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UCT completes inquiry into allegations against two SRC members

The University of Cape Town has completed a preliminary inquiry into allegations of sexual violence and harassment against two Student Representative Council members.

UCT views the allegations as being of a most serious nature. After becoming aware of the allegations, the SRC's statement and the decision to temporarily suspend the members in question, we commissioned an inquiry into the allegations to determine whether there is a prima facie case which the alleged perpetrators should face.

At this stage we do not have a statement from the complainant. We have investigated all the hearsay evidence and have taken affidavits from the parties to whom the complainant reported the incidents as well as a third-party witness to one of the incidents.

Based on this preliminary inquiry carried out by our investigations office, and the review of evidence by the Office of the Legal Counsellor, it was found that the evidence at this point does not support the allegations and that there is at this stage not enough prima facie evidence to proceed with either case. There is therefore no basis for the SRC's suspension of the two individuals to continue.

Despite several attempts, the investigations office has to date been unable to obtain a statement from the complainant. The investigator will continue attempting to obtain the statement. If and when such a statement is received, the legal counsellor will evaluate the evidence and – depending on the facts in the statement – consider whether there is prima facie case to pursue against the alleged perpetrators.

We emphasise that at present none of the available evidence suggests that they should be charged, and therefore we will not be proceeding with charges against the students at this stage and there is no basis for the continued suspension of the two SRC members. In both cases, the university reserves the right to charge and prosecute the alleged perpetrators

should the evidence from the complainant suggest that there is in fact a prima facie case against them or should new evidence emerge. Until such time, the cases are closed.

We have previously raised our deep concern over the public naming of alleged perpetrators that occurred in a public statement. We reiterate that it is not appropriate to publicly name alleged perpetrators. We view this as contrary to the principle of fairness and justice and may interfere with the legal proceedings.

The university recognises the devastating impact of sexual violence on our students and our broader society. UCT has improved how we respond to sexual violence, through the Department of Student Affairs, Student Wellness Services, the Discrimination and Harassment Office and the establishment of the Sexual Assault Response Team. We have nurses on night call for the residences. However, we do recognise that as an institution we can and need to do more. The university continues to improve both our efforts towards curbing sexual assault incidents as well as our response to the incidents that might occur.

ENDS

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