

Is This Assault? Understanding Consent Violations in Kink

SEO Title Tag: *Is This Assault? Understanding Consent Violations in BDSM | Love Psychotherapy*

Meta Description: *A kink-aware therapist explains when a BDSM encounter crosses into assault — covering safewords, coercion, incapacitation, and common myths about consent.*

Suggested URL Slug: */blog/is-this-assault-consent-violations-in-kink*

Target Keyword: *is this assault BDSM*

Quick Takeaways

- A safeword or 'no' being ignored is assault, regardless of what was negotiated beforehand.
- You don't have to physically resist for something to count as assault — freezing is a normal survival response.
- Prior consent, a long relationship, or a signed contract never creates blanket consent for the future.
- Arousal is a physical response, not consent — and intoxication removes the ability to consent.
- Consenting to something and later disliking it is not the same as assault — and support looks different for each.

This is one of the hardest questions a person can sit with: was what happened to me actually assault, or am I overreacting to something that was technically consensual? If you're asking it, the asking itself matters — and you deserve a clear answer, not a vague one. Assault means a sexual or physical act happened without genuine consent. In kink specifically, the standard clinicians and educators use is often called Explicit Prior Permission: consent that's negotiated in advance, specific, and revocable at any moment, by anyone, for any reason.

It May Be Assault If...

A few patterns that clearly cross the line, regardless of what was agreed to beforehand:

- **A safeword or "no" was ignored:** and the activity continued anyway.
- **The scene went beyond negotiated limits:** in intensity, type of activity, or resulting injury.
- **You were pressured, tricked, threatened, or coerced:** into sexual activity you hadn't agreed to.
- **You weren't able to consent:** because of intoxication, a mental health crisis, or another form of incapacitation.
- **You were seriously injured or disfigured:** even if you'd consented to the activity that caused it — consent doesn't cover unlimited risk.
- **You were choked or strangled:** even with prior agreement. Choking carries a serious risk of injury or death that most jurisdictions treat as something consent legally cannot authorize.
- **You were discouraged from negotiating:** or the encounter happened without any real chance to discuss limits first.

"But I Didn't Say No"

This is the question that keeps the most people silent, and it's worth addressing directly: physical or verbal resistance is not required for something to count as assault. Freezing is a real, automatic survival response — not a decision, and not consent. If you'd previously and clearly negotiated limits and those limits were violated, your consent was violated too, whether or not you managed to say the word "no" in the moment.

The responsibility to stop when something is unclear, or to check in when someone goes quiet, sits with the person doing the activity — not with the person struggling to speak.

"But We've Done This Before"

Prior consent — even repeated prior consent — doesn't create a standing agreement for the future. You're allowed to have done something with someone many times and still say no the next time, for any reason or no reason at all. The same is true inside a Master/slave dynamic, a long-term relationship, or a signed contract: power exchange agreements aren't legally binding contracts, and they never override someone's right to withdraw consent.

"But I Was Aroused"

Physical arousal is a physiological response, not a statement of consent. Non-consensual contact can produce arousal or even orgasm regardless of a person's gender or whether the contact was wanted — the body's response and a person's actual consent are simply not the same thing. Nobody's arousal retroactively authorizes what was done to them.

"But I Was Drunk, or They Were"

If you were intoxicated to the point of impaired judgment, you likely weren't able to legally consent — regardless of what you said in the moment. And a partner's own intoxication is never an excuse for violating someone else's limits. Impairment removes someone's ability to consent; it doesn't remove anyone else's responsibility to respect that.

What This Isn't

It's worth naming the flip side too, because self-blame after consensual-but-regretted experiences is common: if you consented to something, participated willingly, and simply didn't enjoy it or wish afterward you'd made a different choice, that's not assault. It might be worth processing — disappointment, mismatched expectations, and learning what doesn't work for you are all normal parts of exploring your sexuality — but it's a different conversation, and it doesn't require the same kind of support.

If You Think It Might Be Assault

You don't owe anyone certainty before you're allowed to seek support. A kink-aware advocate or therapist can help you sort through what happened without judging the kink itself, and without pressuring you toward any particular next step — reporting, not reporting, staying in contact with the person or cutting them off completely. Those decisions are yours to make, on your own timeline.

If you're in the U.S. and want to talk it through immediately, the National Sexual Assault Hotline (1-800-656-4673) connects to your nearest rape crisis center, and The Network/La Red (800-832-1901) is a national LGBTQ- and kink-aware crisis line.

Want support with this in your own relationship or practice?

Love Psychotherapy, LLC offers LGBTQ+-affirming, sex-positive, neurodivergent-owned clinical care and life coaching, with telehealth available across thirteen states and in-person sessions in Madison, Wisconsin. Reach out to schedule a consultation.

Well wishes. 🙏

Mx. Love C. Dialogos, LMFT

Licensed Marriage and Family Therapist | Buddhist Chaplain

Pronouns: They/Them

This article is educational and general in nature, not legal advice, and is not a substitute for individualized support. If you are in immediate danger, contact local emergency services.

National Sexual Assault Hotline: 1-800-656-4673. The Network/La Red (LGBTQ+ and kink-aware): 800-832-1901. If you are having thoughts of suicide, call or text 988.

Explore Topics: [#ConsentViolation](#) [#SexualAssault](#) [#BDSM](#) [#KinkAware](#) [#ConsentCulture](#) [#SurvivorSupport](#)