



This reference sheet is intended to support teachers to manage and clarify points raised in discussion. The information below refers directly to the points given for pupils to consider in **Part 1** of the scenario; however, pupils may express other points/views not listed. Handouts for this session can be found via the links at the end of this document.

Focus is on **communication, choices, actions and consequences**, key factors which influence

Discussion Points	Considerations	RRR
<p>Alcohol: Robyn plans to drink lots of alcohol to have a good night</p>	<ul style="list-style-type: none"> ➤ Robyn is not considering the affects, risks and vulnerability related to getting drunk and going over her limit: this can seriously affect her ability to think clearly and make decisions ➤ Getting drunk does not guarantee a good night ➤ She will not know everyone attending the party; being in the company of strangers requires increased risk/safety awareness ➤ Indirectly/subconsciously, Robyn is depending on others to look out for her safety and wellbeing 	<p>Robyn has the right to choose to consume alcohol, but she also has a responsibility to keep herself safe, stay within her limits and stay in control</p>
<p>Mixing substances: Dan plans to mix drugs and alcohol for a good night</p>	<p>Dan is not considering the affects, risks and vulnerability related to mixing drugs and alcohol; this can be more dangerous than consuming excessive amounts of alcohol alone and can seriously affect his ability to think clearly and make decisions</p> <p>The same points above also apply to Dan</p>	<p>Dan has the right to choose to consume alcohol and drugs, but he also has a responsibility to abide by the law, know his limits and stay in control to keep himself and others safe</p>
<p>Assumption: Dan assumes Robyn is up for sex just by kissing her</p>	<ul style="list-style-type: none"> ➤ Dan should not presume that Robyn wants to have sex just because she is willingly participating in kissing him ➤ It is possible that Dan's alcohol intake is affecting the way he is interpreting this ➤ The same can be said for Robyn; her alcohol intake may affect her awareness of how others are reading or interpreting her actions 	<p>Both Dan and Robyn have a personal responsibility to stay in control to ensure they are able to communicate clearly with others; respecting the choices of others and them self.</p>
<p>Intent: Dan is plying Robyn with alcohol and drugs - does he have a motive?</p>	<ul style="list-style-type: none"> ➤ Dan is contributing to Robyn's alcohol and drug intake; increasing the risk to her and affecting her ability to stay in control and make decisions ➤ It's possible that Dan's is aware of his actions and it is his intention for Robyn to lose control to enable him to exploit her – this is a serious offence! ➤ Or, it could be that Dan is not able to think about/assess the risks this can cause to Robyn due to his own alcohol and drug intake and its effect on his ability to think clearly ➤ It could be argued that it is Robyn's responsibility to make sure she is in control of her own situation to enable her to be aware of the actions of other's who may want to ply her with alcohol and drugs 	<p>Both Dan and Robyn have a personal responsibility to stay in control to keep themselves safe from the intentions and actions of others; this also applies to being responsible and respectful of their actions and intentions towards others when under they are under the influence of alcohol and/or drugs.</p>



Discussion Points	Considerations	RRR
<p>Risk: Dan knows the effect of M-Cat before giving it to Robyn</p> <p>Risk: Dan offers Robyn drugs whilst she is already drunk (mixing substances)</p>	<ul style="list-style-type: none"> ➤ Dan’s intention for giving Robyn M-Cat is evident in his story; quote: <i>‘To get her in the mood I offered her some M-Cat’ adding ‘It won’t take long for it to kick in; she won’t be able to resist me when it does, and that’s when I plan to make my move’.</i> ➤ From his story, it is clear that Dan intends for Robyn to be overcome by the effects of M-Cat and alcohol to enable him to have sex with her – this is a serious offence! ➤ Although the victim is <u>never</u> to blame, it may be argued that both Dan and Robyn’s ability to think clearly or control their own actions and choices is affected by their intake of alcohol and drugs. Therefore the situation is created by both their actions. ➤ Regardless of the point made above, Dan’s actions constitute rape; he has intentionally and knowingly affected Robyn’s ability to consent by supplying her with drugs and alcohol to enable him to have sex with her <p>In addition to the considerations above... Excessive consumption of alcohol and illicit drugs are each very risky and potentially harmful; when mixing the 2, the risks are significantly increased and could be fatal!!!</p> <p>It is not possible to know the purity of a drug, what it is mixed with and how the substances will react when ingested - this is a huge gamble we strongly advise people not to take.</p>	<p>Dan has a responsibility to stay in control of himself so as not to put another person at risk of exploitation for his own sexual gratification; this is not respectful to other’s right to freedom to consent to sex activity.</p>
<p>Responsibility: Dan is responsible for Robyn’s actions</p>	<p>In addition to points already made above... Dan and Robyn each have a responsibility for their own actions.</p> <p>Both are also responsible for the effect their actions can have on others; as such it could be said that Dan is responsible for Robyn’s actions after taking drugs he supplied her with.</p>	<p>Both Dan and Robyn have a personal responsibility to stay in control to ensure their choices and actions do not detrimentally affect others; where they do, they must take responsibility for their contribution to such an outcome. The same responsibility applies to others.</p>
<p>Communication: Intoxication is affecting their ability to read messages and body language</p>	<p>This is a significant point: Would Dan and Robyn have acted in the same way if they were totally sober, meeting for the first time, in another person’s home? Maybe, maybe not!</p>	<p>Communication is about respect for yourself and others</p>



	<p>However, it is scientifically proven that the first faculty lost when intoxicated is the ability to think clearly; affecting the ability to make decisions, assess risk, communicate and interpret body language.</p> <p>Dan and Robyn's intake of alcohol and drugs is likely to have affected how they acted or interpreted what was going on - examples:</p> <ul style="list-style-type: none"> ➤ He's looking out for me - Robyn may have read Dan's actions and intentions for giving her alcohol and drugs as: <i>'He is looking out for me, sharing his drugs with me, ensuring I have fun.'</i> ➤ She didn't say no - Dan may have read Robyn's laughter response when he first asked her to go upstairs with him as: <i>'She didn't say 'no' so could be a yes or maybe.'</i> ➤ I'm in safe place - Robyn may have read Dan's actions and body language in a way that convinces her she is safe and can trust him; this maybe reinforced by other people being around and being at her friend's house which is a safe environment ➤ She wants sex – Dan's intention from early on was to have sex with Robyn; this could add to the affect on reading her body language and actions, assuming she wants to have sex ➤ She's not resisting – Dan may have interpreted the lack of resistance from Robyn as a willingness to have sex with him; despite being incapable of either agreeing or resisting <p>Not a defence – being intoxicated and out of control is not a lawful defence for the accused in a rape or sexual offence case... This why people must understand the importance of staying in control and within their limits; retaining their ability to assess-respond to risk and danger and make good choices.</p>	
<p>Risk: Dan and Robyn are both at risk by losing control</p>	<p>In addition to the considerations made above... By not taking responsibility and staying within their limits, they are not only putting themselves at risk but each other too; the risk of Dan becoming an offender and Robyn becoming a victim is increased.</p>	<p>Both Dan and Robyn have a responsibility to stay in control to ensure their choices and actions do not detrimentally affect themselves or others; they must respect the safety and wellbeing of others.</p>
<p>Communication: Did Robyn give a clear 'no' to go upstairs with Dan</p>	<p>As already stated above... Robyn did not give a clear 'no', but she did not give a clear 'yes' either!! ANYTHING LESS THAN YES IS NO!</p>	<p>Dan has a responsibility to ensure Robyn has capacity to consent</p>



<p>Capacity: Dan describes Robyn as 'semi-unconscious' in the bedroom</p>	<p>In addition to the points made above.... In his account, Dan refers to Robyn as being 'semi-unconscious'; as such, he has knowingly and intentionally had sex with her regardless of her capacity to give consent</p>	<p>As already expressed, Dan and Robyn both have a responsibility to stay in control to ensure their own actions and choices do not detrimentally affect others; where they do, they must be prepared to take responsibility for their contribution to such an outcome.</p>
<p>Consent: Can Robyn consent?</p>	<p>As stated above, Robyn was clearly not capable of consenting to sex; her capacity to do so was affected by alcohol/drugs, therefore consent has not been given</p>	<p>Dan has a responsibility to ensure Robyn has capacity to consent</p>
<p>Has a sexual offence taken place? If so, why?</p>	<p>Allow views to expressed and shared between groups; draw to a close when appropriate and explain this question will be explored in more detail in Part 2</p>	<p>Remind pupils to be respectful of the views, values and beliefs of others.</p>

Viewpoints which may divide groups at this point

Robyn's actions and choices

1. She has put herself at risk because she consumed too much alcohol and mixed this with drugs; and gave off the wrong messages; as such, her actions have led to her being a victim and Dan an offender

OR

2. Robyn is not to blame for what Dan did to her, just because she go out of it, this doesn't give him the right to take advantage of her and have sex without her consent.

Dan's actions and choices

1. He has intentionally took advantage of Robyn by plying her with alcohol and a drug which he knew would affect her ability to control herself and her capacity to consent to sex; as such, he has exploited Robyn, making him an offender and her a victim.

OR

2. It's not his fault, he is out of it to and can't be held fully responsible for his actions

Scenario Introduction Sheet

Robyn and Dan's Stories

Move on to Part 2: Outcome and Consequences