



**RECOGNISING DIGITAL CONSENT: WHEN A CLICK MEANS
A YES (OR NO)**

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Consent today looks very different from what it used to be. Traditionally, consent was either spoken or written. But in the digital era, consent is often boiled down to a single click.

Think of the last time you saw a pop-up or checkbox asking you to agree with the terms and conditions, chances are that you agreed to it without fully reading what has been given.

When one single click can mean so much, it becomes important for us to understand what exactly digital consent means and how we can ensure that we are giving an informed consent.

What is Digital Consent?

Consent is essentially giving permission. And in the digital world, this permission is given by a clicking on a single box that says ‘I agree’ or just a simple ‘Yes’. Let’s say you bought a new phone and while wanting to sync your account, you will be asked to ‘agree to the terms and conditions’. When you agree to the given terms and conditions, you have given your digital consent.

When does a click really mean a ‘Yes’?

Not every click can be counted as an automatic consent. For it to be considered valid, the following essentials have to be fulfilled:

1. It needs to be an informed consent: It’s important that you know what you are agreeing to. If the information is hidden in pages full of technical jargon that no normal user would realistically read, then the consent given isn’t fully informed.
2. There must be a genuine choice: Consent can’t be manipulated. Often, the ‘accept’ buttons are designed to be bright and bold, whereas the ‘decline’ boxes are way smaller, difficult to spot. Such practices undermine genuine consent.
3. Action is taken voluntarily: A pre ticked box approving for a certain action can’t be considered as taking valid consent. An individual must have the option to actively consent by clicking on ‘yes’ for it to mean anything.

Only when these essentials are fulfilled will the consent amount to valid digital consent.

When does a click mean a ‘No’?

Similar to how a click can mean ‘yes’, it can also mean ‘no’. If you click on ‘decline’, close a pop-up, or leave a box unticked, that’s your way of saying ‘No, I don’t agree’. Equally important is your ability to change your mind in the future. Let’s say you have subscribed to a



newsletter of a certain website and now no longer wish to receive them. Here, you are provided with the unsubscribe option to do the same. The ability to withdraw consent is just as important as giving or withholding consent.

Digital Consent isn't just a box you tick or a button you press. It is your way of agreeing or disagreeing to something in the online realm. For it to be clear, it must be clear, informed and completely your choice because every time you click, you're agreeing to something.

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