



Communication and Marketing Department
Isebe loThungelwano neNtengiso
Kommunikasie en Bemerkingsdepartement

Private Bag X3, Rondebosch 7701, South Africa
Wolgelegen House, Chapel Road Extension, Rosebank, Cape Town
Tel: +27 (0) 21 650 5427/5428/5674 Fax: +27 (0) 21 650 5628

www.uct.ac.za

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UCT approves Sexual Misconduct Policy to scale up sexual offences response

Despite the challenges that the COVID-19 pandemic presented in 2020, the finalisation of the new Disciplinary Procedures for Sexual Misconduct was a major development with regards to the University of Cape Town's (UCT) response to sexual offences.

Approved by the university's council in December 2020, the policy is aimed at achieving the objectives of the new [Sexual Misconduct Policy](#), especially around the alignment of a survivor-centred process. The policy replaces the current UCT Sexual Offences policy and the Sexual Harassment policy.

UCT Deputy Vice-Chancellor for Transformation, Professor Loretta Feris said: "This policy is fundamentally important for the university and it would not have been possible without the support and endorsement of our Vice-Chancellor, Professor Mamokgethi Phakeng, who has made tackling issues of sexual and gender-based violence a priority for the UCT executive."

The procedural rules have innovated the disciplinary process by specifically mandating a process that minimises trauma for the survivor. Survivor support, in an otherwise alienating environment, is further supported by the right to legal representation for the survivor.

"UCT concluded the draft Sexual Misconduct Policy and Procedure ahead of the publication of the Department of Higher Education and Training policy framework to address Gender-Based Violence in the Post-School Education and Training System in July 2020," said Feris.

The university's policies and procedures are compliant at a high level with the minimum standards under this policy framework. It is aligned to the Convention Concerning the Elimination of Violence and Harassment in the World of Work, adopted by the International Labour Organisation in June 2019. South Africa is a signatory to this Convention, and as such has an obligation to ensure that policies and processes in dealing with violence and sexual harassment in the workplace meet the responsibilities of the Convention.

"The most innovative aspect of the new procedural rules is the synergising of disciplinary processes for both staff and students before a Special Tribunal that deals with sexual and gender-based violence, the first of its kind in the country. The specialisation of the tribunal panel members will ensure best outcomes for both staff and students. The singular focus on only sexual misconduct disciplinary matters supports expediency on cases," added Feris.

The formalising of the Special Tribunal is welcomed at a fortuitous time under the aegis of the various national and international guidelines and obligations in our collective response to gender-based violence.

"As a university we are intentional and committed to creating an environment in which the dignity of all staff members and students is respected. All complaints of sexual offences and/or sexual harassment are taken seriously and in confidence. An appropriate response to unacceptable behaviour and related actions will remain a leadership priority," concluded Feris.

ENDS

Issued by: UCT Communication and Marketing Department

Nombuso Shabalala

Head: Media Liaison
Communication and Marketing Department
University of Cape Town
Rondebosch
Tel: (021) 650 4190
Cell: (076) 473 5882
Email: nombuso.shabalala@uct.ac.za
Website: www.uct.ac.za