. (2019) proposed that the ICS and ECS may also be applicable to the assessment of feelings and behaviours of consent to oral and anal sexual activity, to further its relevancy from the original study that specified vaginal-penile intercourse in its survey. Overall, findings were that ICS and ECS scores did not differ by sexual orientation; age was unrelated to total ICS and ECS scores; older students reported higher ICS Physical Response and ECS Passive Behaviours scores; women had higher mean scores on the ICS Physical Response subscale; women whose sexual interactions were with partners they had just met had lower ICS scores than women with other types of partners (e.g., acquaintance, friend, or dating partner); and men had higher mean scores on ECS No Response Signals. The authors speculated that the lack of gender differences in their study compared to the original article may be due to regional differences in sexual conservatism and gendered sexual scripts.

In summary, Walsh et al. (2019) asserted support for the reliability and validity of Jozkowski et al.'s (2014) ICS and ECS, though acknowledged that the psychometrics of the No Response Signals subscale required attention.

Willis et al. (2019) Women's ICS

Willis, Blunt-Vinti, et al. (2019) proposed a model to explain potential mechanisms influencing women's consent and the associations between internal feelings of consent with behavioural consent cues communicated in a sexual interaction.

The online survey contained questions about demographics, the ICS, and items that reflected five communication techniques identified in previous research – both to self-report behaviours and to assess interpretation by requesting indications of partner behaviours. An ethnically diverse sample of 589 female respondents participated in the study, with an average age of 36.03 years old.

A confirmatory factor analysis was performed due to age and ethnicity variation in this sample compared to Jozkowski et al.'s (2014) study. This validated the ICS with a

different sample population as the original article had a predominantly White college student sample. The authors stated that the five-factor structure of the ICS fit the data, and so, was retained. All factor loadings were reported to be above .83 and subscale Cronbach's alpha coefficients ranged between .81 to .93.

Thus, the authors investigated the relationship between ICS subscale scores and consent communication behaviour. Although participants commonly endorsed passivity as an indicator of consent, higher ICS scores were associated with the use of increasingly diverse active communication cues, with nonverbal signals being more strongly associated with feelings of consent than verbal cues. Age differences were found with feelings of consent consistently rated at lower levels by older participants, linked to the Physical Response subscale pertaining to physiological sexual function (e.g., vaginal lubrication). When controlling for age, bivariate associations between ICS scores and ethnicity disappeared, however, the authors recommended that future research could explore the nuance in sexual scripts among different cultural groups.

Willis et al. (2022) ICS-Short Form Development

Research had previously explored internalised feelings of consent experienced by men and women, with Jozkowski et al. (2014) reporting that men scored higher feelings of Safety/Comfort, Arousal, Consent/Want, and Readiness. However, Willis et al. (2022) aimed to investigate whether there were gender differences in interpretation and response to ICS items.

A final sample of 410 men and 464 women completed an online survey. Respondents were from the U.S. and U.K., predominantly White (81.2%) and heterosexual (83.4%), with an average age of 32.6 years old.

The authors stated that the original five-factor model worked similarly among men and women, and so, may be representative of the overall conceptualisation of internal sexual

consent as the data-model fit was not substantially impaired. However, when testing for full metric and scalar invariance, Willis et al. (2022) posited that the ICS generally did not function the same for men and women due to differences in scoring. This suggested differences in interpretation of specific items; men tended to associate desire with agreement whereas women linked desire with arousal.

Five items loaded onto separate factors for men and women (i.e., desired, wanted, eager, willing, erect/vaginally lubricated). So, Willis et al. (2022) curated a gender-invariant 15-item short form version of the ICS due to their findings indicating that direct comparisons of ICS scores across gender should be interpreted with caution. These five items were removed, and the scale was further refined until assumptions for configural, metric, and scalar invariance were tenable (i.e., flushed, protected, safe, respected, in control). The abbreviated version retained the five factors with each subscale containing three items and was recommended for studies aiming to directly compare these two genders on experiences of feelings of consent to sex. However, the authors continued to endorse use of the full 25-item ICS for research that was not specifically interested in male/female gender comparisons.

In sum, Jozkowski et al.'s (2014) ICS and ECS continue to be widely used in the literature as popular measures of sexual consent. However, these scales do not appear to have been applied in a study with an Aotearoa New Zealand sample.

The Current Research

As the original Jozkowski et al. (2014) study was published ten years ago, it is important to revisit this article given monumental social events since then. The #MeToo movement was popularised on social media by actress Alyssa Milano (2017) who tweeted "If you've been sexually harassed or assaulted write 'me too' as a reply to this tweet." in the wake of Kantor and Twohey's (2017) exposé about sexual abuse perpetrated by Hollywood producer Harvey Weinstein. Nicholls (2020) asserted that the #MeToo movement

reconfigured dynamics of sexual violence as whispers became whistle-blows due to the mass sharing of victimisation, thus challenging rape culture and its myths.

In Aotearoa New Zealand, hundreds of responders to Stuff's #MeToo investigation shared their personal experience of workplace sexual misconduct and the subsequent sense of powerlessness, self-blame, long-term impact, and re-victimisation by the complaint process. However, Mau et al. (2019) summarised that "the power of the Me Too movement is in the strength of the collective. Many of the women who contacted us thanked us for the opportunity to be listened to, and said they felt less alone.". So, while #MeToo has increased public visibility of sexual violence, it is of interest whether the social movement has had an impact on how young people feel about and communicate their consent.

Furthermore, due to some theoretical overlap between ICS and ECS items (see Appendix B for ICS and Appendix C for ECS original factor loadings, if interested), the present study is sceptical of the cleanliness of the factor loadings of these measures despite support in the literature for the ICS and ECS subscales.

For instance, within and across subscales, synonymous language appears to form discrete concepts, such as "I felt certain" is categorised as a Factor 2 Safety/Comfort item which has a factor loading of .21 with Factor 5 Readiness which includes "I felt sure".

Moreover, Arousal subscale (Factor 3) items – feeling aroused, turned on, and interested – had factor loadings ranging from .74 to .83, yet had low factor loadings across the other factors, ranging between .18 ("I felt interested" x Consent/Want factor) and .28 ("I felt interested" x Readiness factor). This is despite arousal being a complicated concept associated with physiological stimulation and genital excitation as well as psychological impacts on attention, affect, self-regulation, cognitive processing, motivation, and desire, as summarised in Janssen's (2000) conceptual analysis. So, some higher loadings across the subscales may have been expected due to some theoretical overlap. Additionally, other ICS

items were not close to loading onto Factor 3, such as Physical Response “I felt flushed” with a factor loading of -.03 and Readiness “I felt ready” with .23.

Osborne and Fitzpatrick (2012) explained that the lowest threshold for replicability of an exploratory factor analysis should be replicating the same basic structure within a similar sample. Here, that would be a five-factor solution with the same items assigned to each subscale for the ICS and ECS when used with a young adult sample. However, Osborne and Fitzpatrick (2012) elaborated that a more rigorous threshold for replicability would be the addition of the same range of magnitudes of factor loadings (within reason). As stronger replicability gives researchers more confidence that a particular measure will behave as expected in data subsets or a new sample, it is imperative that robust scales are validated beyond a U.S. college student sample, especially as sexual consent is a quickly emerging topic requiring psychological insights in Aotearoa New Zealand.

Therefore, the current research aims to:

1. Conduct a replication project of Jozkowski et al.’s (2014) study.
2. Perform an exploratory factor analysis for the ICS and ECS by Jozkowski et al. (2014) to assess the psychometric properties of the two measures. An exploratory factor analysis is chosen as the current study intends to investigate the number and nature of the factors and determine the intercorrelations between items (MacCallum, 2009).
3. Develop insight into how young adults in Aotearoa New Zealand conceptualise sexual consent by exploring self-reported feelings and behaviours experienced during their last sexual interaction.

Despite the high prevalence of sexual violence in Aotearoa New Zealand, there is limited research to determine how sexual consent is understood in the local sociocultural context. Some qualitative studies have provided preliminary responses but having a

validated quantitative scale would be advantageous for engaging more people in this discourse (hopefully prompting more conversations and reflections about sexual consent) and for generating probabilistic predictions and generalisations by identifying relationships between variables (such as feelings and behaviours) so that evidence-based policy, including education guidelines and legislation, can have psychological underpinnings.

The current research will test the following hypotheses:

1. It is hypothesised that the ICS will not replicate into the same five factors posited by Jozkowski et al. (2014).
2. It is hypothesised that the ECS will not replicate into the same five factors posited by Jozkowski et al. (2014).
3. It is hypothesised that ICS and ECS scores will differ by gender.
4. It is hypothesised that ICS and ECS scores will differ by relationship status.
5. It is hypothesised that ICS and ECS scores will not differ by sexual orientation.

Method

Participants

A total of 509 respondents aged between 16 to 47 ($M = 23.24$, $SD = 5.15$) participated in this study. As shown in Table 1, a large proportion of participants were female. Over half of the respondents were New Zealand European. A majority confirmed that they were currently enrolled at a New Zealand tertiary institution. A similar number of participants identified as heterosexual as those who identified as Rainbow. Almost two-thirds of participants reported that they were currently having sex. Those who were in an exclusive sexual relationship were likely to be those who were in a romantic relationship; many participants were in a romantic relationship, almost double the number of participants who were single and not dating.

Table 1

Sociodemographic Characteristics of Participants

	n	%
Sex		
Male	42	8.25
Female	306	60.12
Non-Binary or Genderfluid	32	6.29
Not reported	129	25.34
Ethnicity		
New Zealand European/Pākehā	278	54.62
Māori	53	10.41
Pacific	34	6.68
Asian	61	11.98
European	22	4.32
Middle Eastern, Latin American, or African	9	1.77
Other	11	2.16
Not reported	128	25.15
Student Status		
Enrolled	306	60.12
Not enrolled	84	16.50
Not reported	119	23.38
Sexual Orientation		
Heterosexual/Straight	186	36.54
Homosexual/Gay/Lesbian	16	3.14
Multiple-sex attracted/Bisexual/Pansexual	147	28.88
Asexual	6	1.18
Queer	22	4.32
Questioning	3	0.59
Not reported	129	25.34
Relationship Status		
Single and not dating	101	19.84
Single but dating/hanging out with someone	80	15.72
In a relationship	198	38.90

Not reported	130	25.54
Sexual Relationship Status		
Exclusive/Monogamous	209	41.06
Non-exclusive/Non-monogamous/Polyamorous	31	6.09
Casual sexual encounters	70	13.75
Not currently engaged in sexual activity	68	13.36
Not reported	131	25.74

Convenience and snowball sampling methods were employed as participants were recruited through study advertisements (Appendix D) shared online and as posters around university campuses. Potential respondents were invited via a general introduction that briefly informed them of the online *Sex & Consent Study* questionnaire about sexual decision-making and communication with details of how to participate. The only cost to participants was their time – on average, respondents took 19.43 minutes to complete the questionnaire. The study did not offer an incentive in order to ensure anonymity and reduce a sense of coercion.

Online recruitment consisted of two routes. Firstly, social media posts on public pages (e.g., Instagram accounts included @dearem.nz, @sexwise_nz, and @thursdaysinblackuc) and personal profiles (such as resharing by the researcher's network of friends). Secondly, announcement posts by university lecturers were shared with students using their online learning platform (e.g., Canvas). Psychology, sociology, and law academics from six universities (Auckland University of Technology, Massey, Auckland, Canterbury, Otago, and Victoria University of Wellington) who had been identified as being potentially interested in the study due to their previous publications within the scope of sexual violence were contacted by the researcher. Additionally, posters were placed on bulletin boards in high-traffic areas at Auckland University of Technology City, North, and South campuses and the University of Auckland City campus.

The present study aimed to recruit a similar number to Jozkowski et al. (2014)'s sample size of 660 participants. Overall, the present study gathered a total of 774 recorded responses. However, there was a high attrition rate: five records did not progress past the confirmation page, 159 records did not include a response to any psychometric item so were omitted due to incompletion, and three responses were classified as spam. A further 97 responses were excluded as these participants had not engaged in sex before, and so, did not complete the Internal Consent Scale or External Consent Scale which were the key measures in the present study.

Materials

The 79-item online questionnaire asked participants to reflect on the feelings that influenced their most recent decision to have sex, the behaviours that they engaged in to communicate their sexual consent to their partner, and the extent to which they agreed with statements about sex and consent.[2]

To ensure that the current study was inclusive of diverse sexual orientations and gender identities, the two established scales used to measure consent – the Internal Consent Scale and the External Consent Scale (Jozkowski et al., 2014) - were modified slightly from the original wording without changing the meaning of the items. Firstly, rather than specifying only vaginal-penile sex, in the current study participants were instead asked to "Think back to the last time you engaged in intercourse (for example, vaginal-penile)". Secondly, the present study revised the use of male and female pronouns (e.g., "I touched my

[2] As the current project aimed to replicate Jozkowski et al.'s (2014) study, the questionnaire did include the Token Resistance to Sex Scale (8 items) and Illinois Rape Myth Acceptance Scale – Short Form (20 items) which ask participants about indicate the degree to which they endorse statements about sex (1 = "*strongly disagree*", 7 = "*strongly agree*"). However, this thesis focused its analyses and discussion on the ICS and ECS scales. Data from the Token Resistance to Sex Scale and Illinois Rape Myth Acceptance Scale – Short Form was not analysed.

partner, showed him/her what I wanted…") and adopted gender-neutral language (e.g., "I touched my partner, showed them what I wanted…").

Internal Consent Scale (ICS)

The 25-item Internal Consent Scale (ICS) developed by Jozkowski et al. (2014) was designed to assess feelings associated with willingness to engage in sexual behaviour. Participants were asked to indicate on a 4-point Likert scale (1 = *strongly disagree*, 4 = *strongly agree*) the extent to which they felt each item during the last time they engaged in sexual intercourse. Participant scores were calculated by the sum of responses, which could range between 25 to 100, with a higher score indicative of greater feelings of willingness or consent during their most recent engagement in sexual intercourse, as well as mean scores calculated for each of the five factors and overall ICS.

Jozkowski et al. (2014) identified five factors in the ICS to explore a range of potential feelings that people may experience prior to and whilst engaging in a sexual interaction: Physical Response (six items, e.g., "I felt flushed" and "I felt erect/vaginally lubricated"); Safety/Comfort (seven items, e.g., "I felt respected" and "I felt comfortable"); Arousal (three items, e.g., "I felt aroused" and "I felt interested"); Consent/Want (five items, e.g., "The sex felt desired" and "The sex felt agreed to"); and Readiness (four items, e.g., "I felt sure" and "I felt willing"). Overall, Jozkowski et al.'s (2014) Cronbach's alpha coefficient for the ICS was $\alpha = .95$ which is considered excellent.

External Consent Scale (ECS)

The 18-item External Consent Scale (ECS) developed by Jozkowski et al. (2014) was designed to assess the variety of behaviours that people exhibit to communicate their willingness to engage in sexual intercourse. Participants were asked which behaviours they engaged in to indicate their agreement to engage in sexual activity. In the current study, participants selected whether they "Engaged in the behaviour" (coded 1) or "Did not engage

in the behaviour" (coded 0) the last time they had sexual intercourse, whereas the participants in Jozkowski et al.'s (2014) study checked a box if they engaged in the behaviour or left the box blank if they did not. Participant scores were calculated by the sum of responses, which could range between 0 and 18, with a higher score indicating a greater number of behaviours being used to communicate consent or agreement to engage in sexual intercourse, as well as mean scores calculated for each of the five factors and overall ECS.

Jozkowski et al. (2014) identified five factors in the ECS: Direct Nonverbal Behaviours (five items, e.g., "I removed mine and/or my partner's clothing" and "I increased physical contact between myself and my partner"); Passive Behaviour (four items, e.g., "I let the sexual activity progress to the point of intercourse" and "I did not resist my partner's attempts for sexual activity"); Communication/Initiator Behaviour (three items, e.g., "I used verbal cues such as communicating my interest in sexual behaviour or asking if they wanted to have sex with me" and "I indirectly communicated/implied my interest in sex (i.e. talked about getting a condom)"); Borderline Pressure (three items, e.g., "I took my partner somewhere private" and "I just kept moving forward in sexual behaviours/actions unless my partner stopped me"); and No Response Signals (three items, e.g., "It just happened" and "I did not say anything"). Jozkowski et al.'s (2014) Cronbach's alpha coefficient for the ECS was $\alpha = .84$ which is within the very good range.

Demographics

At the end of the questionnaire, demographic information was requested: gender, age, ethnicity, sexual orientation, relationship status, sexual relationship status, whether they currently reside in Aotearoa New Zealand, and whether they are currently enrolled at an Aotearoa New Zealand tertiary institution.

Procedure

The recruitment script invited young adults living in Aotearoa New Zealand to complete an online questionnaire about sexual consent. Participants were told that they would be asked about feelings that have influenced their decision to have sex, how/if they communicated their consent, and whether they agree or disagree with statements about sex and consent. It was acknowledged that their participation in the study would contribute to broader understandings of consent and sex culture among young adults in Aotearoa New Zealand. Participation was voluntary and could be withdrawn at any time. All responses were anonymous. The online questionnaire was available from February 2023 to November 2023.

Participants accessed the 79-item online questionnaire on their personal device via a short URL (bit.ly link) or QR code to the Qualtrics website that was specified on social media posts or printed on posters. Firstly, participants were presented with the Participant Information Sheet (Appendix E) and were requested to confirm their consent to participate in this research and that they were over 16 years old. Then, participants were asked "Have you engaged in sexual intercourse?" ('Yes' or 'No'): participants who answered 'Yes' were asked to complete the ICS to measure their experience of consent-associated feelings during their most recent sexual encounter, followed by the ECS to measure the behaviours they used to communicate their willingness to engage in sexual activity.

Then, all participants were presented with statements about sex and consent: the Token Resistance to Sex Scale (Osman, 1998) and Illinois Rape Myth Acceptance Scale - Short Form (Payne et al., 1999). The ICS, ECS, Token Resistance to Sex Scale, and Illinois Rape Myth Acceptance Scale - Short Form measures were presented in this sequence, but the items of each scale were presented in a randomised order. Finally, relevant demographic information was requested. Upon submission, participants were thanked for their participation, provided with a link to access a summary of findings once available, and

contact information for a range of specialist support services was displayed in case of any sense of discomfort.

Results

Preliminary Analyses

Preliminary analyses explored gender and sexual orientation differences for the Internal Consent Scale (ICS) and External Consent Scale (ECS). Subscales (see Table 2) for the ICS and ECS were calculated using the items originally published by Jozkowski et al. (2014).

Effect of Sexual Orientation on Sexual Consent

An independent samples t-test was conducted to investigate the effect of sexual orientation on mean ICS and ECS scores as the present study had a similar group size of participants who identified as heterosexual/straight (n = 186, 36.54%) and as Rainbow (n = 191, 37.52%; coded to include participants who described their sexual orientation as 'Gay or lesbian', 'Bisexual', or 'Asexual' from the provided list and respondents who used the 'Other' option to self-identify as Pansexual, Queer, Takatāpui, and Rainbow).

There was no significant difference in the overall mean ICS score for heterosexual (M = 3.46, SD = .64) and Rainbow (M = 3.42, SD = .64; $t(375) = .59$, $p = .554$) respondents, as well as no significant differences in mean scores for any ICS subscale.

There was also no significant difference in the overall mean ECS score for heterosexual (M = .74, SD = .18) and Rainbow (M = .71, SD = .15; $t(375) = 1.73$, $p = .084$) respondents. However, there was a significant difference in the No Response Signals subscale scores with heterosexual participants (M = 0.45, SD = .34) being more likely to report that "It just happened", "I did not say anything", or "I did not do anything…" than Rainbow participants (M = 0.31, SD = .32; $t(375) = 4.18$, $p = <.001$, partial $\eta^2 = .04$).

Effect of Gender and Relationship Status on Sexual Consent

A two-way between-groups analysis of variance (ANOVA) was conducted to

Table 2

Two-Way Analyses of Variance in Mean Internal Consent Scale and External Consent Scale Scores by Gender and Relationship Status

Dependent variables	Independent variables						Male/Female			M/F/Non-Binary(NB)		
	Single			In a relationship			Interact.	Group diff.		Interact.	Group diff.	
Mean scale score	Male *M* (SD) *n* = 24	Female *M* (SD) *n* = 136	NB *M* (SD) *n* = 20	Male *M* (SD) *n* = 18	Female *M* (SD) *n* = 169	NB *M* (SD) *n* = 11	*F*	Gender *F*	Rel. *F*	*F*	Gender *F*	Rel. *F*
ICS	3.23 (.67)	3.22 (.74)	3.27 (.73)	3.79 (.24)	3.62 (.46)	3.65 (.36)	0.66	0.85	22.82**	0.33	0.45	19.70**
Physical Response	3.17 (.67)	3.09 (.71)	3.17 (.70)	3.44 (.54)	3.28 (.60)	3.32 (.50)	0.17	1.23	4.69*	0.10	0.67	3.65
Safety/Comfort	3.08 (.84)	3.13 (.86)	3.08 (.89)	3.88 (.19)	3.72 (.52)	3.77 (.43)	0.77	0.26	37.27**	0.41	0.13	35.85**
Arousal	3.33 (.67)	3.28 (.85)	3.35 (.81)	3.85 (.42)	3.60 (.61)	3.55 (.48)	0.72	1.80	12.58**	0.50	0.90	8.39**
Consent/Want	3.48 (.73)	3.45 (.79)	3.58 (.64)	3.96 (.09)	3.80 (.45)	3.86 (.36)	0.40	0.85	16.46**	0.28	0.68	12.98**
Readiness	3.22 (.71)	3.27 (.81)	3.29 (.78)	3.88 (.23)	3.72 (.48)	3.77 (.39)	0.92	0.25	27.24**	0.46	0.15	24.55**
ECS	0.78 (.14)	0.70 (.19)	0.70 (.14)	0.78 (.18)	0.74 (.15)	0.71 (.18)	0.58	4.90*	0.75	0.36	2.72	0.59
Direct Nonverbal B.	0.96 (.10)	0.84 (.27)	0.88 (.19)	0.89 (.22)	0.91 (.18)	0.87 (.22)	3.93*	1.78	0.00	2.24	0.92	0.00
Passive Behaviours	0.89 (.21)	0.87 (.21)	0.86 (.22)	0.85 (.19)	0.90 (.20)	0.91 (.20)	0.82	0.62	0.83	0.48	0.13	0.10
Comm./Initiator B.	0.72 (.32)	0.62 (.37)	0.62 (.33)	0.85 (.24)	0.76 (.30)	0.70 (.38)	0.01	3.09	6.26*	0.11	1.80	4.60*
Borderline Pressure	0.67 (.28)	0.56 (.33)	0.64 (.24)	0.78 (.28)	0.67 (.35)	0.61 (.36)	0.00	4.02*	3.85*	0.56	2.05	1.29
No Response Signals	0.52 (.34)	0.43 (.34)	0.32 (.23)	0.46 (.35)	0.31 (.33)	0.30 (.35)	0.48	4.67*	2.68	0.59	3.08*	1.38

Note. ICS is Internal Consent Scale; ECS is External Consent Scale; Direct Nonverbal B. is Direct Nonverbal Behaviour; Comm./Initiator B. is Communication/Initiator Behaviour.

* $p \leq .05$; ** $p < .01$

investigate the effect of gender and relationship status on mean ICS and ECS scores presented in Table 2. ANOVA were performed separately for male/female (M/F) and male/female/non-binary (M/F/NB) gender groups.

Internal Consent to Sex. There were significant main effects for relationship status for each ICS subscale and the overall ICS measure in the M/F ANOVA: those in a relationship had higher mean scores than single individuals across Physical Response, Safety/Comfort, Arousal, Consent/Want, and Readiness ICS subscales. However, the effect sizes varied from small (Physical Response, F [1, 343] = 4.69, p = .031, partial η^2 = .01) to medium (Safety/Comfort, F [1, 343] = 37.27, p = <.001, partial η^2 = .10).

These group differences persisted for the overall ICS and four of the five subscales in the M/F/NB gender x relationship status ANOVA, whereas Physical Response was no longer significant, F (2, 372) = 3.65, p = .057. Overall, these findings corroborated the suggestion that those in a relationship may experience greater feelings of willingness during their most recent sexual interaction than single individuals.

In contrast, there were no main effects for gender and ICS factors in either ANOVA, suggesting that the experience of feelings of willingness during sexual activity do not differ by gender. The interaction effect between gender and relationship status for ICS scores was not significant in either the M/F, F (1, 343) = 0.66, p = .418, or M/F/NB ANOVA, F (2, 372) = 0.33, p = .717.

External Consent to Sex. Again, there were significant main effects by relationship status. Those in a relationship had higher mean Communication/Initiator Behaviour scores than single individuals in both the M/F, F (1, 343) = 6.26, p = .013, and M/F/NB ANOVA, F (2, 372) = 4.60, p = .033.

Borderline Pressure had marginal main effects for relationship status, F (1, 343) = 3.85, p = .050, and for gender in the M/F ANOVA, F (1, 343) = 4.02, p = .046: those in a

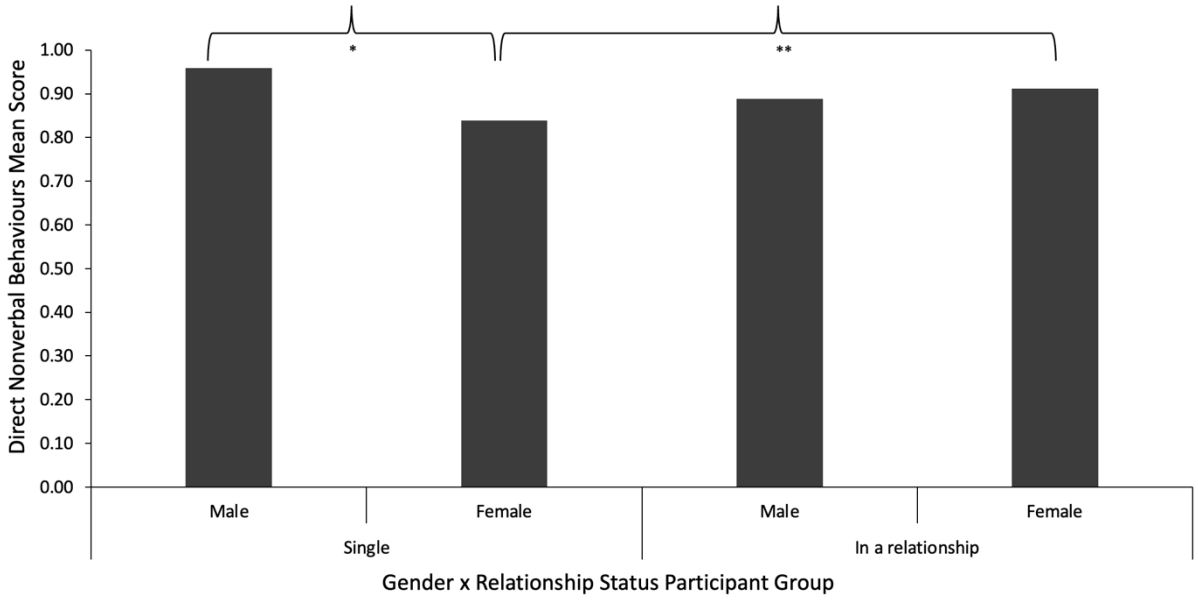
relationship had higher mean Borderline Pressure scores than single individuals and male participants had higher mean Borderline Pressure scores than female participants, suggesting that these groups are more likely to communicate consent by taking their partner somewhere private, closing a door, or continuing sexual behaviours unless stopped. However, when examining the M/F/NB ANOVA, these main effects for Borderline Pressure scores were no longer significant (relationship status, F (2, 372) = 1.29, p = .258, or gender, F (2, 372) = 2.05, p = .130).

Additionally, No Response Signals significantly differed by gender in the M/F ANOVA, F (1, 343) = 4.67, p = .031, with male participants reporting higher use of these behaviours. This persisted in the M/F/NB ANOVA, F (2, 372) = 3.08, p = .047.

Moreover, there was an interaction effect between M/F gender and relationship status for Direct Nonverbal Behaviours but this had a small effect size, F (1, 343) = 3.93, p = .048, partial η^2 = .01 (see Figure 1). This finding suggested that single male participants (p = .013)

Figure 1

Direct Nonverbal Behaviour Subscale Scores by Gender and Relationship Status



* $p < .05$; ** $p < .01$

and female participants in a relationship (p = .003) were more likely to use Direct Nonverbal Behaviours (such as increasing physical contact, using body language or flirting, or removing clothing) to express consent to sex compared to single female participants. This interaction effect did not persist in the M/F/NB ANOVA, F (2, 372) = 2.24, p = .108.

Overall, there were significant main effects by gender for total mean ECS scores in the M/F ANOVA, F (1, 343) = 4.90, p = .027, partial η^2 = .01. This result indicated that male participants were more likely to report using a variety of behaviours to express consent to sex than female participants. This main effect did not persist in the M/F/NB ANOVA, F (2, 372) = 2.72, p = .067. There were no other significant interactions.

Relationship Between Internal and External Consent to Sex

After completing the preliminary analyses, we began investigating the measures themselves. As shown in Table 3, when Jozkowski et al.'s (2014) factor structure is used, all ICS and ECS total scales and factors are significantly correlated with each other except ICS Physical Response and ECS No Response Signals (p = .084, which was also not significantly correlated in the original article). The full ICS had weak to strong positive relationships with ECS factors except for a negative weak relationship with No Response Signals, whereas the original study reported very weak to weak relationships, with r = .23 being the highest correlation coefficient (between full ICS and Direct Nonverbal Behaviours). In comparison, here, the full ECS was consistently moderately positively correlated with all ICS factors, yet the original findings posed very weak to weak relationships, with the highest correlation being r =.21 (ECS and Consent/Want as well as ECS and Readiness). Overall, the significant relationship between the full ICS and full ECS in the current study was moderate with r =.52, however, the original study reported that it was weak with r =.23. Given how highly correlated the subscales were in the present results and the difference in these correlations

Table 3

Correlation Matrix Between ICS and Factors x ECS and Factors

Factors	Internal Consent					
	Full ICS	Physical Response	Safety/Comfort	Arousal	Consent/Want	Readiness
External Consent						
Full ECS	.52***	.49***	.47***	.45***	.49***	.46***
Direct Nonverbal Behaviours	.61***	.52***	.55***	.52***	.60***	.54***
Passive Behaviours	.34***	.31***	.29***	.29***	.36***	.31***
Communication/Initiator Behaviour	.48***	.42***	.46***	.41***	.45***	.44***
Borderline Pressure	.36***	.31***	.34***	.29***	.34***	.34***
No Response Signals	-.21***	-.08	-.22***	-.17***	-.25***	-.24***

*** $p < .001$ (2-tailed).

compared to the original findings, the current study was interested in re-examining the constructs of the ICS.

Internal Consent Scale Revision

In the initial analysis, we replicated Jozkowski et al.'s (2014) parameters: the 25 items of the ICS were subjected to an exploratory factor analysis (EFA) utilising Varimax rotation with eigenvalues above 1. In contrast to the initial six factors or final five factors identified by Jozkowski et al. (2014) in the original article, principal component analysis in the current study revealed the presence of just two components with eigenvalues exceeding 1 to cumulatively explain 67.95% of the variance.

Accordingly, to compare to the original findings (see Appendix B), the present study's EFA was adapted to extract a fixed number of five factors (see Table 4). Here, the cumulative variance explained was 76.81%. Communalities ranged from .66 to .87.

Furthermore, as denoted by its original factor number (1 = Physical Response, 2 = Safety/Comfort, 3 = Arousal, 4 = Consent/Want, 5 = Readiness), Table 4 indicates that not all previously reported factor loadings and current study EFA loadings for ICS items correspond. Despite the EFA of the ICS in the current study being fixed to five factors in an attempt to validate the original components, the factor loadings do not align. Rather, Factor 1 is comprised of the Safety/Comfort subscale with the addition of "I felt ready" and "I felt sure" from the Readiness subscale; Factor 2 is a combination of the Arousal subscale, half of the Physical Response items, and "The sex felt desired" from the Consent/Want subscale; Factor 3 is composed of most of the Consent/Want items and "I felt willing" from the Readiness subscale; Factor 4 contains three Physical Response items; and Factor 5 is just "I felt aware of my surroundings" from the Readiness subscale. However, some factor loadings clearly differed from original factor allocations, such as Physical Response items "I felt rapid heart

Table 4

EFA Factor Loadings for Varimax Rotated Five-Factor Solution for ICS

ICS item	Factor loading				
	1	2	3	4	5
1.1 Rapid heart beat	-.05	.29	-.03	**.76**	.21
1.2 Flushed	.15	.11	.17	**.83**	-.03
1.3 Eager	.43	**.58**	.37	.26	.04
1.4 Heated	.28	.48	.19	**.55**	-.13
1.5 Lustful	.35	**.65**	.20	.34	-.07
1.6 Erect/Vaginally lubricated	.33	**.70**	.13	.15	.21
2.1 Secure	**.77**	.35	.24	.15	.19
2.2 Protected	**.74**	.26	.31	.08	.21
2.3 Safe	**.77**	.27	.30	.08	28
2.4 Respected	**.71**	.26	.36	.13	.22
2.5 Certain	**.72**	.39	.26	.12	.04
2.6 Comfortable	**.73**	.45	.20	.06	.10
2.7 In control	**.76**	.20	.24	.10	.04
3.1 Aroused	.26	**.77**	.29	.18	.21
3.2 Turned on	.34	**.79**	.17	.23	.10
3.3 Interested	.42	**.59**	.32	.25	.17
4.1 Consented to	.52	.22	**.72**	.11	.14
4.2 Agreed to	.40	.28	**.72**	.16	.14
4.3 Wanted	.50	.46	**.54**	.14	.02
4.4 Consensual	.51	.32	**.66**	.07	.18
4.5 Desired	.42	**.60**	.44	.13	.02
5.1 Ready	**.67**	.41	.34	.11	.06
5.2 Sure	**.72**	.34	.34	.11	.05
5.3 Willing	.53	.39	**.55**	.17	.17
5.4 Aware of my surroundings	.38	.17	.22	.08	**.79**

Note. $N = 507$. ICS items are denoted with the factor and item loading number from the original study. The extraction method was principal component analysis with orthogonal (Varimax with Kaiser Normalization) rotation. The highest factor loading for each item in the current study are in bold.

beat" and "I felt flushed" not loading alongside "I felt lustful" and "I felt erect/vaginally lubricated". Other items appear to have loaded onto more than one factor and were not as distinct as the 2014 findings, e.g., "I felt willing" loaded with its original Readiness subscale items (.53) as well as the Consent/Want subscale (.55).

Component correlations varied from -.05 to .71 with a majority of relationships being moderate to very strong. Hence, it is not reasonable to assume that components are not related as per the use of orthogonal Varimax rotation, and so, oblique Oblimin rotation may be more appropriate (Gorsuch, 2014). Additionally, the correlation coefficients for all original factor relationships were large (Cohen, 1988), ranging from Physical Response and Safety/Comfort, $r = .66$, $n = 509$, $p < .001$, to Safety/Comfort and Readiness, $r = .90$, $n = 509$, $p < .001$ (see Table 5). As expected, all factor relationships were positive and significant: as feelings of consent to sex increased in one factor, it did so in another.

These strong relationships between composite mean scores of ICS factors suggest that the original factors may not be investigating distinct constructs. In particular, Safety/Comfort and Readiness, Consent/Want and Readiness, Safety/Comfort and Consent/Want, and Physical Response and Arousal may explore similar feelings that influence an individual's sexual consent. Thus, the aforementioned findings suggested that a five-factor solution may

Table 5

Correlations Between Mean Composite Scores of Original ICS Factors

Factor	1	2	3	4
1. Physical Response				
2. Safety/Comfort	.66***			
3. Arousal	.83***	.75***		
4. Consent/Want	.70***	.86***	.78***	
5. Readiness	.68***	.90***	.76***	.87***

*** $p < .001$ (2-tailed).

not necessarily be the most appropriate. With the previous factors being highly correlated and the items not loading as cleanly on individual factors compared to the original Jozkowski et al. (2014) model, a fewer factor solution seemed likely. Consequently, the current study reran its EFA utilising Direct Oblimin rotation with eigenvalues exceeding 1.

Principal component analysis revealed the presence of two components with eigenvalues greater than 1, explaining 60.37% and 7.58% of the variance respectively. Presented in Table 6, this EFA suggested that the ICS may be refined into two components. Firstly, Factor 1 is distinctly comprised of 18 items: the seven original Safety/Comfort items, the five original Consent/Want items, the four original Readiness items, as well as "I felt eager" from Physical Response and "I felt interested" from Aroused. In contrast, Factor 2 was composed of three original Physical Response items that clearly describe physiological sensations ("I felt rapid heart beat", "I felt flushed", "I felt heated"). There were four items that loaded above .40 on both factors and subsequently allocated to Factor 2 due to connotations with the theoretical underpinnings of the factor and to increase the number of items on that subscale: "I felt lustful", "I felt erect/vaginally lubricated", "I felt aroused", and "I felt turned on".

Reliability analysis for the overall ICS, $\alpha = .970$, and Factor 1, $\alpha = .972$, showed high internal consistency. In previous studies, it appears as though this high inter-item correlation has been interpreted by authors as the ICS items all measuring the same construct: that the 25 items are all manifestations of internalised feelings of consent. However, DeVellis (2016) suggested that while alphas between .80 to .90 can be considered very good, a value much above .90 is indicative that the scale should be refined. Therefore, the current study suggests that the high Cronbach's alpha for Factor 1 is indicative of redundancy in the items: some of the items may actually be measuring the same feeling. This may be due to repetitive subscale items, e.g., "The sex felt consensual" and "The sex felt consented to", as well as synonymous

Table 6

Factor Loadings and Communalities for Direct Oblimin Rotated Two-Factor Solution for ICS Items

ICS item	Factor loading		Communality
	1	2	
1.1 Rapid heart beat	-.19	**.82**	.56
1.2 Flushed	-.01	**.70**	.48
1.3 Eager	**.60**	**.38**	.71
1.4 Heated	.23	**.65**	.62
1.5 Lustful	**.40**	**.55**	.66
1.6 Erect/Vaginally lubricated	**.47**	**.40**	.56
2.1 Secure	**.88**	.01	.78
2.2 Protected	**.90**	-.11	.73
2.3 Safe	**.94**	-.12	.79
2.4 Respected	**.89**	-.07	.74
2.5 Certain	**.83**	.04	.71
2.6 Comfortable	**.85**	.03	.74
2.7 In control	**.83**	-.10	.61
3.1 Aroused	**.51**	**.48**	.71
3.2 Turned on	**.47**	**.54**	.74
3.3 Interested	**.61**	**.36**	.70
4.1 Consented to	**.89**	-.08	.74
4.2 Agreed to	**.78**	.04	.64
4.3 Wanted	**.77**	.15	.72
4.4 Consensual	**.89**	-.04	.75
4.5 Desired	**.67**	.27	.69
5.1 Ready	**.83**	.05	.73
5.2 Sure	**.86**	-.01	.74
5.3 Willing	**.82**	.10	.76
5.4 Aware of surroundings	**.66**	-.09	.39

Note. $N = 507$. ICS items are denoted with the factor and item loading number from the original study. The extraction method was principal component analysis with oblique (Oblimin with Kaiser Normalization) rotation. Factor loadings at or above .30 are in bold.

words across subscales, e.g. “I felt certain” from the Safety/Comfort factor and “I felt sure” from the Readiness factor.

Therefore, the current study investigated whether items from the ICS could be systematically removed to reduce item redundancy whilst maintaining the theoretical constructs of Factor 1 and Factor 2. Thus, a rule was determined: if an individual item correlated with seven or more ICS items with a coefficient of 0.7 or greater (which would imply that more than 50 percent of the variance in that one variable can be explained by the other seven or more variables that it highly correlates with) then the item was deemed to be redundant.

Upon implementing this rule, Factor 1 was composed of seven items pulled from across five of the original factor allocations: “I felt eager”; “I felt protected”; “I felt in control”; “I felt interested’; “The sex felt agreed to’; “The sex felt desired”; and “I felt aware of my surrounds”. The Cronbach’s alpha at α =.905 was considered to be an improvement from α =.970. As the number of items was reduced, it signalled decreased redundancy and was more aligned with DeVellis’ (2016) recommendation.

As above, Factor 2 (α =.878) was comprised of seven items: “I felt rapid heart beat”, “I felt flushed”, “I felt heated”, “I felt lustful”, “I felt erect/vaginally lubricated”, “I felt aroused”, and “I felt turned on”.

Overall, the refined ICS (α =.932) contains 14 items. Seven items review feelings regarding the respondent’s sense of comfort whilst another seven items assess feelings pertaining to physiological sensations indicative of sexual arousal.

External Consent Scale Revision

Next, the current study re-examined the constructs of the ECS. Again, preliminary analysis replicated Jozkowski et al.’s (2014) parameters: the 18 items of the ECS were subjected to an EFA utilising Varimax rotation with eigenvalues above 1 (see Table 7).

Table 7

EFA Factor Loadings for Varimax Rotated Five-Factor Solution for ECS

ECS item	Factor loading				
	1	2	3	4	5
1.1 I increased physical contact	**.42**	.38	-.02	.32	.27
1.2 I engaged in some sexual activity…	.02	.14	-.14	**.79**	-.08
1.3 I touched my partner…	**.49**	.28	-.01	.28	.26
1.4 I used nonverbal cues…	**.44**	.35	.14	.25	.15
1.5 I removed mine and/or my partner's clothing	.33	.34	-.05	**.45**	.18
2.1 I did not resist my partner's attempts	.05	-.04	.04	.21	**.74**
2.2 I did not say no or push my partner away	-.02	.17	.04	-.04	**.78**
2.3 I let the sexual activity progress to intercourse	.16	-.14	.25	**.58**	.20
2.4 I reciprocated my partner's advances	.16	.33	.00	**.45**	.32
3.1 I initiated sexual behaviour and checked to see if it was reciprocated	**.60**	.22	.18	-.03	.06
3.2 I used verbal cues…	**.66**	.19	-.25	.09	-.11
3.3 I indirectly communicated/implied my interest…	**.66**	-.03	.16	.22	-.09
4.1 I took my partner somewhere private	.17	**.76**	.03	.18	-.00
4.2 I shut or closed the door	.13	**.75**	.02	-.04	.07
4.3 I just kept moving forward in sexual behaviours/actions unless my partner stopped me	.33	-.00	**.60**	.11	.20
5.1 It just happened	-.20	-.08	**.71**	-.08	-.07
5.2 I did not say anything	**-.60**	-.06	.50	.10	-.19
5.3 I did not do anything; it was clear…	.10	.18	**.66**	-.00	.05

Note. $N = 413$. ECS items are denoted with the factor and item loading number from the original study. The extraction method was principal component analysis with orthogonal (Varimax with Kaiser Normalization) rotation. The highest factor loading for each item in the current study are in bold.

Principal component analysis in the current study revealed the presence of five components with eigenvalues exceeding 1, as did Jozkowski et al. (2014) in the original article (see Appendix C). The five components cumulatively explain 53.24% of the variance. Communalities ranged between .42 to .67. Cronbach's alpha in the present study for the ECS was $\alpha = .71$ which is considered satisfactory. However, it is important to note that in the

present study, the factor loadings were not as clear as in the original study and items did not necessarily correspond with the previous loadings. The current study found comparatively lower loadings, instances of cross-loading, and conceptual overlap between factors, and so, it is difficult to distinguish distinct theoretical themes for the five factors regarding the present ECS factor loadings

Discussion

The current study intended to investigate how young adults in Aotearoa New Zealand conceptualise sexual consent by exploring self-reported internal states of willingness to engage in a sexual interaction as well as behavioural cues used to communicate agreement to participate in a sexual activity. A total of 509 participants aged 16 to 47 completed an online questionnaire comprised of Jozkowski et al's (2014) Internal Consent Scale (ICS) and External Consent Scale (ECS) as previous studies posited that these measures were a reliable and valid assessment of an individual's feelings of willingness (ICS) and their behaviours to express this willingness to a partner (ECS) during their most recent sexual engagement (Walsh et al., 2019; Willis, Blunt-Vinti, et al., 2019; Willis et al., 2022).

Initial Comparisons Between Current Results and Jozkowski et al's Results Using Their Factor Structure

Relationship Between Internal and External Consent to Sex

As expected, there was an association between internalised and externalised consent to sex. Overall, it is inferred that as feelings of willingness to engage in sexual activity increase, the number of behaviours used to express consent to sex increase. As the scales were used to assess feelings and behaviours related to the same sexual interaction, these significant correlations were expected.

The current study found that the full ICS had weak to strong positive relationships with ECS factors except for a weak negative relationship with No Response Signals. The ICS

Consent/Want factor had moderate to strong positive correlations with ECS Direct Nonverbal Behaviours and Communication/Initiator Behaviour factors, suggesting that feelings of the sex being consensual and wanted increased the use of active behaviours. This finding relates to Edwards et al.'s (2024) recent study that posited that participants emphasised expressions of desire and mutual "want" to engage in a sexual interaction as being an essential component of consent as well as active verbal and nonverbal communication. Additionally, this was reiterated by the weak negative relationship between ICS Consent/Want and ECS No Response Signals, indicating that feelings of the sex being consensual or wanted reduced reports of allowing sexual activity to "just happen". This finding could relate to Edwards et al.'s (2022) discussion about people avoiding direct communication for fear of rejection: if a person feels that the sex is wanted and agreed to, they may feel more confident to engage in active behaviour, thus reducing reliance on No Response Signals.

The current study found that the full ECS was consistently moderately positively correlated with all ICS factors, similar to the original Jozkowski et al. (2014) paper. Direct Nonverbal Behaviour (e.g., increased physical contact, removing clothing, and kissing) had the strongest relationships across ICS factors, indicating that these cues are associated with greater feelings of willingness to engage in sexual activity, followed by Communication/Initiator Behaviour (e.g., verbal cues, implied interest, checking for reciprocation) with consistent moderate positive relationships across ICS factors. Past research also supported use of nonverbal cues as indications of consent (Beres, 2010; Beres, 2022; Edwards et al., 2024; Hickman & Muehlenhard, 1999) as some people feel more comfortable communicating nonverbally (Blunt-Vinti et al., 2019), particularly as nonverbal signals are perceived to be less awkward or embarrassing and less likely to "ruin the mood" (Curtis & Burnett, 2017; Edwards et al., 2022; Shumlich & Fisher, 2020). However, they are also more open to interpretation (Edwards et al., 2022; Muehlenhard et al., 2016). As verbal

and nonverbal communication is associated with increased sexual satisfaction (Blunt-Vinti et al., 2019), Communication/Initiator Behaviours – especially verbal cues – are also supported in past research as standards of consent (Beres, 2010; Beres, 2022; Edwards et al., 2024; Hickman & Muehlenhard, 1999), with a recent study by Piemonte et al. (2020) highlighting that an explicit verbal consent scene in a written erotica was rated equally or more favourably, thus perceived as "sexier" and more appealing, than excerpts with implicit consent cues.

Overall, the full ICS and full ECS had a moderate positive relationship in the current study. Previously, Jozkowski et al. (2014) discussed that the weak to moderate relationship strength supported the distinction of internal and external consent as distinct concepts that require two separate measures, which the current study also supports.

Internalised Feelings That Influence Sexual Decision-Making

Firstly, when comparing mean scores from heterosexual and Rainbow groups, there were no differences in ICS subscales or totals, indicating that internalised feelings about willingness to engage in sexual behaviour may not be influenced by sexual orientation. This is congruent with Walsh et al.'s (2019) result that ICS means did not significantly differ by sexual orientation.

Next, the present findings, which corroborate Jozkowski et al.'s (2014) results, indicated that those in a relationship tend to experience greater feelings of willingness during their most recent sexual interaction compared to single individuals in regards to feeling safe/comfortable, aroused, consenting/wanting, and ready. Jozkowski et al. (2014) and Marcantonio et al. (2018) postulated that people in a relationship may experience stronger feelings of willingness due to an enhanced sense of familiarity, comfort, confidence, and romance. For example, Marcantonio et al. (2018) reported that women who engaged in vaginal-penile sex with a serious partner endorsed feelings of Safety/Comfort, Consent/Want,

and Readiness on the ICS more so than women with a first-time partner. Hence, it was suggested that the feelings described on the ICS may lend themselves more to situations of sexual behaviour with a serious partner than a first-time partner, e.g., feelings of comfort, security, and being in control.

Unlike Jozkowski et al.'s (2014) results, the current study found no gender differences in any analyses of feelings of willingness. The original article suggested that men scored higher on the ICS and its factors, except for Physical Response, indicating that men more highly experience feelings associated with safety/comfort, arousal, consent/want, and readiness than women. The authors related this finding to traditional sexual scripts: that men are expected to always be willing to have sex, and so, may be less inhibited about their feelings, whereas women may be more conflicted about their internalised feelings to engage in sex due to social pressures to conform to conflicting expectations regarding their sexuality.

However, the lack of gender differences in the current study could be a reflection of social change since the original article was published in 2014. Beres et al. (2019) explained that despite common attitudes that men should initiate sex while women act as the "gatekeepers", "shifts are beginning to occur in the "traditional" sexual script such that it is becoming more common for women to initiate sex, with increasing space for men to refuse such initiations" (p. 127). This could be influenced by the rise of the #MeToo movement challenging rape culture and traditional sexual scripts (Nicholls, 2020) alongside increased popularity of the "Yes Means Yes" standard of consent in popular culture (Beres, 2018) over the past decade. For instance, a recent study by Healy-Cullen et al. (2023) explored how young New Zealanders' sexual scripts are influenced by internet pornography, in which participants spoke about feeling capable of thinking critically about these depictions of sex, such as challenging stereotypically gendered roles, recognising that consent is not present, and acknowledging that safe sex is not practiced. Overall, gender differences in internalised

feelings to consent to sex may be alleviated as women may feel more liberated in their sexuality in contemporary society.

Externalised Behaviour to Communicate Sexual Willingness

For overall ECS scores, there was no difference between heterosexual and Rainbow participants, indicating that externalised behaviours of consent to sex were not influenced by sexual orientation; again, aligned with Walsh et al.'s (2019) result from their confirmatory factor analysis. In contrast, males reported higher ECS scores than females which is conceptually relevant as men are expected to be sexually pursuant in traditional sexual scripts (Powell, 2010), so while attitudinal shifts may be starting to occur (Beres et al., 2019), this finding inferred that men may still be predominantly directing sexual interactions through their behavioural expressions.

Regarding Direct Nonverbal Behaviours, single males and females in a relationship were more likely to touch their partner, show them what they wanted through touch, or increase physical contact between themselves and the other person, than single females were. This difference by relationship status for women resembled a study conducted by Marcantonio et al. (2018), who found that women engaging in sexual behaviour with a serious partner were more likely to self-report use of indirect and nonverbal consent cues compared to women interacting with a first-time sexual partner. The authors related this to sexual precedence theory: that once sexual partners consensually engage in a behaviour, it can become an expected standard, and so, the partners perceive less of a need to explicitly grant or receive communicated consent (Willis & Jozkowski, 2019). Overall, these findings somewhat correspond with Shumlich and Fisher's (2018) results that males with a long-term partner (75.56%) most frequently described sex as "proceeding with escalating intensity of nonverbal sexual behaviour", followed by females with a long-term partner (75.00%), males with a new partner (73.91%), and females with a new partner (65.38%).

The other factor defined by Jozkowski et al. (2014) that pertained to active communication was Communication/Initiator Behaviour. Rainbow respondents scored higher on the "I used verbal cues such as communicating my interest in sexual behaviour or asking if they wanted to have sex with me" item of this subscale. Despite no significant difference in overall Communication/Initiator Behaviour subscale scores by sexual orientation, this difference in item mean score indicated that Rainbow young adults may be more actively communicating sexual consent through direct verbal cues than heterosexual young adults. This finding related to Beres' (2022) thematic analysis which suggests that the Aotearoa New Zealand Rainbow community have sophisticated articulations that could inform wider social conceptualisations of sexual consent. Through interviews with 34 queer adults about negotiating sexual experiences and making decisions about sex, verbal consent was a prominent theme: many participants explained that verbal negotiations were imperative to understanding whether their partner was willing to have sex, and this verbal assentation enabled them to communicate their thoughts and feelings. Most respondents specified that verbal communication was preferred but that this encompassed a range of verbal cues, including talking about preferences and desires. Additionally, participants described perceiving their partners' comfort, discomfort, or hesitation through "tuning in" – this ranged from "just knowing" based on a partner's active participation, to a feeling that both partners were present mentally and emotionally, to continuously gauging a person's willingness during sex by attending to verbal and physical signals (and stopping when they noticed an absence of connection). Interestingly, some participants considered verbal consent inadequate at times, e.g., "And she said "Mmm hmm" And like that is not enough consent for me…It was the combination of the tone of her voice and the fact that she kept her legs closed, so I would have had to open them". Thus, Beres (2022) elaborated on discussions about same-sex interactions not having stereotypical traditional sexual scripts, and so, partners may be more

inclined to explicitly verbally communicate as they are not necessarily able to rely on social norms to navigate a sexual event.

Additionally, those in a relationship indicated that they were more likely to exhibit Communication/Initiator Behaviour, which may be due to those in a relationship being more at ease in communicating consent (Shumlich & Fisher, 2020). Studies suggest that casual partners engaging in vaginal-penile intercourse communicate more passively and less directly than committed partners (Willis, Hunt, et al., 2019). Young adults interviewed by Beres (2010) identified three ways that they understand casual partners' willingness to engage in sex: tacit knowing, refusing sex, and active participation. All participants described patterns of behaviour that partners use to communicate during casual sex, with many identifying verbal cues of disinterest or refusal and nonverbal signs of resistance. However, in contrast, verbal communication was not discussed as a primary communication strategy between casual sexual partners.

Furthermore, males scored higher on the Communication/Initiator Behaviour verbal cue item than females (although there was no difference in the overall subscale score by gender). In Willis, Hunt et al.'s (2019) study, men were more likely than women to use explicit verbal cues relative to implicit nonverbal cues for a range of sexual behaviours, including genital touching, receiving oral sex, and vaginal-penile sex. Perhaps this is influenced by traditional sexual scripts that illustrate men as the enactors of a sexual interaction in conjunction with "Yes Means Yes" standards promoting affirmative consent.

Contrary to Jozkowski et al.'s (2014) result, males in the current study reported higher use of No Response Signals than females. Walsh et al. (2019) also reported that men had higher mean No Response Signals scores than women, however, they did opt to exclude this subscale from further analysis due to low factor loadings and poor Cronbach's alpha. In regards to the current study, this finding somewhat juxtaposed the result of men reporting

higher total ECS scores than females. Further research into how these items are interpreted may be useful as the item may be misperceived by participants – “It just happened” may not necessarily be reminiscent of a lack of any communicative behaviour, but rather, conveying that the sex was spontaneous (which is more likely to be endorsed as sexually satisfying) instead of prearranged (Kovacevic et al., 2024). Additionally, heterosexual participants were more likely to posit, overall, that sexual behaviour “just happened”, that they “did not say anything”, or report “I did not do anything; it was clear from my actions or from looking at me that I was willing to engage in sexual activity/sexual intercourse” than Rainbow respondents.

Lastly, those in a relationship were more likely to communicate consent to sex through what Jozkowski et al. (2014) described as Borderline Pressure: taking their partner somewhere private, closing a door, or by continuing sexual behaviours unless stopped. However, this finding does contrast Jozkowski et al.’s (2014) result of single individuals reporting higher scores on the Borderline Pressure subscale, with these authors speculating that single people may rely more on persuasive cues to express consent to sex. The current finding could also be influenced by sexual precedent as Muehlenhard et al. (2016) explained that a shift takes place within the context of a committed sexual relationship: consent becomes the standard, and so, willingness is assumed unless a partner communicates refusal. In another thematic analysis by Beres (2014b), young adults who were interviewed about negotiating sexual experiences with their partner raised that they did not consider consent to be relevant in their personal ongoing relationships, however, this contradicted how many participants described their sexual interactions and how they expressed their willingness to have sex. Ergo, there was a disconnect in how young adults conceptualised (1) sexual consent and (2) their willingness to have sex; consent was described as a minimum requirement for acceptable sex and as a discrete event, rather than discussed in regard to successfully

negotiating instances of differing levels of desire or when they desired to engage in different sexual behaviours. Moreover, males indicated that they used these external cues to signal consent more frequently than females. Jozkowski et al. (2014) also reported this, but due to their analyses pertaining to endorsement of token resistance to sex and rape myth beliefs, concluded that there was a correlation between these beliefs and behaviours that may imply disregard for consent. Although, it may be reasonable to refer, again, to a traditional sexual script in which a man is presumed to be responsible for initiating a sexual interaction and the woman thus acts as the "gatekeeper" of sex (Wiederman, 2015).

Internal Consent Scale Refinement

It soon became apparent that a principal aim of the current study was to perform an exploratory factor analysis (EFA) of the ICS and ECS measures published by Jozkowski et al. (2014). EFA is used to explore the number and nature of factors, thus determining the intercorrelations between items and the underlying variable structure of a psychometric measure (MacCallum, 2009; Osborne & Fitzpatrick, 2012). The current study chose to apply this statistical modelling tool as Walsh et al.'s (2019) confirmatory factor analysis for the ICS was deemed to have an acceptable fit index, though it was borderline; while there may have been a reasonably acceptable representation of the underlying structure, the fit statistics suggested that improvement was possible with further examination. Additionally, EFA was selected as when the current study forced the ICS into a five-factor solution in an attempt to replicate Jozkowski et al.'s (2014) factor structure, the items did not load onto the same factors or at the same magnitude. Hence, the current study was interested in exploring the underlying structure of the ICS.

Preliminary EFA assessed whether the basic factor structure replicated Jozkowski et al. (2014) by utilising the same procedure of Varimax rotation with eigenvalues exceeding 1. However, a two-factor solution was produced. So, a second EFA was designed to extract a

five-factor solution so that item configuration could be compared. The strongest loading for each of the items were not necessarily congruent between the original article and current study. Unsurprisingly, this solution was not as clean as Jozkowski et al.'s (2014) original structure: 76 percent of the current study's factor loadings were lower than the original findings (e.g. "I felt willing" previously loading at .77 versus now at .55), indicating that the relationship between the variables in the factors were weaker.

Therefore, in this instance, the ICS failed to meet structural replicability. Osborne and Fitzpatrick (2012) explained that the lowest threshold for EFA replicability should be repeating the same basic structure by extracting the same number of factors whereas a more rigorous threshold would be duplicating the number of factors extracted, having the same items assigned to the same factors, and the same range of magnitudes of factor loadings within reason. As these thresholds were not met, low replicability lowers confidence that a particular measure will behave as expected in data subsets or a new sample, and so, there is less reason to expect the factor structure of the ICS to replicate in future samples.

If using Jozkowski et al.'s (2014) cross-loading criteria of items on multiple factors at 0.3 or higher, all but four items cross-loaded onto Factor 1 ("I felt rapid heart beat", "...flushed", "...heated", and "...aroused"). Overall, all five factors were assigned different items in this second EFA in comparison to the original Jozkowski et al. (2014) findings, which suggests volatility in the factor structure. While the seven items of the Safety/Comfort subscale did load altogether, "I felt ready" and "I felt sure" from the Readiness subscale also loaded onto this now nine-item Factor 1. Again, the three items of the Arousal subscale loaded together, but three items from Physical Response ("I felt eager"; "...lustful"; "...erect/vaginally lubricated") as well as "The sex felt desired" from the Consent/Want subscale loaded onto this now seven-item Factor 2. The remaining four Consent/Want subscale items loaded together with "I felt willing" from the Readiness subscale to create a

five-item Factor 3, whereas the remaining three items from Physical Response loaded without other items on Factor 4. Lastly, “I felt aware of my surroundings” from the Readiness subscale loaded by itself on Factor 5.

Due to this volatility, a third EFA with revised parameters was performed using Direct Oblimin rotation with eigenvalues exceeding 1. Thus, a two-factor solution was obtained, indicating that the ICS may be simplified into just two constructs. All items had primary factor loadings between .47 to .94 with some items cross-loading above .30 (which were attributed to Factor 2: eager; lustful; erect/vaginally lubricated; aroused; turned on; interested), so despite being reduced from five to two factors, the ICS loadings were still not as clean as the original factor structure. Reliability analyses for the overall ICS and Factor 1 showed very high internal consistency ($\alpha = \geq .970$) which indicated that the scale should be refined due to redundancy in items (DeVellis, 2016).

Thus, the current study applied the maxim of Occam’s razor – the principle of parsimony; that assumptions should not be multiplied unnecessarily – as the simplified two-factor solution effectively captured the relevant underlying theory that underpinned the original ICS (Braithwaite, 2007; Schmidt, 2010). Final analyses involved systematically removing items to further simplify a refined ICS to emphasise necessary items. Initially, the residual correlations between items were revised but this revealed almost total redundancy of all items. Thus, a rule was set that if an individual item correlated $r = \geq 0.7$ (e.g., variance in common of $\geq 50\%$) with seven or more other items, then that item was deemed to be redundant. Eleven of the original 25 ICS items met this elimination rule, creating a refined 14-item factor structure to improve the internal consistency and reduce redundancy. Now, the ICS can be thought of as a two factor scale made up of seven items in each subscale.

Factor 1 is comprised of seven items that span a range of positive feelings associated with affirming one’s willingness to consent to sex: a sense of enthusiasm (“I felt eager”),

safety (“I felt protected”), autonomy (“I felt in control”), attentiveness (“I felt interested”), mindfulness (“I felt aware of my surroundings”), personal intent (“The sex felt desired”), and negotiation (“The sex felt agreed to”). These feelings align with affirmative standards of sexual consent that endorse an enthusiastic agreement to engage in informed sexual behaviour that is free from coercion (National Sexual Violence Resource Center, 2015; Rape Prevention Education, 2020). As sexual violence can be defined as sexual acts that are imposed toward or upon another person without their consent, thus violating that person’s autonomy (Gavey, 2014), Factor 1 highlights ICS items that resonate with key terms in sexual consent promotion and sexual violence prevention discourse. These feelings may contribute to the notion of Sexual Consent Information discussed by Shumlich and Fisher (2020); that these generalised emotional responses and cognitive perceptions (and subsequent judgments) of the sexual situation enable prompt sexual decision-making based on how these feelings influence sexual consent motivation via cognitive heuristics, which are useful to reduce cognitive load when a sexual interaction is commencing. Overall, Factor 1 consolidates the original five factors into one subscale: two items from Safety/Comfort as well as two items from Consent/Want as these are the dominant themes in Factor 1, alongside one item from Readiness, and one item from Physical Response and Arousal (which were arguably more ambiguously pertaining to physical sensations than those in Factor 2).

Factor 2 is posited to represent feelings indicative of physiological sexual arousal. Chivers and Brotto (2017) explained that this term describes physical sensations in response to sexual stimuli, such as cardiovascular and respiratory responses, increased heart rate and blood pressure to increase blood flow to the genitals, and genital vasocongestion, which are captured by Factor 2 via the items “I felt rapid heart beat”, “I felt heated”, “I felt flushed”, and “I felt erect/vaginally lubricated”. These processes tend to be automatic and unconscious in response to the presentation of a sexual stimuli, thus activating a series of viscerosomatic

responses, regardless of intention to engage in sexual behaviour (Janssen et al., 2000). Ergo, attentional cognitive processes evaluate and feedback to modulate overall sense of sexual desire and willingness (Ågmo & Laan, 2024; Janssen et al., 2000). Peterson and Janssen (2007) summarised that positive and ambivalent emotions were associated with high levels of sexual response, however, some people also report heightened arousal in conjunction with negative affect. Thus, the items loaded on Factor 2 may be more reflective of the respondent's physiological feelings, with the items "I felt lustful", "I felt aroused", and "I felt turned on" associated with physical sensations.

Independently, each of these items is not totally indicative of one's consent to participate in sexual behaviour; rather *Consent as an Internal State of Willingness to Engage in Sexual Behaviour* is a multidimensional process of these feelings that may influence overall sense of sexual willingness, desire, pleasure, and positive sexual experience (Javidi et al., 2023; Muehlenhard et al., 2016; Peterson & Janssen, 2007; Willis et al., 2021).

As quantitative consent research is emerging in Aotearoa New Zealand, the ICS may be a beneficial measure to explore what feelings contribute to sexual decision-making in this sociocultural context. These feelings appear to be more dynamic rather than static (Willis et al., 2021), so conducting research with a consistent psychometric measure may enable comparisons between studies and develop overall insights into how young adults in Aotearoa New Zealand understand consent to sex. These findings can inform broader policy, such as consent education guidelines and law reform advocacy.

External Consent Scale Recommendations

Next, the current study performed an EFA following Jozkowski et al.'s (2014) parameters of Varimax rotation with eigenvalues above 1 to examine the underlying factor structure of the ECS. A five-factor solution was obtained, as was in the original paper, but the

items did not necessarily correspond with the previous loadings posited by Jozkowski et al. (2014).

To start, Jozkowski et al. (2014) described the factor comprised of the items "I took my partner somewhere private", "I shut or closed the door", and "I just kept moving forward in sexual behaviours/actions unless my partner stopped me" as Borderline Pressure, reporting that the three items loaded between .65 to .77. The previous rhetoric posited that: (1) men scored higher than women on this factor, indicating that they use this external signal to indicate consent more frequently; (2) single participants reported higher scores than those in a relationship; and (3) Borderline Pressure was positively correlated with belief in token resistance to sex and rape myth acceptance for men, leading to the suggestion that men who scored higher endorsement ratings of token resistance and rape myth acceptance statements were more likely to report engaging in Borderline Pressure behaviours to facilitate sex. Jozkowski et al. (2014) suggested that perhaps men who endorse beliefs in behaviours which seem to imply a disregard for consent are more likely to engage in behaviours which are on the verge of pressure. However, in the current study, "I shut or closed the door" (.75) and "I took my partner somewhere private" (.76) loaded onto the same factor (and were the only items loaded on this factor) whereas "I just kept moving forward in sexual behaviours/actions unless my partner stopped me" loaded at -.00; there was no correlation whatsoever. Thus, the latter loaded at .60 with "It just happened" (.71) and "I did not say or do anything, it was obvious" (.66). In the current study, male respondents were significantly more likely to take their partner somewhere private as a way to convey their willingness to have sex, but there were no gender differences in continuing behaviour unless stopped. Jozkowski and Willis (2020) employed fictional vignettes to assess perceptions of transitioning from a public to private setting as a cue of consent. Participants perceived the characters as being more likely to be willing to engage in genital touching, oral sex, and vaginal-penile sex when the

statement depicting "[Kim/Mike] invites [Kim/Mike] to get a ride home with [her/him]. [Mike/Kim] accepts." This finding reinforced discourse in participant interviews by Beres' (2010) who discussed tacit knowing – that people just know when they are both interested in engaging in casual sexual behaviour – which included whether or not someone was interested in transitioning from a public location (e.g., a bar) to a private location. Thus, it appears to be reasonable that these two items would standalone as separate signals to communicate consent to sex, and that these may be more appropriately described as Privacy Behaviours rather than Borderline Pressure.

As expected, No Response Signals were maintained as this category pertains to a lack of behaviour to convey consent. The addition of "I did not say or do anything, it was obvious" is somewhat theoretically aligned. However, this was the only factor to be excluded from further analyses in Walsh et al.'s (2019) confirmatory factor analysis due to poor factor loadings and low internal reliability which suggests that there is instability in the underlying structure. Additionally, it is interesting that both "I did not resist my partner's attempts" and "I did not say no or push my partner away" from the Passive Behaviour factor only loaded at .04 despite these items being phrased in a similar way, indicating that there may be nuance between Passive Behaviour and No Response Signals. The third item from the Passive Behaviour factor, "I let the sexual activity progress to intercourse", loaded on No Response Signals at .25, which makes sense conceptually. In contrast, the last Passive Behaviour item, "I reciprocated my partner's advances", loaded on No Response Signals at .00 which was also expected as this is a more active behaviour (and arguably not passive as there is an active response). However, people often rely on a lack of direct or verbal behaviour to communicate consent to sex, often indicating that sex "just happened" because partners "just knew" that they were mutually willing to engage in sexual behaviour despite acknowledging that a "Yes Means Yes" affirmative standard of consent is preferable (Beres, 2010; Hickman &

Muehlenhard, 1999; Jozkowski et al., 2014; Shumlich & Fisher, 2018). Hence, it is imperative that there is an effective measure to employ in studies as research endeavours to develop our psychological understanding of this phenomenon.

Furthermore, the original three item Communicator/Initiation Behaviour subscale did clearly load with itself, with "I used verbal cues…", "I initiated sexual behaviour and checked to see if it was reciprocated", and "I indirectly communicated/implied my interest…" loading in the range of .60 to .66. However, these items also loaded with Direct Nonverbal Behaviours items that described increasing physical contact, touching their partner, and using nonverbal cues. However, it is inferred that it could be reasonable that these six behaviours could load together as these could be interpreted as more communicative if the respondent was an initiator in the interaction. Young adults interviewed by Beres (2010) specified that consent was communicated by pushing into a partner, pulling a partner closer, sighing, breathing, and moaning. Perhaps future ECS development could explore whether the inclusion of more direct nonverbal behaviour items would be beneficial.

Moreover, a potential limitation with the current ECS is the lack of direct verbal communication items. Firstly, the item, "I used verbal cues such as communicating interest in sex or if they wanted to have sex with me", could be two separate cues as the first part refers to communicating one's willingness whereas the latter is about verifying their partner's willingness. To compare, Hickman and Muehlenhard (1999) specified a five-item Direct Verbal Signals subscale in their measure of self-consent ratings, including the respondent saying "Yes", "I want you", and "I would like to sleep with you". With the prominence of the "Yes Means Yes" standard of consent, it may be beneficial for future research to capture more information about what verbal signals are being used. Additionally, "Indirectly communicated or implied interest" could be revised to specify verbal cues, such as asking about safe sex.

Overall, EFA of the ECS repeated a five-factor solution and satisfactory internal reliability suggested that the ECS, when used as a full 18-item scale, may be an appropriate measure of behaviours used to communicate willingness to engage in sexual activity. However, due to factor loadings being inconsistent between the original and present studies, the current results do not support the subscales posited in the ECS. Due to inconclusive findings about the underlying factor structure, caution is advised regarding the selective use of subscales for research exploring certain constructs. As discrepancies make interpretation difficult, we suggest that future researchers who intend to use the ECS look at the scale as a whole.

Therefore, it may be beneficial to consider alternative measures of behaviours that communicate consent. Willis et al. (2021), including Jozkowski from the original study as a co-author, decided to adopt a broader classification of external consent. Rather than employing the ECS alongside the ICS, this study developed a 20-item External Consent Communication scale comprised of four subscales which was then refined to just four items to represent the four constructs of behavioural consent identified through interviews, expert consultation, and a pilot study: Explicit ("I used straightforward signals to communicate my willingness to engage in these sexual behaviors"); Implicit ("I used subtle signals to communicate my willingness to engage in these sexual behaviors"); Verbal ("I verbally communicated my willingness to engage in these sexual behaviors"); and Nonverbal ("I nonverbally communicated my willingness to engage in these sexual behaviors"). While this scale may be too concise for some research aims, it may be useful to consider how behaviours could be framed into these broader themes rather than the five factors proposed in the 2014 article.

Strengths and Limitations

The current study had its strengths and limitations. Firstly, the study employed an online questionnaire which was beneficial for engagement with a young adult sample. This improved accessibility and enabled young adults from several cities across Aotearoa New Zealand to participate – providing a further strength of participants being from various locations, thus generating a more representative sample, especially as recruitment channels were not limited to Auckland institutions. Additionally, the self-complete online format provided privacy and ensured anonymity as no personal information was collected; the comfort of participants was paramount as sex and consent can be sensitive topics for some people.

A limitation with the current study was the skewed sex distribution of the sample due to low engagement from male (8.25%) and non-binary (6.29%) respondents. Though, as 25.34 percent of participants did not report their sex, it is possible that there were undisclosed male and non-binary participants. Walsh et al. (2019) also experienced this issue when conducting their confirmatory factor analyses of the ICS and ECS, indicating that there is a recurring issue here. Reiterating their suggestion, future studies could oversample male and nonbinary young adults to address this limitation.

Moreover, another limitation was the attrition rate with 34.24 percent of records being unusable (notably the 159 recorded responses that did not include a response to any psychometric item and thus omitted due to incompletion). As demographic information was not collected until the last section of the questionnaire, it was not possible to determine whether there were characteristic differences between who did or did not opt out of completing the questionnaire.

Future Research

There are many avenues that future research could explore. Most relevant to the current study is that further research employs the refined ICS to test whether the two-factor, 14-item version is a reliable, valid measure of feelings that influence sexual decision-making. We recognise that EFA is not a tool for testing hypotheses and further research using confirmatory factor analysis is required to verify the ideas posited here (Osborne & Fitzpatrick, 2012).

Due to the current study's EFA being inconclusive, it would be useful for future research to continue to explore how behaviours to express consent to sex can be measured. Future research may consider expanding the ECS to include additional verbal behaviours to elucidate more insights, including direct explicit verbal communication to address whether the popularised "Yes Means Yes" standard of consent is being practiced in sexual interactions among young adults.

To amplify the voices of people from Rainbow communities who advocated for investment in sexual violence prevention to shift attitudes and social beliefs at Te Puna Aonui's hui for *Te Aorerekura*: there is a need for culturally informed sexual violence prevention approaches that weave LGBTQIA+ cultural lenses, and address issues of stigma and discrimination, such as heteronormativity which is prevalent in the current sexual consent literature. Members of the hui emphasised that consent education must include diverse sexualities and genders, and so, highlighted that further research which explores how sexual consent is conceptualised by Rainbow young people is essential. Te Puna Aonui's (2022) engagement process emphasised that more data and research is imperative, and that research and data collection methods need to be designed by Rainbow communities so that relevant information is appropriately collected without exclusion. This is crucial research as previous

reports by Ministry of Justice (2022) estimated that LGBT+ adults were more than six times as likely as heterosexual adults to experience sexual assault.

Developing insights into how consent to sex is contextualised in the Aotearoa New Zealand sociocultural context is imperative given the contemporary political climate. Despite Te Aorerekura calling for psychoeducational resources to ensure that young people learn about how to navigate consensual relationships as a tool to break the cycle of violence by changing attitudes, behaviours, and norms to strengthen protective factors at the individual, whānau, community, and broader societal levels in Aotearoa New Zealand, the coalition Government pledged to remove current Relationship and Sexuality Education Guidelines. This has prompted concern from the education sector which has asserted that a regressive form of schooling that does not reflect the modern world will repress knowledge about consent, inclusion, and shifting societal norms for young people (Huston, 2023). Combined with ACC (2022) terminating funding of its consent and healthy relationships programme in high schools (while signposting to Ministry of Education guidelines as being the key resource), there are concerns that inadequate consent education for secondary school students is going to further perpetuate violence and exacerbate harm whilst undermining the actions defined in Te Aorerekura (Tyson, 2023). Thus, this paper urges future research to contribute psychological understanding to the discourse of consent education and sexual violence prevention. Beres (2020) interviewed rape prevention educators in Aotearoa New Zealand who endorsed sexual consent education as a critical strategy to potentially reduce sexual violence, especially a strengths-based approach that emphasises respectful, empathetic relationships and encourages conversations about what consent is. However, Beres (2020) acknowledged that, due to rapid expansion of consent education, further psychological knowledge is needed to develop theoretical frameworks, such as conceptualisations of consent and mechanisms for change.

Furthermore, there is also advocacy in the legal space currently underway. Future research that explores consent behaviours will enable meaningful contributions toward Te Aorerekura's commitment to effective statutory responses. The Report of the Justice Committee (New Zealand Parliament, 2023) in response to the public petition (New Zealand Parliament, 2022) agreed that a consistent definition of consent in legislation may help to protect victims of sexual offences and referred to comments by the Ministry of Justice that comparable jurisdictions had conducted legislative reform to address sexual consent. Future research to develop a robust conceptualisation of what affirmative consent looks like in the Aotearoa New Zealand context is essential for legislation to accurately reflect the realities of how sex is practiced.

Conclusion

To address the harm inflicted through the endemic of sexual violence across all communities in Aotearoa New Zealand, Te Aorerekura strives to enable everyone to thrive with enhanced and sustained wellbeing (Fanslow et al., 2021; Gavey, 2014; Te Puna Aonui, 2021). Thus, contemporary sex and consent culture is popular discourse, including debates about Relationship and Sexuality Education Guidelines (Huston, 2023; Mental Health Foundation, 2024; Ministry of Education, 2020; New Zealand National Party & New Zealand First, 2023; Tyson, 2023) and law reform (Lardies, 2023; Macdonald, 2022; New Zealand Parliament, 2022, 2023; Thompson, 2022) as modern society manages a shift in social norms and attitudes to adapt from traditional sexual scripts (Beres et al., 2019; Wiederman, 2015).

However, so that realistic portrayals of sexual consent can be captured in relevant policy, it was essential that the current study provided initial evidence for the local sociocultural context. Therefore, the present study aimed to explore internal cues of consent to sex (feelings that influenced the decision to engage in their most recent sexual activity) and

external cues of consent to sex (how/if they communicated their willingness to engage in this interaction through behavioural expressions) among young adults in Aotearoa New Zealand.

Thus, an online questionnaire which included the Internal Consent Scale (ICS) and External Consent Scale (ECS) developed by Jozkowski et al. (2014) was promoted to young adults across Aotearoa New Zealand. Analyses signalled that these two measures were associated with one another, and although the current study reported higher correlations than the original article, it also supports that the internal cues and the external cues are distinct concepts that require two separate measures.

Preliminary analyses indicated some group differences. By sexual orientation, Rainbow young adults were more likely to use verbal indicators whereas heterosexual young adults were more likely to suggest that the sex "just happened", and no other differences were found. For relationship status, those in a relationship were likely to experience more feelings of consent and use more communication behaviours and "borderline pressure" behaviours compared to single individuals. Lastly, while there were no gender differences in reported feelings to consent to sex, males generally reported using more behaviours than females to express their willingness to engage in sexual activity, interestingly scoring higher in both use of communication behaviours and no response signals.

The main analyses centred on performing exploratory factor analyses to assess the ICS and ECS. The current study refined the ICS from the original 25-item, five factor structure to a two-factor solution: Factor 1 was comprised of seven items that span a range of positive feelings associated with affirming one's willingness to consent to sex, representing cognitive perceptions (and subsequent judgments) of a sexual situation to enable sexual decision-making, whereas Factor 2 was composed of seven items that are posited to represent physiological sexual arousal.

Despite the current study also obtaining a five-factor solution for the ECS, the underlying structure did not replicate, thus raising concern about the themes described as the theoretical bases of the subscales.

Overall, these findings provide an important contribution to the field of sexuality. Firstly, these results indicate that further research is needed to validate measures of self-reported sexual consent. Confirmatory factor analyses of the refined ICS with a new sample and the original ECS would be beneficial to assess whether these measures are relevant in the contemporary sociocultural context as the social discourse surrounding sexual consent has shifted dramatically in the past decade since Jozkowski et al.'s (2014) publication, especially given the rise of the #MeToo movement (Mau et al., 2019; Nicholls, 2020) and popularity of the "Yes Means Yes" consent standard in education (Graham et al., 2021; Muehlenhard et al., 2016; New Zealand Police, n.d.; Rape Prevention Education, 2020). Additionally, these findings contribute to the currently limited literature regarding conceptualisations of sexual consent among young adults in Aotearoa New Zealand; gaining psychological insights to articulate mechanisms for attitudinal and behavioural change is imperative for the development of accessible frameworks to address how sexual violence operates in our local sociocultural context so that comprehensive policy can enact social change.

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Appendix A

Ethics Letters

Auckland University of Technology Ethics Committee (AUTEC)

Auckland University of Technology
D-88, Private Bag 92006, Auckland 1142, NZ
T: +64 9 921 9999 ext. 8316
E: ethics@aut.ac.nz
www.aut.ac.nz/researchethics

21 October 2022

Ying Wang
Faculty of Culture and Society

Dear Ying

Ethics Application: **22/290 Yes Means Yes, No Means No, and Closing the Door Means Sure? Examining Internal and External Cues of Sexual Consent Among Young Adults in New Zealand**

Thank you for submitting your application for ethical review. We are pleased to advise that the Auckland University of Technology Ethics Committee (AUTEC) approved your ethics application at their meeting on 17 October 2022, subject to:

1. Provision of an assurance that no identifiable institutional information will be asked for or collected;
2. Inclusion on the advertisement a warning about the content of the survey and its potential to trigger distress;
3. Amendment of the recruitment protocol so that the advertising on Canvas is not course specific;
4. Amendment of the survey to collect demographic data bands in order to preserve anonymity.

AUTEC reminds the researcher and you that it is important for this study to have appropriate access permission from each institution before distributing the survey in that institution.

Please provide us with a response to the points raised in these conditions, indicating either how you have satisfied these points or proposing an alternative approach. AUTEC also requires copies of any altered documents, such as Information Sheets, surveys etc. You are not required to resubmit the application form again. Any changes to responses in the form required by the committee in their conditions may be included in a supporting memorandum.

Please note that the Committee is always willing to discuss with applicants the points that have been made. There may be information that has not been made available to the Committee, or aspects of the research may not have been fully understood.

Once your response is received and confirmed as satisfying the Committee's points, you will be notified of the full approval of your ethics application. Full approval is not effective until all the conditions have been met. Data collection may not commence until full approval has been confirmed. If these conditions are not met within six months, your application may be closed and a new application will be required if you wish to continue with this research.

To enable us to provide you with efficient service, we ask that you use the application number and study title in all correspondence with us. If you have any enquiries about this application, or anything else, please do contact us at ethics@aut.ac.nz.

We look forward to hearing from you,

(This is a computer-generated letter for which no signature is required)

The AUTEC Secretariat
Auckland University of Technology Ethics Committee

Cc: rxr9200@aut.ac.nz; erik.landhuis@aut.ac.nz

16 November 2022

The AUTEC Secretariat
Auckland University of Technology Ethics Committee

To whom it may concern,

Ethics Application: **22/290 Yes Means Yes, No Means No, and Closing the Door Means Sure? Examining Internal and External Cues of Sexual Consent Among Young Adults in New Zealand**

Thank you for the correspondence regarding the ethics application **22/290 Yes Means Yes, No Means No, and Closing the Door Means Sure? Examining Internal and External Cues of Sexual Consent Among Young Adults in New Zealand**. Please find below responses to the points raised:

1. **Provision of an assurance that no identifiable institutional information will be asked for or collected;**

   We assure that participants are not asked which institution they are enrolled at. Prior to starting the questionnaire, participants are asked 'Are you currently enrolled in a New Zealand university/tertiary institution' (Yes, No) as the study is investigating a student population.

   In the demographics section, participants are asked 'How many semesters have you been enrolled at university/tertiary institution?'. Again, there is no request regarding which institution the participant is enrolled at.

2. **Inclusion on the advertisement a warning about the content of the survey and its potential to trigger distress;**

   The advertisement (see below on page 2) has been updated to include that "Consent and sexual activity may be sensitive topics for some people and may trigger distress. Participation is voluntary and you may withdraw at any time."

3. **Amendment of the recruitment protocol so that the advertising on Canvas is not course specific;**

   We assure that advertising on CANVAS will not be course specific. Please find the amendment of the recruitment protocol below reflecting this:

   Participants will be reached via advertisements on campus ~~and through AUT Canvas course pages~~, as well as via social media (e.g. Facebook and Instagram) and community groups on Facebook/Instagram. Leaflets will also will be posted to noticeboards at AUT university facilities. Leaflets with information about the study (see Appendix B) will be sent via email to select lecturers at NZ Universities, who might agree to post the leaflet at their universities.

4. **Amendment of the survey to collect demographic data bands in order to preserve anonymity.**

   Gender has been amended to collect data bands (male; female; another gender). It is preferable that age is not banded as a tertiary student population has a limited age range so meaningful data may be lost if arbitrary categories are made. Additionally, statistically meaningful data may be lost if ethnicity is banded as there may be significant cultural differences in thoughts, feelings, and behaviours regarding sexual consent. As the questionnaire is advertised to any student (no identifiable institution information and the above amendment removed course-specific advertising), it is unlikely that anonymity is at risk due to age and ethnicity being open response.

Auckland University of Technology Ethics Committee (AUTEC)

Auckland University of Technology
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www.aut.ac.nz/researchethics

21 November 2022

Ying Wang
Faculty of Culture and Society

Dear Ying

Re Ethics Application: **22/290 Yes Means Yes, No Means No, and Closing the Door Means Sure? Examining Internal and External Cues of Sexual Consent Among Young Adults in New Zealand**

Thank you for providing evidence as requested, which satisfies the points raised by the Auckland University of Technology Ethics Committee (AUTEC).

Your ethics application has been approved for three years until 21 November 2025.

Standard Conditions of Approval

1. The research is to be undertaken in accordance with the Auckland University of Technology Code of Conduct for Research and as approved by AUTEC in this application.
2. A progress report is due annually on the anniversary of the approval date, using the EA2 form.
3. A final report is due at the expiration of the approval period, or, upon completion of project, using the EA3 form.
4. Any amendments to the project must be approved by AUTEC prior to being implemented. Amendments can be requested using the EA2 form.
5. Any serious or unexpected adverse events must be reported to AUTEC Secretariat as a matter of priority.
6. Any unforeseen events that might affect continued ethical acceptability of the project should also be reported to the AUTEC Secretariat as a matter of priority.
7. It is your responsibility to ensure that the spelling and grammar of documents being provided to participants or external organisations is of a high standard and that all the dates on the documents are updated.
8. AUTEC grants ethical approval only. You are responsible for obtaining management approval for access for your research from any institution or organisation at which your research is being conducted and you need to meet all ethical, legal, public health, and locality obligations or requirements for the jurisdictions in which the research is being undertaken.

Please quote the application number and title on all future correspondence related to this project.

For any enquiries please contact ethics@aut.ac.nz. The forms mentioned above are available online through http://www.aut.ac.nz/research/researchethics

(This is a computer-generated letter for which no signature is required)

The AUTEC Secretariat
Auckland University of Technology Ethics Committee

Cc: rxr9200@aut.ac.nz; erik.landhuis@aut.ac.nz

Appendix B

Original ICS Factor Loadings Presented by Jozkowski et al. (2014)

Table 2 Factor loadings for ICS ($n = 660$)

Factors	*M*	SD	Factor loadings				
			Factor 1	Factor 2	Factor 3	Factor 4	Factor 5
ICS	3.42	0.45	Internal consent $\alpha = .95$				
Factor 1: Physical Response	3.26	0.67	Factor 1: $\alpha = .91$				
Rapid heart beat			**.83**	.14	.11	.12	.07
Flushed			**.82**	.11	−.03	.09	.06
Eager			**.80**	.24	.18	.05	.08
Heated			**.79**	.23	.18	.02	.08
Lustful			**.79**	.21	.12	.09	.13
Erect/Vaginally Lubricated			**.67**	.30	.31	.09	.10
Factor 2: Safety/ Comfort	3.39	0.59	Factor 2: $\alpha = .94$				
Secure			.33	**.84**	.09	.14	.15
Protected			.30	**.83**	.00	.13	.11
Safe			.08	**.78**	.26	.20	.27
Respected			.16	**.74**	.32	.19	.24
Certain			.34	**.68**	.13	.18	.21
Comfortable			.23	**.63**	.42	.17	.31
In control			.24	**.63**	.36	.14	.25
Factor 3: Arousal	3.56	0.54	Factor 3: $\alpha = .93$				
Aroused			.21	.27	**.83**	.23	.21
Turned on			.22	.27	**.82**	.22	.22
Interested			.25	.23	**.74**	.18	.28
Factor 4: Consent/Want	3.62	0.47	Factor 4: $\alpha = .93$				
Consented to			−.05	.14	.24	**.84**	.27
Agreed to			.29	.19	.01	**.83**	.13
Wanted			−.06	.12	.24	**.82**	.29
Consensual			.27	.21	−.05	**.85**	.16
Desired			.05	.14	.33	**.79**	.14
Factor 5: Readiness	3.39	0.53	Factor 5: $\alpha = .90$				
Ready			.18	.29	.23	.17	**.82**
Sure			.11	.35	.20	.21	**.78**
Willing			.09	.12	.25	.32	**.77**
Aware of my surroundings			.10	.22	.09	.23	**.74**

The factor loadings in bold are where the items are loaded

Appendix C

Original ECS Factor Loadings Presented by Jozkowski et al. (2014)

Table 3 Factor loadings for ECS ($n = 660$)

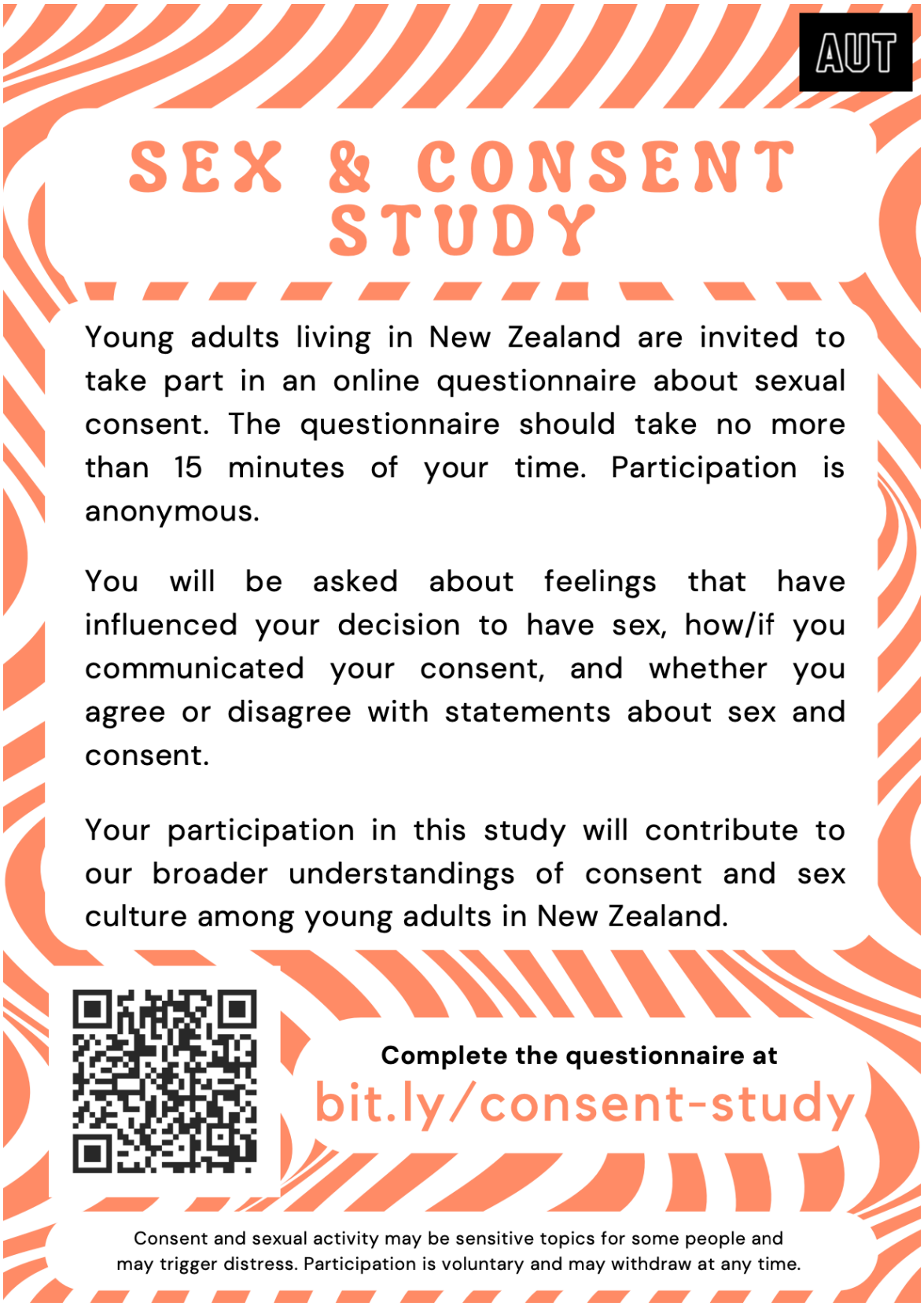
Factors	*M*	SD	Factor loadings				
			Factor 1	Factor 2	Factor 3	Factor 4	Factor 5
ECS	0.57	0.22	External consent α = .84				
Factor 1: Nonverbal Behaviors	0.86	0.25	Factor 1: α = .78				
Increased physical contact			**.79**	.21	.04	.01	.04
Engaged in some sexual activity such as kissing or foreplay			**.72**	.20	−.01	.07	.02
Touched partner			**.72**	.07	.15	.17	.06
Used non-verbal cues			**.71**	.19	−.05	.01	.06
Removed mine and/or partner's clothing			**.57**	.15	.23	.25	−.08
Factor 2: Passive Behavior	0.72	0.36	Factor 2: α = .81				
Did not resist partner's attempts			.19	**.80**	.18	.07	.03
Did not say no or push partner away			.21	**.77**	.00	.07	.09
Let sexual activity progress to intercourse			.14	**.76**	.15	.10	.05
Reciprocated partner's advances			.29	**.60**	−.09	.34	.14
Factor 3: Communication/Initiator Behavior	0.50	0.38	Factor 3: α = .79				
Initiated behavior and checked to see if partner reciprocated			.32	.21	**.68**	.12	.12
Used verbal cues such as communicating interest in sex or asking partner			.13	.22	**.62**	.25	−.05
Indirectly communicated or implied interest			.17	.31	**.61**	.14	.14
Factor 4: Borderline Pressure	0.37	0.36	Factor 4: α = .748				
Shut or closed door			.01	.05	.24	**.77**	.18
Took partner somewhere private			.02	.03	.22	**.74**	.23
Kept moving forward in sexual behavior unless partner stopped			.26	.30	−.25	**.65**	.01
Factor 5: No Response Signals	0.20	0.29	Factor 5: α = .672				
It just happened			−.13	.12	.19	−.06	**.79**
I did not say anything			.20	.10	.12	−.30	**.55**
I did not do anything, it was obvious			.13	.07	.11	.14	**.76**

Items have been shortened to conserve space. See Appendix for a full list of the items in each factor

The factor loadings in bold are where the items are loaded

Appendix D

Sex & Consent Study Advertisement



Appendix E

Participant Information Sheet

Participant Information

Date Information Sheet Produced: 22 September 2022

Project Title
Yes Means Yes, No Means No, and Closing the Door Means Sure? Examining Internal and External Cues of Sexual Consent Among Young Adults in New Zealand

An Invitation
You are invited to take part in an online questionnaire about sexual decision making and communication. This research is conducted by myself, Chloe Jackman, a Master of Arts (Psychology) student at Auckland University of Technology (AUT). This research will contribute to my qualification. This Information Sheet provides information to help you decide if you would like to participate in our study. Your participation in this study is voluntary. Please ensure that you have read and understand all of the information on this page.

What is the purpose of this research?
This research aims to explore thoughts and feelings that influence a decision to consent to sexual activity and behaviours used to express sexual consent. This research will facilitate our understanding of consent culture among young adults in New Zealand. These findings will be used to write my thesis (which is a requirement for the Master of Arts (Psychology) qualification at AUT) and potentially published as a journal article.

How was I identified and why am I being invited to participate in this research?
You are invited to participate as you have expressed interest to take part in this research by using the URL or QR code on advertisements posted on social media or on posters around campus, or have been provided with this link by someone you know, to access this questionnaire. To participate, you must be over 16 and currently reside in New Zealand. No identifying information will be requested during the study. Participation will be completely anonymous.

How do I agree to participate in this research?
Your participation in this research is voluntary (it is your choice) and whether or not you choose to participate will neither advantage nor disadvantage you. Your consent to participate in this study will be assumed when you complete the questionnaire. You are able to withdraw from the study at any time. If you choose to withdraw from the study while doing the questionnaire, you can just exit the webpage at any point before completing the questionnaire. If you choose to withdraw from the study partway through completing the questionnaire, it is not possible for us to remove your data because your responses are anonymous.

What will happen in this research?
This research involves an online questionnaire that should take no more than 15 minutes of your time to complete. You will be asked about your thoughts and feelings that have influenced your decision to consent to sex, how/if you communicated your consent, and whether you agree or disagree with statements about sex and consent.

What are the discomforts and risks?
Consent, sexual intercourse, and sexual relationships may be sensitive topics for some people. You can choose to not participate in this research if these topics make you feel uncomfortable. You have the right to withdraw at any time if the questionnaire makes you uncomfortable.

How will these discomforts and risks be alleviated?
If you experience any discomfort, you are able to withdraw from the study at any time by exiting

the website. You are not required to answer every question. If you feel uncomfortable or upset while completing the questionnaire, you may like to contact a support service:
Safe to Talk - Sexual Harm Helpline, confidentially, 24/7:
• Call 0800 044 334
• Text 4334
• Email support@safetotalk.nz
• For more info or to web chat visit safetotalk.nz
Mental health - Where to get help
• Lifeline: 0800 543 354 (available 24/7)
• Suicide Crisis Helpline: 0508 828 865 (0508 TAUTOKO) (available 24/7)
• Whatsup: 0800 942 8787 (12pm to 11pm)
• Depression helpline: 0800 111 757 or text 4202 (available 24/7)
• Anxiety helpline: 0800 269 4389 (0800 ANXIETY) (available 24/7)
• OutLine: 0800 688 5463
• Rainbow Youth: (09) 376 4155

What are the benefits?
Your participation in this study will contribute to our broader understandings of sexual consent and sex culture among young adults in New Zealand and could inform future research and policy. Your participation is appreciated as your contribution is also beneficial to the completion of my thesis.

How will my privacy be protected?
Participation is anonymous. The researchers are not able to identify you or your responses as no identifiable information will be collected. The data will only be used for the purpose of understanding sexual consent and data will be stored securely on AUT servers.

What are the costs of participating in this research?
The questionnaire should take no more than 15 minutes of your time. There are no other costs.

What opportunity do I have to consider this invitation?
Please take your time to consider your participation in this research. Data collection for this study will end after March 2023.

Will I receive feedback on the results of this research?
A summary of findings will be available at https://bit.ly/consent-study-findings after this research is completed. If you are interested, please record this webpage for future access. Due to the anonymous nature of this study we will not be able to give you feedback about your individual data and responses.

What do I do if I have concerns about this research?
Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Dr Ying Wang, y.wang@aut.ac.nz, 09 921 9999 ext 5012.
Concerns regarding the conduct of the research should be notified to the Executive Secretary of AUTEC, ethics@aut.ac.nz, 09 921 9999 ext 6038.

Whom do I contact for further information about this research?
Please keep this Information Sheet for your future reference. You are also able to contact the research team as follows:
Researcher Contact Details: Chloe Jackman, chloe.louise.jackman@aut.ac.nz
Project Supervisor Contact Details: Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Dr Ying Wang, y.wang@aut.ac.nz

Approved by the Auckland University of Technology Ethics Committee
on 21 November 2022, AUTEC Reference number 22/290.