

# University of Cape Town Gender Based Violence Report

1 JANUARY 2020-30 SEPTEMBER 2021

AUTHORS: YUMNA SEADAT, ANNE ISAAC, BARBARA MAPARA AND SIANNE ALVES



OFFICE FOR INCLUSIVITY AND CHANGE  
Sexual Violence Report



**Contents**

*Executive Summary* ..... 5

    Governance ..... 7

    University of Cape Town Sexual Misconduct Policy ..... 9

*Reporting* ..... 10

*Structure of the Report* ..... 10

    Medical Treatment ..... 10

    Counselling ..... 11

    Chronic Mental Health ..... 11

    Survivor Support Peer Group ..... 12

    Compassionate Letters ..... 12

    Total number of cases ..... 12

    Location of incidents ..... 13

    Report of the Special Tribunal ..... 13

*Increased Reporting in order to Access Services but not Initiate Formal/Informal processes* ..... 14

*OIC Standby Advisor Service* ..... 15

*Education and Advocacy* ..... 15

*SGBV Incidents Reported: Receiving Medical Treatment 01 January 2021 to 30 September 2021* ..... 16

*SGBV Incidents Reported: Counselling 01 January 2021 to 30 September 2021* ..... 17

*Survivor Support Group: Psychoeducational & Trauma Focused Group May 2020 to September 2021* ..... 20

*OIC Survivor Support Awareness Campaign: Empowered Through Vulnerability August 2021* ..... 21

*SGBV Incidents Reported: Compassionate Consideration Letters 01 January 2021 to 30 September 2021* ..... 23



**OFFICE FOR INCLUSIVITY AND CHANGE**  
Sexual Violence Report



*Total Number of SGBV Incidents Reported by Type 01 January 2021 to 30 September 2021*..... 24

*Total Number of SVGBV Incidents Reported On-Campus by Type 01 January 2021 to 30 September 2021* ..... 25

*Total Number of SVGBV Incidents Reported by Incident Location UCT Residence 01 January 2021 to 30 September 2021* ..... 26

*SVGBV Incidents Reported: UCT Student Survivor and Respondent in UCT Residence 01 January 2021 to 30 September 2021* ..... 28

*SVGBV Incidents Reported by Respondent Status 01 January 2021 to 30 September 2021* ..... 29

*SVGBV Incidents Reported by Incident Type and Respondent Status 01 January 2021 to 30 September 2021* ..... 31

*SVGBV Incidents Reported by Gender 01 January 2021 to 30 September 2021* ..... 32

*Total Number of SVGBV Incidents Reported by Respondent Status and Gender 01 January 2021 to 30 September 2021* ..... 34

*Total Number of SVGBV Incidents Reported by Survivor Status and Gender 01 January 2021 to 30 September 2021* ..... 35

*Case Status of SGBV Incidents Reported: External Respondents 01 January 2021 to 30 September 2021* ..... 36

*Case Status of SGBV Incidents Reported: Counselling Consultation 01 January 2021 to 30 September 2021* ..... 37

*Case Status of SGBV Incidents Reported: Anonymous 01 January 2021 to 30 September 2021* ..... 38

*Case Status of SGBV Incidents Reported: Relations Strategist - Informal Reporting Process 01 January 2021 to 30 September 2021* ..... 39

*Case Status of SGBV Incidents Reported: Formal Reporting Process 01 January 2021 to 30 September 2021*..... 41

*Case Status of SGBV Incidents Reported: HR/ER Formal Reporting Process*..... 45

*The Report of the Special Tribunal*..... 46

    Special Tribunal Outcomes ..... 46

    OIC: Survivor support and respondent support ..... 47

    Challenges Experience in the Special Tribunal ..... 47

        Panel members..... 47

        COVID-19 ..... 48

    Special Tribunal Workflow Process ..... 49

*Case Status in the Special Tribunal* ..... 50

*Case Status of SGBV Incidents Reported: Not Following a Reporting Process 01 January 2021 to 30 September 2021* ..... 51



**OFFICE FOR INCLUSIVITY AND CHANGE**  
Sexual Violence Report



|   |           |
|---|-----------|
| <i>Case Status of SGBV Incidents Reported: OIC Standby Advisor Service .....</i>  | <i>52</i> |
| <i>Communication and Awareness Among Students and Staff.....</i>  | <i>53</i> |
| <i>Pheza Content Creation project.....</i>  | <i>53</i> |
| <i>SGBV Social Media Campaign .....</i>   | <i>53</i> |
| <i>Workshop Evaluations .....</i>   | <i>54</i> |
| <i>Concluding Reflections.....</i>  | <i>60</i> |
| <i>Restorative Justice Programming.....</i>   | <i>60</i> |
| <i>Special Tribunal.....</i>  | <i>60</i> |
| <i>Education and Advocacy.....</i>  | <i>60</i> |
| <i>First Responder Training .....</i>   | <i>61</i> |
| <i>HR Disciplinary Policy .....</i>   | <i>61</i> |
| <i>Annual Reporting.....</i>  | <i>61</i> |
| <i>Conclusion.....</i>  | <i>61</i> |
| <br>  |           |
| Figure 1: 5-year Overview of Reports of Incidents .....   | 6         |
| Figure 2: Location of Reported Incidents over a 5-year period.....  | 7         |
| Figure 3: Rape Incidents Reported: Receiving Post-Exposure Treatment 01 January 2021 to 30 September 2021.....                                      | 16        |
| Figure 4: Survivors Offered Counselling for Incidents Reported      Figure 5: OIC Individual Counselling for Incidents Reported.....                | 18        |
| Figure 6: SWS Individual Counselling for Incidents Reported      Figure 7: Survivors Confirming Mental Health Diagnosis for Reported Incidents..... | 19        |
| Figure 8: OIC Survivor Support Group Attendance .....   | 20        |
| Figure 9: Empowered Through Vulnerability: Campaign Reach .....   | 22        |
| Figure 10: Compassionate Consideration Letters written in 2021 for Survivors .....  | 23        |
| Figure 11: Incidents Reported by Type 01 January 2021 to 30 September 2021 .....  | 24        |
| Figure 12: Incidents Reported On-Campus by Type 01 January 2021 to 30 September 2021 .....  | 25        |
| Figure 13: Incident Location (UCT Residence) per Incident Type .....  | 27        |
| Figure 14: Survivor in Residence by Type of Incident.....   | 28        |
| Figure 15: Respondents in Residence by Type of Incident .....   | 29        |



OFFICE FOR INCLUSIVITY AND CHANGE  
Sexual Violence Report



Figure 16: Respondent Status for Incidents Reported ..... 30

Figure 17: Respondent Status for Incidents Reported 1 Jan – 30 Sept 2021 ..... 31

Figure 18: Respondent Status for Incidents Reported 1 Jan - 30 Sept 2021 ..... 32

Figure 19: Respondent Status for Incidents Reported ..... 34

Figure 20: Survivor Status by Gender ..... 35

Figure 21: Case Status for External Incidents that are reported ..... 36

Figure 22: Counselling Consultations for Reported Incidents in 2021 ..... 37

Figure 23: Anonymous Survivor Reports ..... 38

Figure 24: Informal Reporting Process in 2021 ..... 39

Figure 25: Outcome of Informal Reporting Processes ..... 40

Figure 26: UCT Formal Reporting Process for Incidents Reported ..... 42

Figure 27: Case Outcome for Incidents in the Formal Process ..... 43

Figure 28: Protective Orders Granted in 2021 ..... 44

Figure 29: Cases Referred to HR/ER ..... 45

Figure 30: Case Status in the Special Tribunal as at 30 September 2021 ..... 50

Figure 31: Incidents reported not following a reporting process ..... 51

Figure 32: Standby Service Response by Month and Year ..... 52

Figure 33: Workshop Participants Review of the Workshops ..... 55

Figure 34: Workshop Participants Perceived Level of Understanding of Consent ..... 56

Figure 35: Workshop Participants Confidence Level in Discussing Consent with Peers ..... 57

Figure 36: Workshop Participants Confidence in Reporting GBV ..... 58

Figure 37: Workshop Participants Rating for the Workshop ..... 59

## Executive Summary

The University of Cape Town Gender Based Violence report provides useful empirical data that demonstrates to the university how gender based violence is manifesting and affecting our university community. The data in this report, shows recorded incidents affecting UCT staff and student survivors or external members of public who have been affected by UCT staff/student perpetrators. This means that every incident regardless of whether it takes place at UCT or within external environments outside of UCT. The reader is reminded that information shared in this report, whilst not relaying any case details, may be cause for anxiety and/or distress and if you are experiencing anxiety during or after reading this report, we would encourage you to establish a system of support through [Student Wellness](#) or the [UCT ICAS service](#).

The report begins with a 5-year overview of the types of incidents report by our UCT community since 2016 and then the analysis focuses solely on the 2021 reported incidents. The graph below is based on the total number of reports received over 5 years that were logged at the OIC. From the 5-year data set it is apparent that the reports of Rape (157) remains the highest reported incident followed by Sexual Harassment (131). Sexual Assault (84) and Domestic Violence (39) Threat of Sexual Assault (5) and Attempted Sexual Assault (2) are the four remaining types of incidents where less than 100 reports were received over a 5-year period.

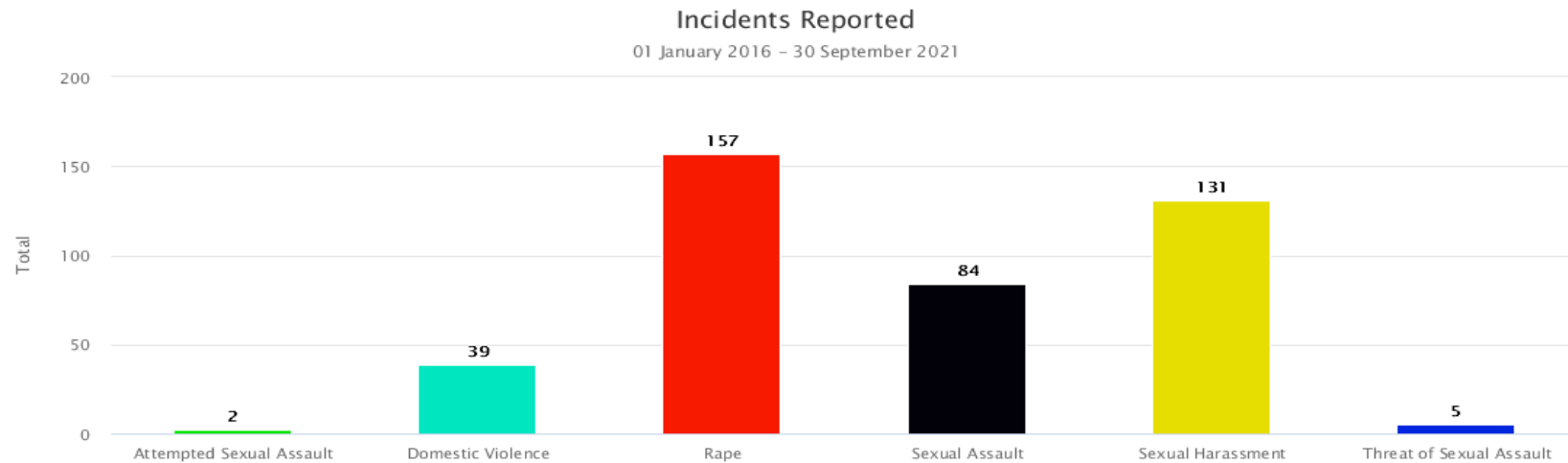


Figure 1: 5-year Overview of Reports of Incidents

The statistics show that gender based violence is a persistent challenge affecting our community and it is important to further review where the offences are taking place over the 5-year period. The data shows that the majority of reported incidents are taking place off campus/unrelated UCT activities.



Locality of Occurring Incidents

01 January 2016 – 30 September 2021

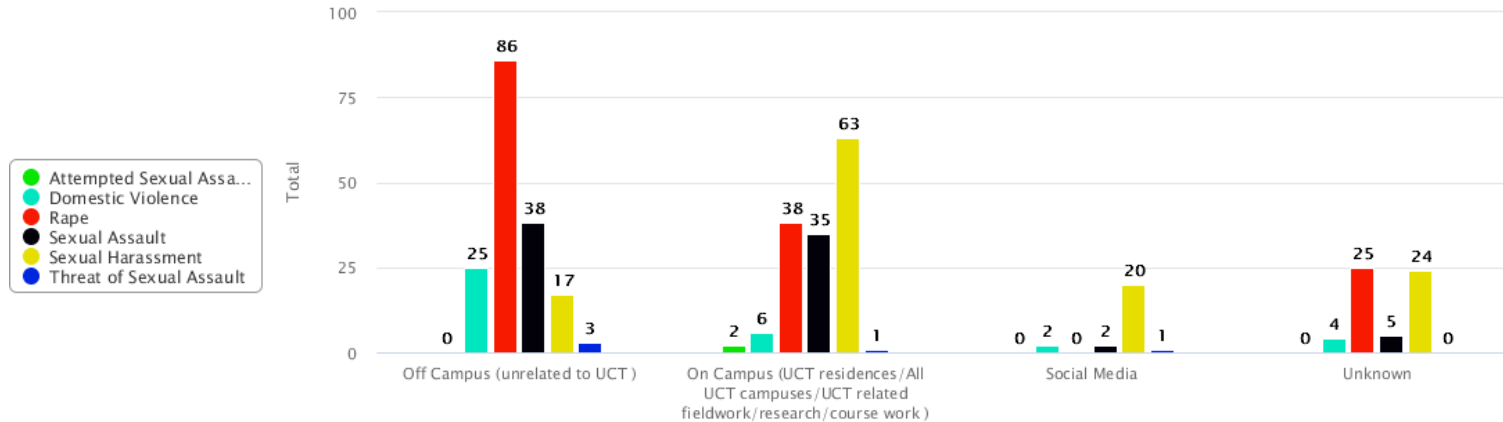


Figure 2: Location of Reported Incidents over a 5-year period

What this information points towards is that as a university that is dedicated to addressing and research Afrika’s challenges, the Gender Based Violence challenge, continues to affect our staff and students is a pertinent focal point for the university consider as part of the Vision 2030 objective.

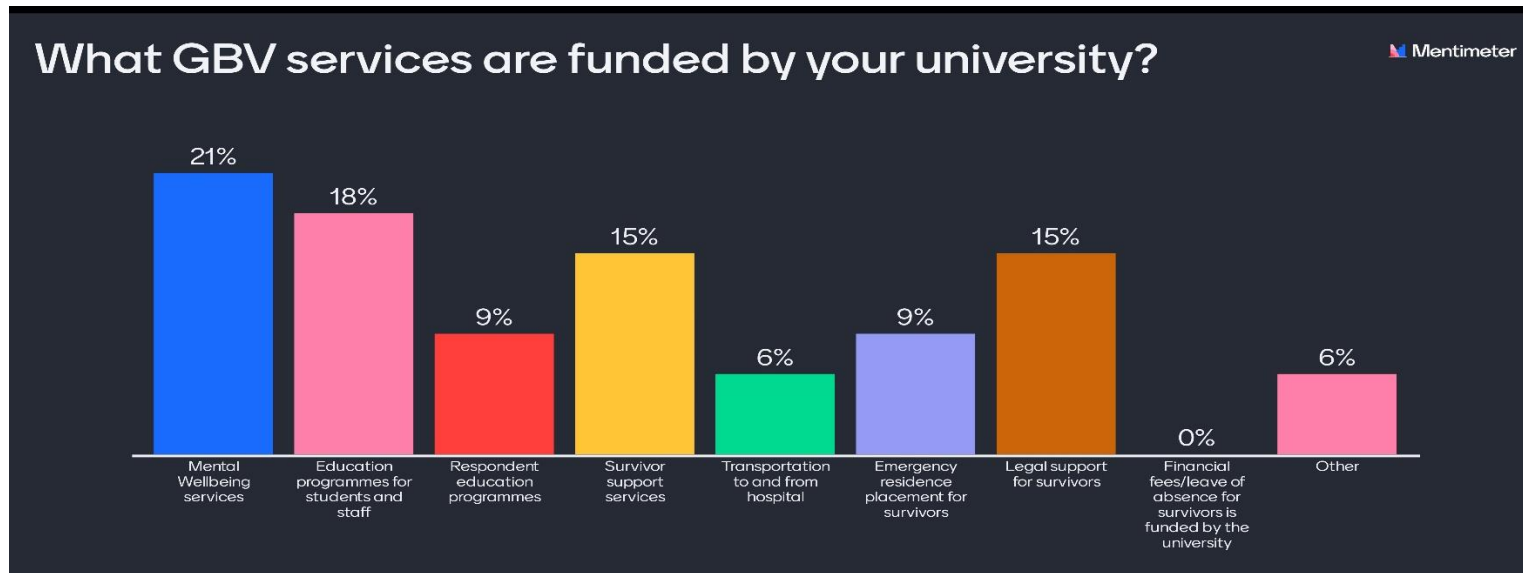
**Governance**

The University of Cape Town approach to Gender Based Violence is informed by the 2020 Department of Higher Education Policy Framework to address Gender Based Violence in the Post-School Education and Training System. Prior to 2020, UCT had already committed to a survivor centered approach that ensured that as a university there was no secondary victimization of survivors from the moment of reporting through to case closure. The Sexual Misconduct Policy and related Procedures approved by Council in December 2021, is aligned with the DHET Gender Based Violence policy framework, the Employment Equity Act and the Codes of Good Practice for Sexual Harassment. During the 2021 Women’s month, the University of Cape Town in collaboration with the Uyinene Mrwetyana Foundation, marched to Parliament, with a collection of postcards from UCT staff, students and members of public. The petition demanded



that the National Gender Based Violence Council was established with immediate effect. The [petition was delivered to the Minister of Women, Children and Person’s with Disabilities](#) outside Parliament.

At a national level, the University of Cape Town, participates in a community of practice (COP) with gender based violence units in all of the universities in order to share best practice, challenges and collaborate in the praxis of gender based violence response and programming. This year the Director of the OIC, facilitated sessions reviewing the financial resources supporting gender based violence prevention, education and support in the sector. One of the findings from the 12 institutions that participated, indicate that university response focuses mostly on the mental wellness of the survivor and the education of students and staff.



Whilst this emphasis on well being and education is necessary and well-intentioned – it is also important to note that addressing a survivor’s mental wellness will not address the root cause of gender based violence.

## University of Cape Town Sexual Misconduct Policy

The UCT Sexual Misconduct Policy, approved by Council in December 2020, was introduced to the university community, through a [series of trainings from January to June 2021](#) for all staff, residence staff, students, student leaders, managers and HODs which will be repeated in 2022. [Communication regarding the new policy](#) and the training (as per Section 3.7 of the policy) was provided to the university community. Through the training it was evident that there are a number of first responders who are trusted by survivors to provide care and support. In response to this identified need, the OIC developed a [ally guide](#) to support first responders in the university. Through the implementation of procedures and policy, were able to identify gaps in the implementation which negatively affected the outcome of one student complainant, who had suffered grievous harm by another student complainant. The gap identified in this regard is that a complainant cannot appeal the outcome of a tribunal process whereas a respondent may appeal the outcome of a tribunal process. In order to address this, the Appeals Committee has been approached to review their process to ensure that both parties are able to appeal an outcome of the disciplinary tribunal.

The 2021 Sexual Misconduct report documents the gender based violence incidents affecting UCT Staff and Students over the period of 1 January 2021 to 30 September 2021. The data in this report is collated via [an automated reporting system](#) that was funded by the Vice Chancellor's Strategic Fund in 2018 and 2019. The purpose of this report is to utilise the available data to inform institutional responses towards gender based violence prevention, education and response. In addition, the data raises awareness about the forms of gender based violence that are prevalent within the UCT community and where these incidences are occurring. Using empirical data, the university is able to provide targeted proactive, prevention and response mechanisms to address systemic challenges and behavioural challenges that exacerbate gender based violence at UCT. Through a data led approach, the university is well positioned to consider systemic changes where reasonably possible.

The 2021 student protest on gender based violence has renewed the focus on the need for more first responders in the university. In consultation with SASCO, the College of Wardens and the Department of Student Affairs, the capacitation of more students and staff has been identified as a strategic way to increase the assistance, prevention and response of gender based violence in our university community. It is equally important to recognise that beyond capacitation of support

to survivors, there is a reciprocal responsibility on all students to stop harmful gender based violence behaviours, statements and humour, that dehumanizes women and marginalised populations.

## **Reporting**

Most universities only record, report and respond to gender based violence incidents that occur on the university grounds. UCT has since 2000, taken a decision to report and respond to every gender based violence incident affecting a UCT staff member or student. Consequently, UCT's gender based violence incident data will continue to be higher than most universities in South Africa. It is also important to understand the terminology in this report which distinguishes a reported incident from case outcome that includes investigation and assessment. In this document, a reported incident made by a survivor or a first responder logs an incident with the OIC, it is considered to be a report which results in an activation of support services regardless of whether the survivor follows a reporting process or not. A reported incident does not need to be verified in order for a survivor to receive assistance.

## **Structure of the Report**

The report structure replicates the survivor support experience in the OIC which always foregrounds their medical and physical safety before the provision of psychological services, followed by information on the Survivor Support Group which was initiated in 2019 to create psychosocial spaces by peers who are survivors. Case data by type of incident, location and status of respondent (UCT affiliated or not) constitutes the bulk of the report. The report concludes with a 5-year comparison table of the total number of reported incidents since 2016 and ends with recommendations.

## **Medical Treatment**

Upon receiving a report via the reporting system or a first responder or the 24hr standby service, an assessment is made to determine whether the incident is historic or current. If the incident has just occurred, then the first responder will assist the survivor by containing the survivor and transporting the survivor to the

hospital and back to a place safety. It is imperative that medical attention is provided to the survivor within 72 hours. Of the 83 reported incidents during 01 January 2021 and 30 September 2021, 12 survivors received medical treatment upon reporting to the OIC and/or first responders.

### **Counselling**

Once the medical and physical safety of the survivor is secured, a survivor's psychological and academic stressors are attended to by Yumna Seadat, who is the Survivor Support specialist. It may also be that the survivor is already a patient in the care of Student Wellness Services or a private psychologist. In such instances, Yumna, liaises with the psychologist with the permission of the survivor to collaboratively support the survivor. In this reporting period, (87) survivors were supported by Student Wellness Services and the OIC consisting of 2021 and historic incidents.

### **Chronic Mental Health**

Three (3) survivors were referred to the Clinical Psychologist in Disability Services as they were diagnosed with Chronic Mental Health conditions. (25) student survivors required letters of motivation for academic concessions of which the OIC and Student Wellness provided motivation. The referral to the clinical support ensures that survivors can access academic accommodations as they balance academic life with their mental health needs. It is evident that due to financial conditions such as bursary and scholarship conditions or the constraints of a leave of absence, some survivors are compromising their mental health in order to not negatively impact the conditions of their scholarship and/or their academic progress at UCT. This finding is not uncommon to the higher education sector, and requires a considered systemic change, that prioritizes survivors healing as the data suggests that without systemic change, survivors will continue to deprioritize their mental wellness in order to comply with the requirements of their degree or financial conditions.

### **Survivor Support Peer Group**

In 2019, the OIC conceptualized the Survivor Support Peer Group to provide a community of support among survivors at the university who can come together to create connection, support each others agency, and hold space together and for eachother. During the August Empowered Survivor Campaign (reaching 6000 people), members of public were honored to bear witness to the bond between the students in the Survivor Support Group (SSG).

### **Compassionate Letters**

As part of the university offering for survivor support, the OIC provides compassionate support letters, to course convenors so that some flexibility is allowed in order to accommodate the need for the survivors healing post-trauma. In 2021, 19 letters of compassion were provided by the OIC for survivors. In all instances, course convenors were supportive of the survivor and provide extensions. We thank all course convenors, HOD's and Deans for the empathic and quick support in the provision of compassionate support for survivors.

### **Total number of cases**

In 2021, 83 reported incidents were recorded. Of the 83 incidents, 70 were comprised of sexual misconduct cases and the balance (n=13) comprised of domestic violence cases. Although there was no sexual element in the domestic violence cases, it is important that most of the cases included previous and/or current partners which is understood to be intimate partner violence. University programmes, would benefit from deeper discussions on the forms of intimate partner violence and how to establish and respect boundaries within current and historic relationships. When comparing the 2021 data with the 2020 data, there was an increase in Survivors reporting incidents to the OIC for Survivor Support Services only. In 2021, there was a decrease in Survivors withdrawing from the process. This may be attributed to the Survivor-centered and integrated counselling approach of counselling which reduces secondary trauma and makes the process more manageable when considering the psychological trauma, safety and academic responsibilities of the Survivor.



## **Location of incidents**

Of the 83 cases, 53 took place off UCT campus/unrelated UCT residences/activities or events. The balance of reported incidents took place primarily UCT residences. Residences that have repeated and/or numerous sexual misconduct occurrences have been recorded in this report, for the purpose of identifying areas where increased attention in programming and support among the student population is warranted. Innovations that have been tabled with the residence sector since 2019 included focused male allyship programmes that are led by and for men in order to enable conversations that promotes behavioural change. Similarly, residence leaders have also initiated gender based violence workshops and interventions to assist the student community in understanding what constitutes toxic masculinity, rape culture and patriarchal practices.

Although a majority of incidence are taking place off campus/unrelated UCT residences, the challenges facing students remain a concern particularly, when off campus student require a place of safety or emergency shelter. The ability to place a student/staff member in temporary emergency shelter has been possible with the collaboration of the Department of Student Affairs. It is however, envisaged that as all students return to residence accommodation next year, that space for emergency shelter will be limited. This challenge will however be addressed, once the redesign and building of the OIC offices is concluded – as this new office will include emergency night shelter for survivors.

## **Report of the Special Tribunal**

The Council approval of the Sexual Misconduct Procedures confirmed the work of the previous Ad Hoc Tribunal to a formalised structure as the Special Tribunal. This is a welcome opportunity to strengthen the critical work in legal responses to SGBV. Concurrent to this is the revision of the Anti-Racism and Racial Discrimination Policy which, if approved, will channel cases through the Special Tribunal. The Special Tribunal shifted to the Office for Inclusivity & Change in June 2021 in order to stabilize the operations and resourcing for this unit. However, there remains a dual reporting line to the DVC Transformation as per the Sexual Misconduct Policy. The tribunal was initiated as a pilot in 2020 and following a two year period it is evident that when the tribunal is correctly resourced (with staff and proctors), then cases are expedited. When it is not correctly resourced, then the impact has dire consequences for both complainants and the one

staff member in the Special Tribunal. A critical submission in the 2021 to the central committee for financial resourcing, was necessary, in order to stabilize the work of the Special Tribunal. The objectives of the Special Tribunal are to:

- Provide a disciplinary focus on GBV/Sexual misconduct.
- Ensure presiding officers and assessors are skilled and qualified to hear GBV/Sexual misconduct cases.
- Reduce/fast-track old and new reported cases on the system.
- Reduce the time taken to initiate contact with the survivor.
- Expedite preparation of witnesses for trial.
- Develop alternative methods of leading evidence: reduce secondary victimisation.
- Provide specialised legal skills for best prosecution outcomes.
- Build capacity and resources in respect of Tribunal members.
- Ensure that the procedural process is compliant with internal policies, external legislation and policy obligations in synergy with the rights of the accused and most importantly responding to the survivor's needs as envisioned with a survivor centred approach.

As of 30 September 2021, the Special Tribunal is overseeing 69 cases which includes historic cases stemming from 2019. A detailed breakdown of these cases is provided in the report.

### **Increased Reporting in order to Access Services but not Initiate Formal/Informal processes**

During the 2021 period, it was important to note that survivors (included external members of the community) are using the OIC standby number or contacting the Survivor Support specialist to log an incident and then remain with the service to receive counselling or to participate in the survivor support group. In these instances, the survivor does not want to follow a reporting process and/or is not ready to follow a process. However, where an incident poses a risk to the survivor, or the university community, then the matter is referred to the Special Tribunal for review and recommendation.

### **OIC Standby Advisor Service**

The standby number operates 24hours throughout the year including public holidays. In 2021, there was a 50% (n=24) increase of calls to the Standby number which resulted in advisors going to the site of the incident to provide support to the survivor. This service includes extraction from sites of domestic violence, with the support of SAPS. We also transport the survivor to the Victoria Forensic Unit and are at times supported by the Campus Protection Security services and other first responders in the university community.

### **Education and Advocacy**

Throughout 2021, education programmes on gender based violence were hosted by residence committees, the OIC and student societies over and above broader university communication campaigns the promoted awareness about gender based violence. The efficacy of these programmes are apparent, as students begin to ably engage in conversation with each other. However, whether the conversations result in behavioural change is yet to be tested. Qualitative data from respondent statements indicates that even after attendance in workshops, the engrained patriarchal behaviours remain and are further exacerbated when respondents are under the influence of substances.

### **Summary**

In the sections that follow, the UCT 2021 gender based violence data is presented. This report concludes with reflections and provides direction on improved prevention and response for the institution in order to amplify and directly address the behavioral aspects of gender based violence perpetuated in the UCT community.



**SGBV Incidents Reported: Receiving Medical Treatment 01 January 2021 to 30 September 2021**

During the 01 January 2021 – 30 September 2021 reporting period, a total of twelve (n=12) rape incidents were reported and the survivors received medical support ranging from PEP, contraceptive medication, and post-exposure medication for STI's. The graph below indicates that majority of the UCT survivors who received medical treatment are in relation to Off-Campus (10) rather than On-Campus incidents (2).

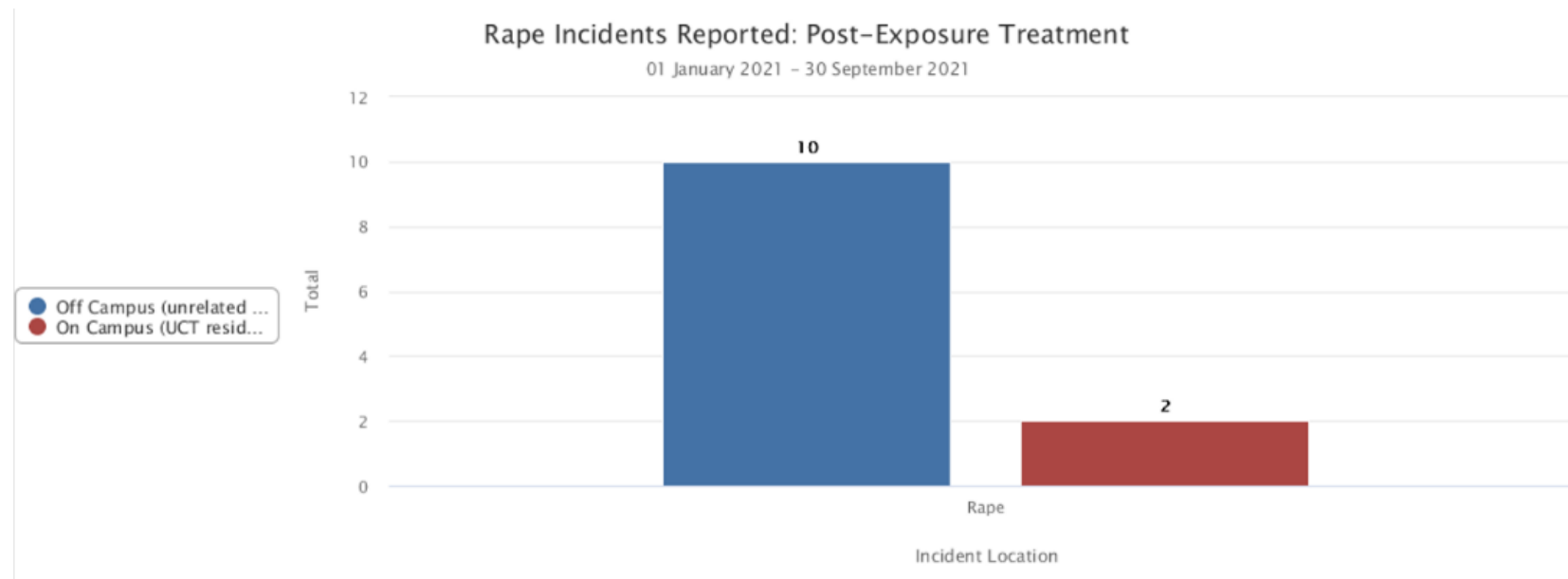


Figure 3: Rape Incidents Reported: Receiving Post-Exposure Treatment 01 January 2021 to 30 September 2021

### **SGBV Incidents Reported: Counselling 01 January 2021 to 30 September 2021**

During the 01 January 2021 – 30 September 2021 reporting period, (76) Survivors reporting incidents of SGBV have been offered individual counselling. There were (7) Survivors who were not offered counselling because they were anonymous and/or were an external member of the public of which information of external counselling bodies are provided through the online tool or email communication. A total of (49) survivors engaged with the Survivor Support Specialist for Individual Counselling – the graph indicates a total number of Survivors and not the number of sessions held with each Survivor. The data indicates that the highest incident type of Survivors who required individual counselling in addition to the counselling consultations, were Survivors of Rape (20) and secondly, Survivors of Sexual Assault (16). Note, survivors may choose not to receive any psychosocial support and/or may not be receiving counselling support from the OIC can be receiving counselling support from SWS or external mental health practitioners.

The third highest incident type was Sexual Harassment (7) followed by Domestic Violence (6), of which the Survivors received individual counselling from the OIC – survivors of Sexual Harassment and Domestic Violence not requiring counselling support from the OIC is higher than survivors of Rape and Sexual Assault who do require individual counselling. These findings may suggest that the psychological trauma caused by Rape and Sexual Assault requires specialised and focussed support to regain optimal functioning. When comparing the counselling support data for survivors of Rape and Sexual Assault between SWS (combined total of 30) and OIC (a combined total of 36), there is an increase in survivors requiring the OIC counselling support. Survivors who were offered the OIC individual counselling service and declined, included: Rape (9), Sexual Assault (3) Sexual Harassment (9) and Domestic Violence (9).

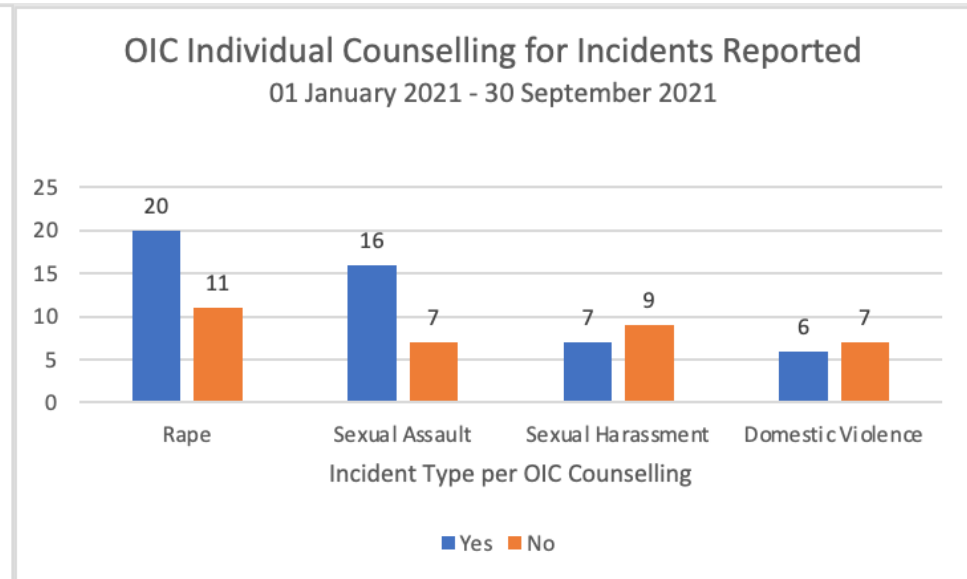
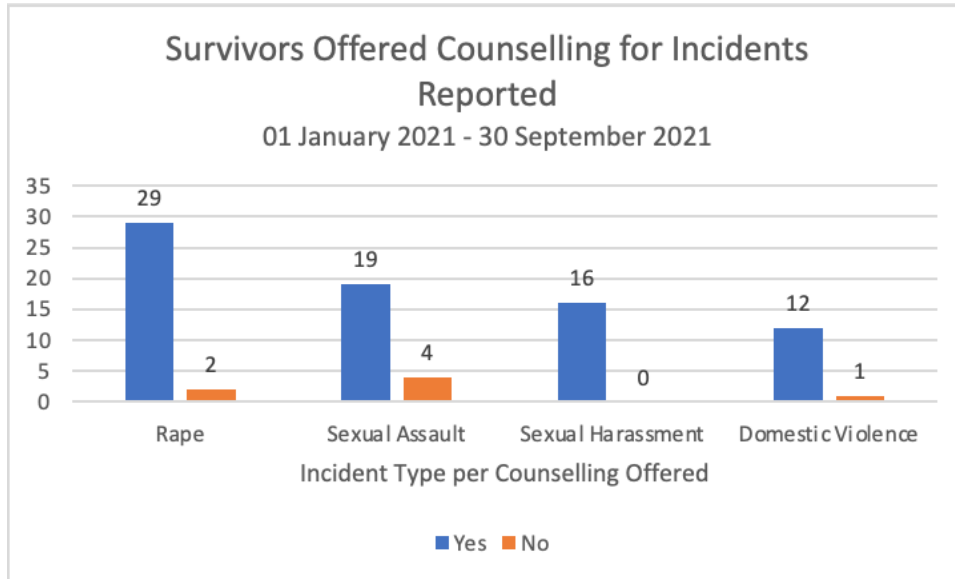


Figure 4: Survivors Offered Counselling for Incidents Reported

Figure 5: OIC Individual Counselling for Incidents Reported

During the 01 January 2021 – 30 September 2021 reporting period, (38) student survivors of SGBV confirmed that they are in the care of UCT Student Wellness Services (SWS). The below SWS graph excludes UCT staff and external survivors. Survivors frequently accessed individual counselling with Student Wellness Services: Survivors of Rape (21) has a higher uptake with SWS when comparing it to survivors at the OIC (20). Survivors of Domestic Violence has an equal uptake at SWS (7) and OIC (7). Survivors of Sexual Assault (9) and Sexual Harassment (2) have a lower uptake with SWS when comparing it to the OIC Sexual Assault (16) and Sexual Harassment (7).

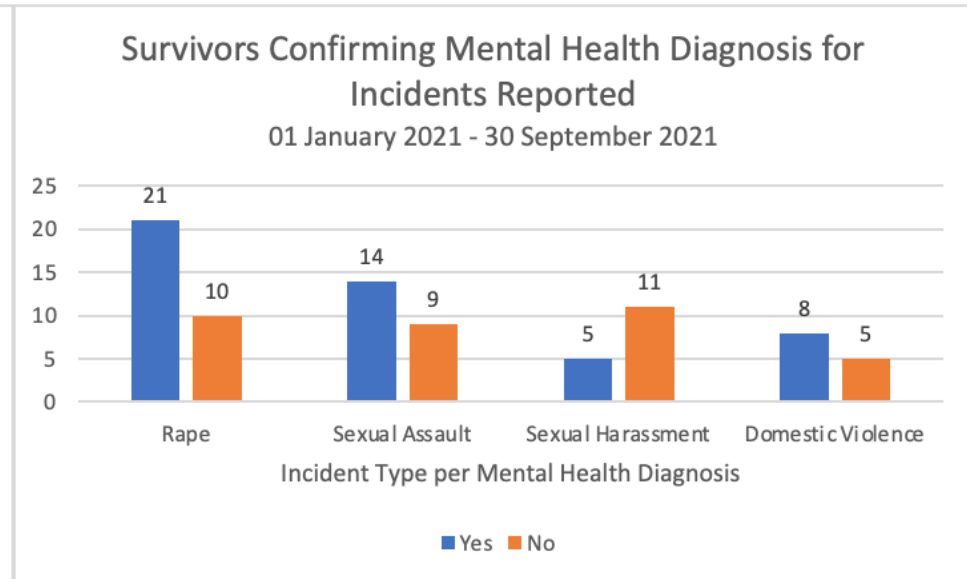
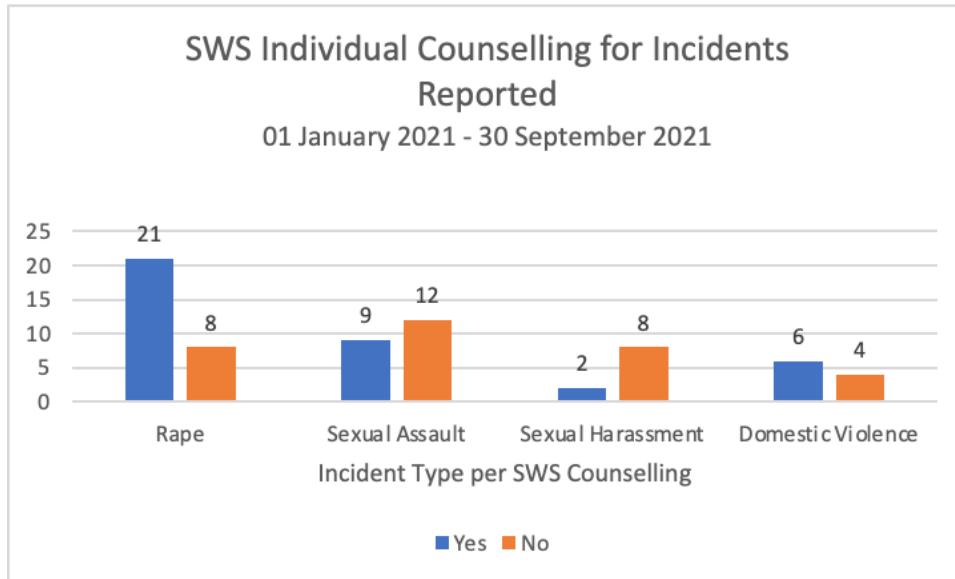


Figure 6: SWS Individual Counselling for Incidents Reported

Figure 7: Survivors Confirming Mental Health Diagnosis for Reported Incidents

During 01 January 2021 – 30 September 2021, (48) survivors who reported incidents of SGBV have been diagnosed with a mental health disorder of which three Survivors of Rape (3) were referred to the OIC Disability Service as their Mental Health diagnoses have been classified as a Chronic Mental Health Diagnosis requiring long-term special academic concessions. The highest incident type of Survivors receiving Mental Health Diagnoses is Rape (21), second highest is Sexual Assault (14), third highest is Domestic Violence (8), and the lowest is Sexual Harassment (5).

**Survivor Support Group: Psychoeducational & Trauma Focused Group May 2020 to September 2021**

The Survivor Support Group (SSG's) were hosted once a week and took place as long as there were two or more Survivors available to join the session. There has been a total of nine Survivors (n=9) who joined the SSG's of which four (4) of the Survivors have concluded with the group as they indicated that they have received the healing and growth which they required: 2020 (1) and 2021 (3). Currently, the group is hosting six Survivors. This data excludes Survivors who inquired about the SSG's and/or are in the process of joining the SSG. The average number of sessions hosted in a month and number of Survivors who attended a session, are four (4) for both fields. The data indicates an increase in SSG attendance from April 2021 – September 2021.

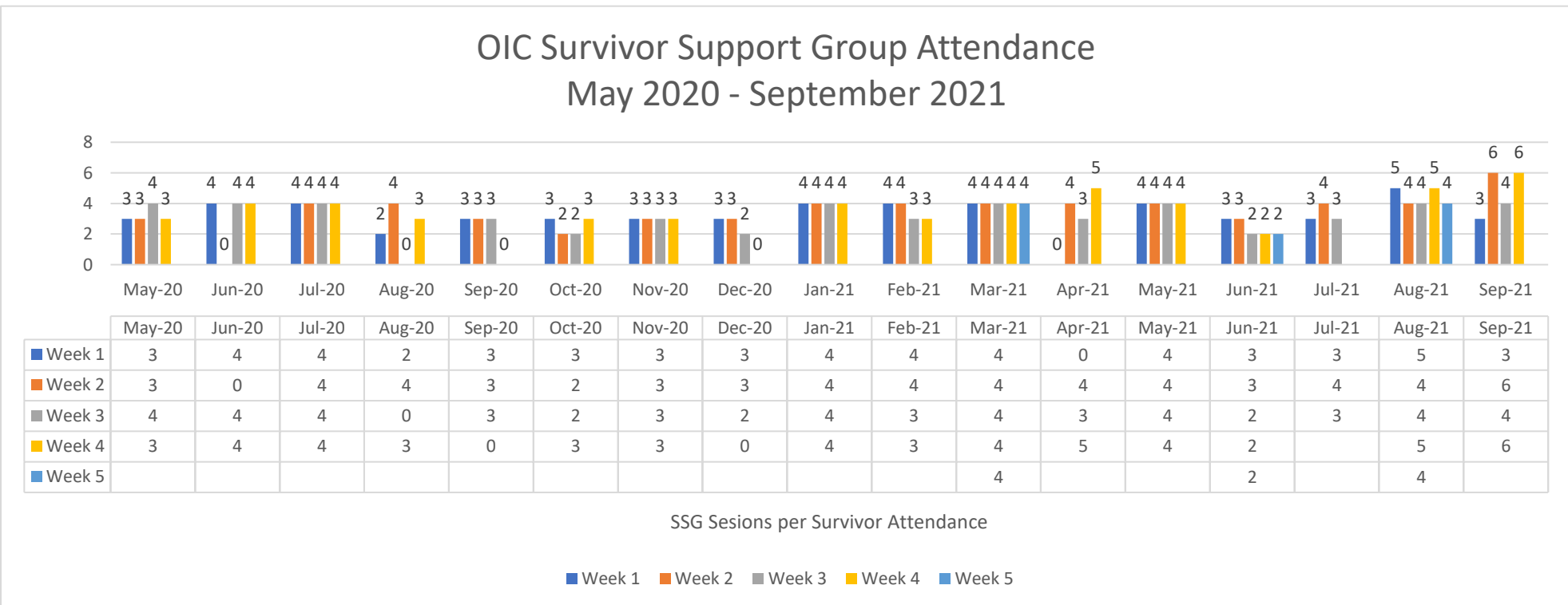


Figure 8: OIC Survivor Support Group Attendance

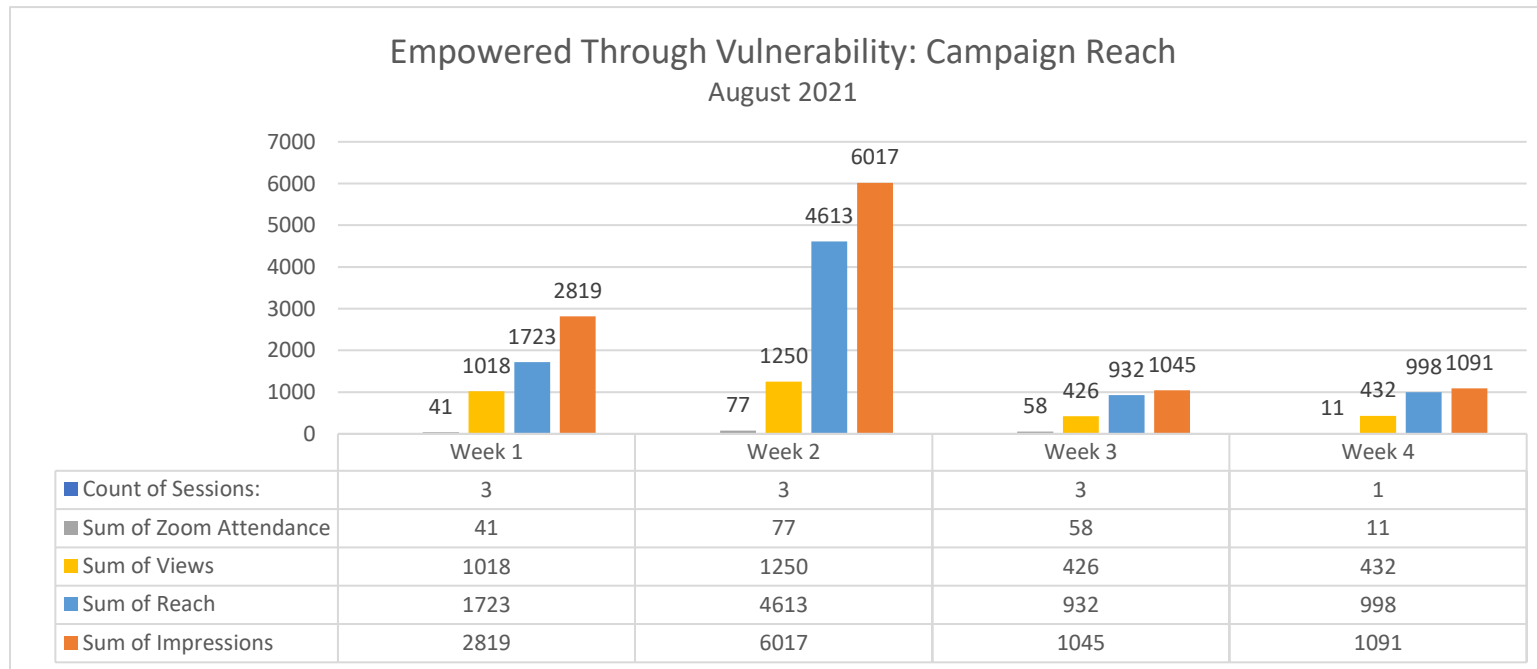
### **OIC Survivor Support Awareness Campaign: Empowered Through Vulnerability August 2021**

This campaign included a series of online discussions surrounding Sexual Violence and the daily challenges Survivors experiences and overcame. The goal was to create unique spaces which includes and encourages Survivors to take up support after experiencing SGBV, as well as to share insights into the challenges and long-term support Survivors require from their social and academic networks. This is the first time that the OIC facilitated an online live event that was open to the public, which hosted Survivors and professionals with specialised knowledge and skills within the field of SGBV. Each session was facilitated by the OIC Survivor Support Specialist Yumna Sedat in conversation with esteemed panellists who also shared valuable insights. This included the likes of the National Senior State Prosecutor at Wynberg Magistrate Court (SGBV), Rape Crisis Counselling Co-ordinator and Registered Counsellor Shiralee McDonald, Survivors from the OIC Survivor Support Group, UCT OIC Director Dr Sianne Alves and UCT Specialized Tribunal for Sexual Offences, Anne Isaac, UCT clinical psychologist Nazeema Ahmed, and UCT Counselling Psychologist Bhavani Krishna. Each week averaged on three 1hr30 minute sessions. The Instagram (IG) insights in the graph below can be explained as follows:

- Impressions: The number of times the video was on-screen, which may include multiple views by the same accounts
- Reach: The number of unique accounts that have seen this video at least once
- Views: The number of times people watched at least 3 seconds of the video

A summarised analysis indicates high engagement and content reach during week two based on support from OIC, related staff, and an interview on E-TV news. The Sextortion and Cybercrime Act 19/20 session in week three was cancelled, which brought down the average in week three with no participants joining the Zoom Live. The Survivor Support Specialist and Host remained on the session for 30 minutes before cancelling the session. The lack of attendance may be a direct result of low social engagement, posting and reposting on social networks to encourage viewers to join the meeting link. On average per session: 19

individuals joined Zoom Lives, 1098 Instagram impressions, 827 reach on Instagram, and 313 Instagram views. This indicates high interest in the discussion topics and a much-needed public campaign to ensure that silent or hesitant UCT Staff and Students are aware of the services that we provide. The second noticeable factor was that there was always an increase in individuals joining the Zoom Lives when Survivors were panellists sharing their lived experiences. The success of the campaign is also supported by the increase in number of incidents reported to the OIC since August 2021, of which Survivors have indicated that they joined the Zoom Live engagements and were reaching out for support or would have liked to inquire about the OIC Survivor Support Group. The campaign also allowed the Survivors to gain valuable insight into their healing journeys as they reflected on their experiences.



*Figure 9: Empowered Through Vulnerability: Campaign Reach*

**SGBV Incidents Reported: Compassionate Consideration Letters 01 January 2021 to 30 September 2021**

During the 01 January 2020 – 30 September 2021 reporting period, the OIC provided a combined total of twenty-five (n=25) Compassionate Consideration Letters (CCL) for UCT student survivors in support of special accommodations and requests for survivors based on impaired functioning and psychological trauma - this is excluding UCT staff and external survivors. In 2021, the highest number of CCL issued in a month was nine in September (9), followed by August (6). During January, February, March, May survivors did not require the OIC to motivate for or provide a CCL. The OIC issued CCL for (19) survivors and is aware that SWS issued CCL for (6) survivors.



Figure 10: Compassionate Consideration Letters written in 2021 for Survivors



**Total Number of SGBV Incidents Reported by Type 01 January 2021 to 30 September 2021**

A total of eighty-three incidents (n=83) were reported to the OIC in the 2021 (nine-months) reporting period. Sexual Violence (70) remains consistently higher than Domestic Violence, comprising of 13 of the incidents occurring in 2021. The Domestic Violence incidents were on a broad spectrum of SGBV incidents types such as assault, harassment, intimidation and victimisation. However, for the purpose of this reporting process the specific categories are not specified. The highest reported incident type was Rape (31), the second was Sexual Assault (23), the third highest was Sexual Harassment (16), and the lowest reported incident type was Domestic Violence (13). There have been no incidents of Attempted Sexual Assault and Threat of Sexual Assault during this reporting period, and therefore, the incident types do not appear in this graph or any of the succeeding 2021 graphs. The below graph is based on the incidents reported to the OIC within this reporting period and is not a reflection of the total number of incidents occurring within this reporting period.

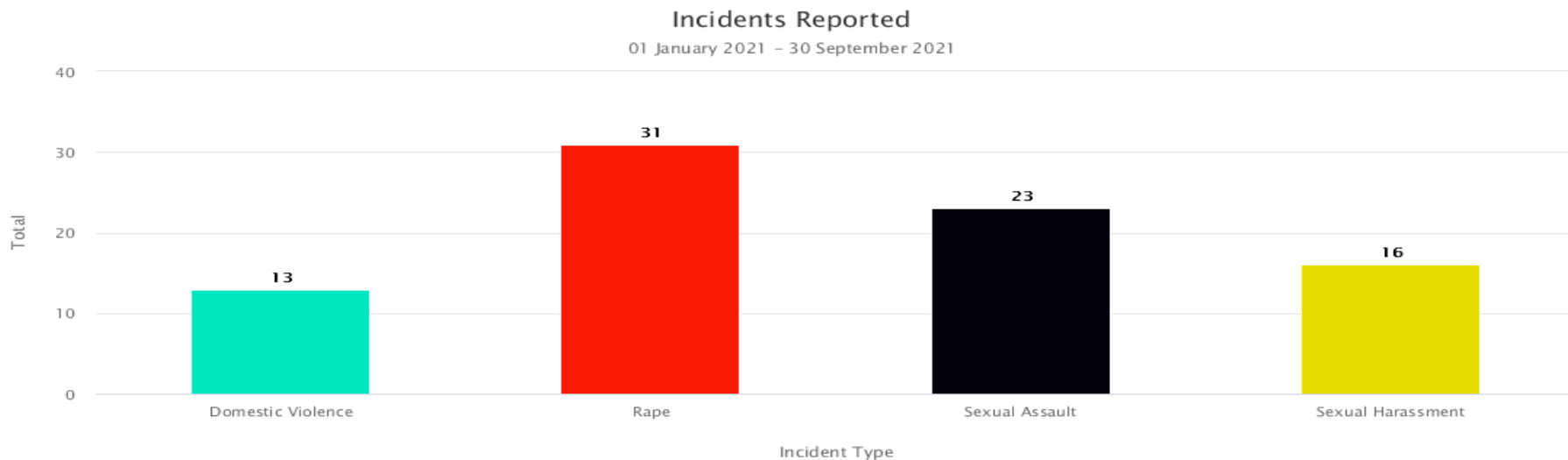


Figure 11: Incidents Reported by Type 01 January 2021 to 30 September 2021

**Total Number of SVGBV Incidents Reported On-Campus by Type 01 January 2021 to 30 September 2021**

During the 01 January 2021 – 30 September 2021 reporting period, twenty-six (n= 26) On-Campus incidents were reported to the OIC, which includes historic cases that were reported to the OIC in 2021. Sexual Assault (9) and Sexual Harassment (9) are the highest incidents reported On-Campus. The second highest reported incident On-Campus was Rape (5) and the lowest reported was Domestic Violence (3).

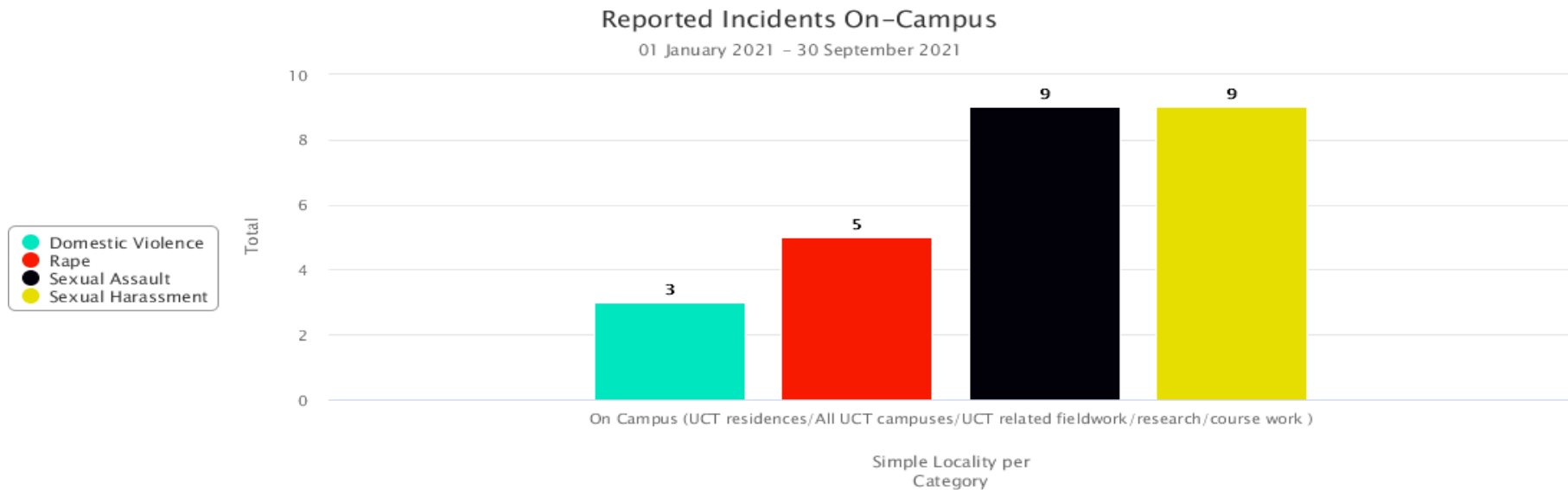


Figure 12: Incidents Reported On-Campus by Type 01 January 2021 to 30 September 2021

### Total Number of SVGBV Incidents Reported by Incident Location UCT Residence 01 January 2021 to 30 September 2021

Within the twenty-six (n=26) On-Campus incident reports, twenty-three (23) of the On-Campus incidents occurred in a UCT Residence during 2021; (8) UCT Residences were listed as the incident location and (3) were at unspecified UCT Residences. The **residences with the highest SGBV incidents occurring** and reported in 2021 were Roscommon (6) and Obz Square (6). The second highest residences with SGBV incidents occurring and reported were Forest Hill (2) and Rochester House (2), followed by Woolsack (1), Medical Residence (1), Liesbeeck Gardens (1), and Harold Cressy Hall (1). Lastly there were three incidents occurring at UCT Residences which have not been specified, and as a result grouped under Unspecified (3).

**The highest incident type** that occurred in a UCT Residence was Sexual Assault (9), followed by Sexual Harassment (6), Rape (5), and Domestic Violence (3). Sexual Assault is a **reoccurring incident** in three of the nine location fields. Sexual Assault occurred in the following residences: Roscommon (3), Obz Square (2), and Rochester House (2). Sexual Harassment and Domestic Violence occurred twice in Obz Square Residence (2). Rape incidents occurred once in five of the Residence location fields of which 60% of the Rape incidents occurred when there was at least one other SGBV incident occurring too. Residences which have incidents of Sexual Assault occur are at risk for other SGBV incidents to occur and/or occur more frequently Sexual Assault. This data suggests that the UCT Residences would benefit from increased training and workshops on SGBV in the residence spaces for prevention and Survivor support.

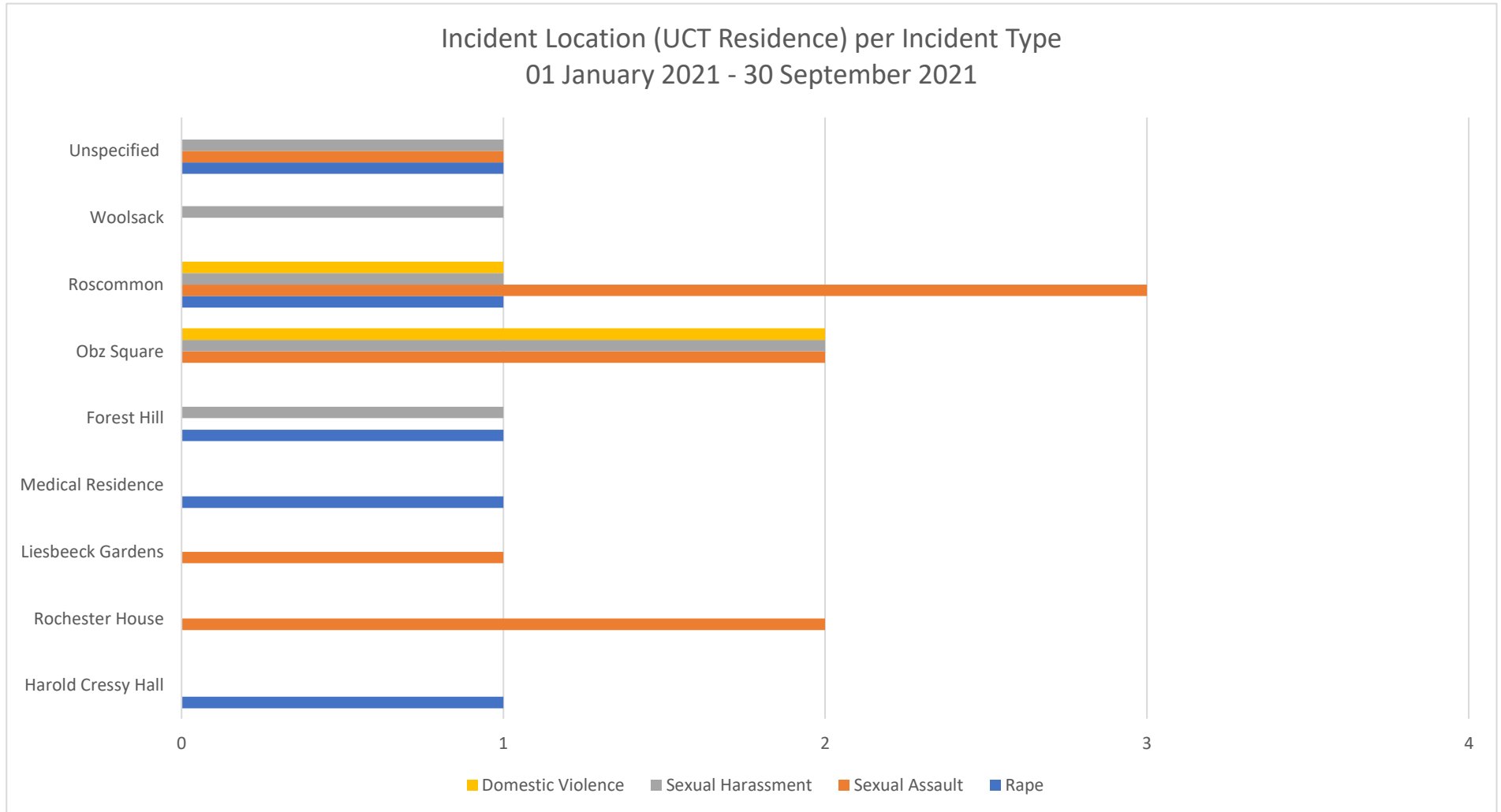


Figure 13: Incident Location (UCT Residence) per Incident Type

**SVGBV Incidents Reported: UCT Student Survivor and Respondent in UCT Residence 01 January 2021 to 30 September 2021**

The data indicates that majority of UCT **student survivors** live On-Campus in the UCT Residence Accommodation (45) and (26) UCT student survivors live in Off-Campus Accommodation. The majority of UCT **student respondents** live On-Campus in UCT Residence Accommodation (25) and (16) UCT student respondents live in Off-Campus Accommodation. Furthermore, the data indicates that UCT students who live On-Campus are at a greater risk to experience SGBV than students living off-campus and UCT student respondents are more commonly registered in the residence system.

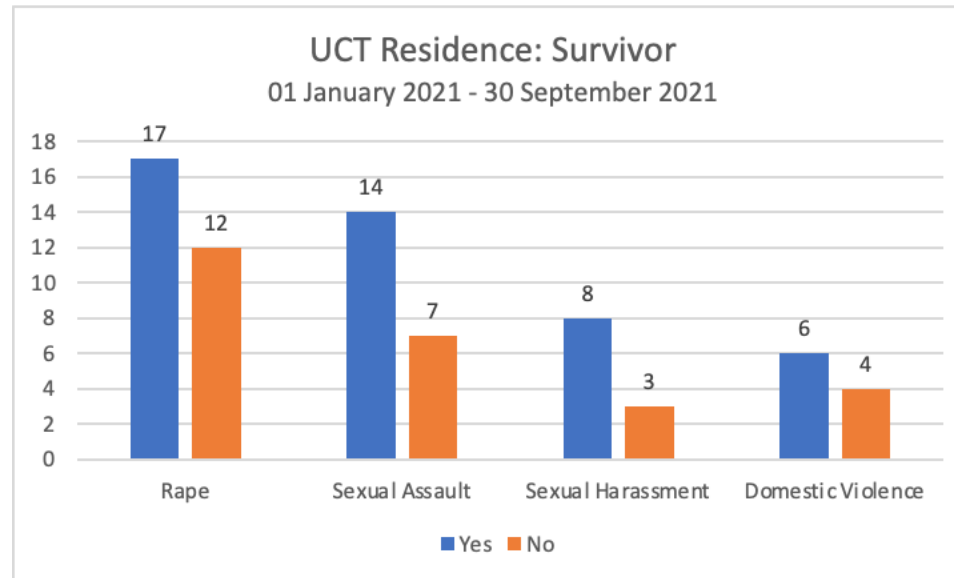


Figure 14: Survivor in Residence by Type of Incident

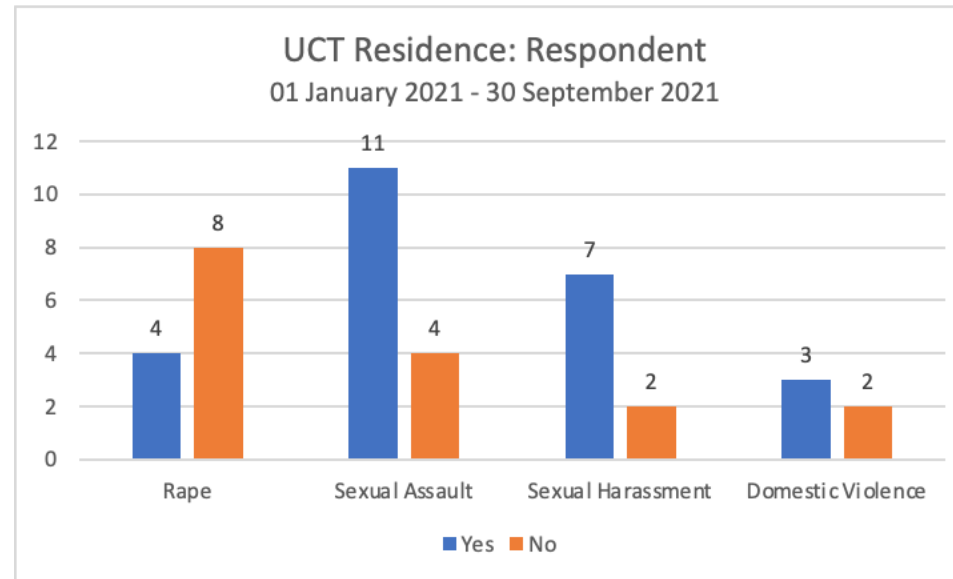


Figure 15: Respondents in Residence by Type of Incident

### SVGBV Incidents Reported by Respondent Status 01 January 2021 to 30 September 2021

During the reporting period, UCT Student Respondents and External Respondents were the two highest Respondents. The highest status of respondents (n=40) were UCT Students which included UCT Students who have dual status (joint appointments). The second highest status of Respondents were External Respondents 2021 (28). The third highest status of Respondents were UCT Staff, which included the 2020 UCT Dual Status Respondents (8). The lowest status of respondents were Unknown Respondents (7). There was a significant decrease in UCT Staff Respondents, which could be due to awareness and education through the Sexual Misconduct Policy Training. However, there remains a need for education, awareness and prevention measures within the student population.

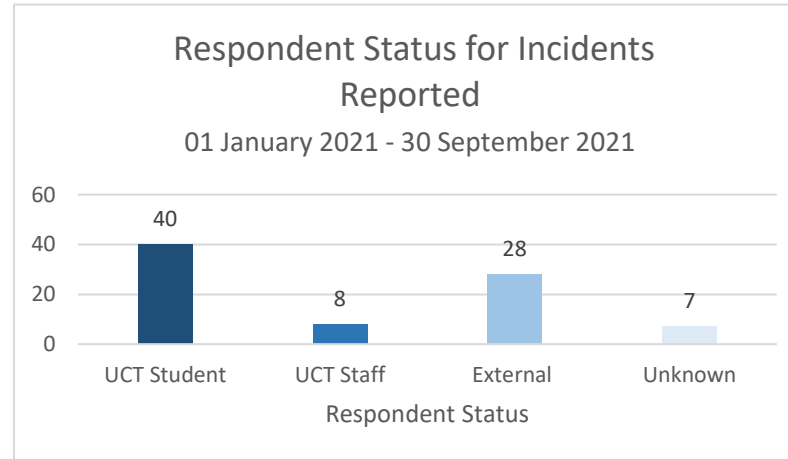


Figure 16: Respondent Status for Incidents Reported

**SVGBV Incidents Reported by Incident Type and Respondent Status 01 January 2021 to 30 September 2021**

The following analysis discusses the highest Respondent Status per incident type during the reporting period. The data highlights that the incident type of Rape was most committed by External Respondents (14). The incident type of Sexual Assault was mostly committed by UCT Student Respondents in 2021 (14). The incident type of Sexual Harassment was mostly committed by UCT Student Respondents including UCT Dual Status Respondents in 2021 (10). The incident type of Domestic Violence was mostly committed by UCT Student Respondents (2), whereas Domestic Violence was most committed by External Respondents (6). UCT Staff Respondents (including joint appointments) were most frequently listed for sexual harassment in 2021 which saw a decrease in UCT Staff Respondents for Sexual Harassment.

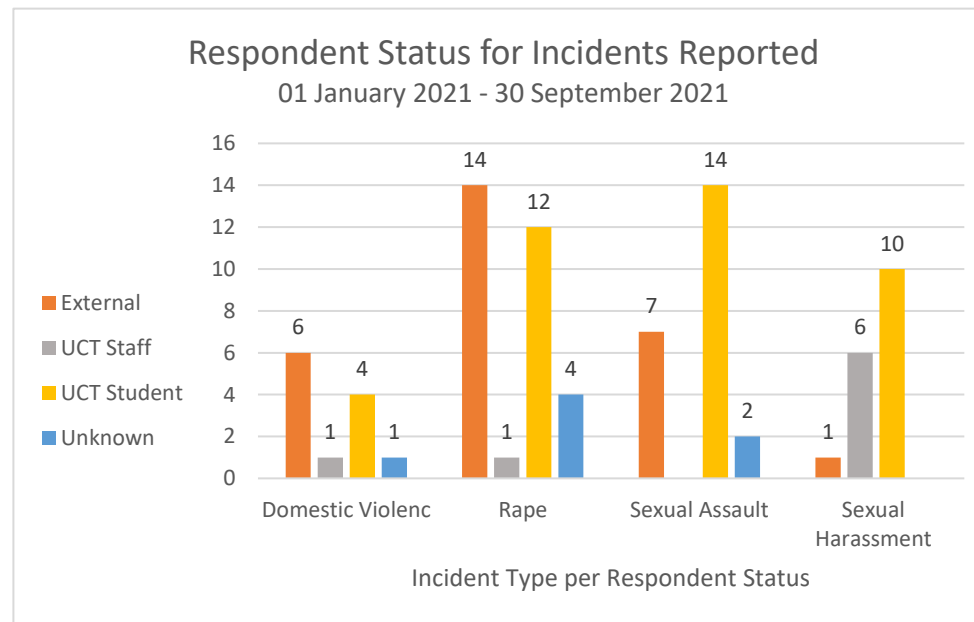
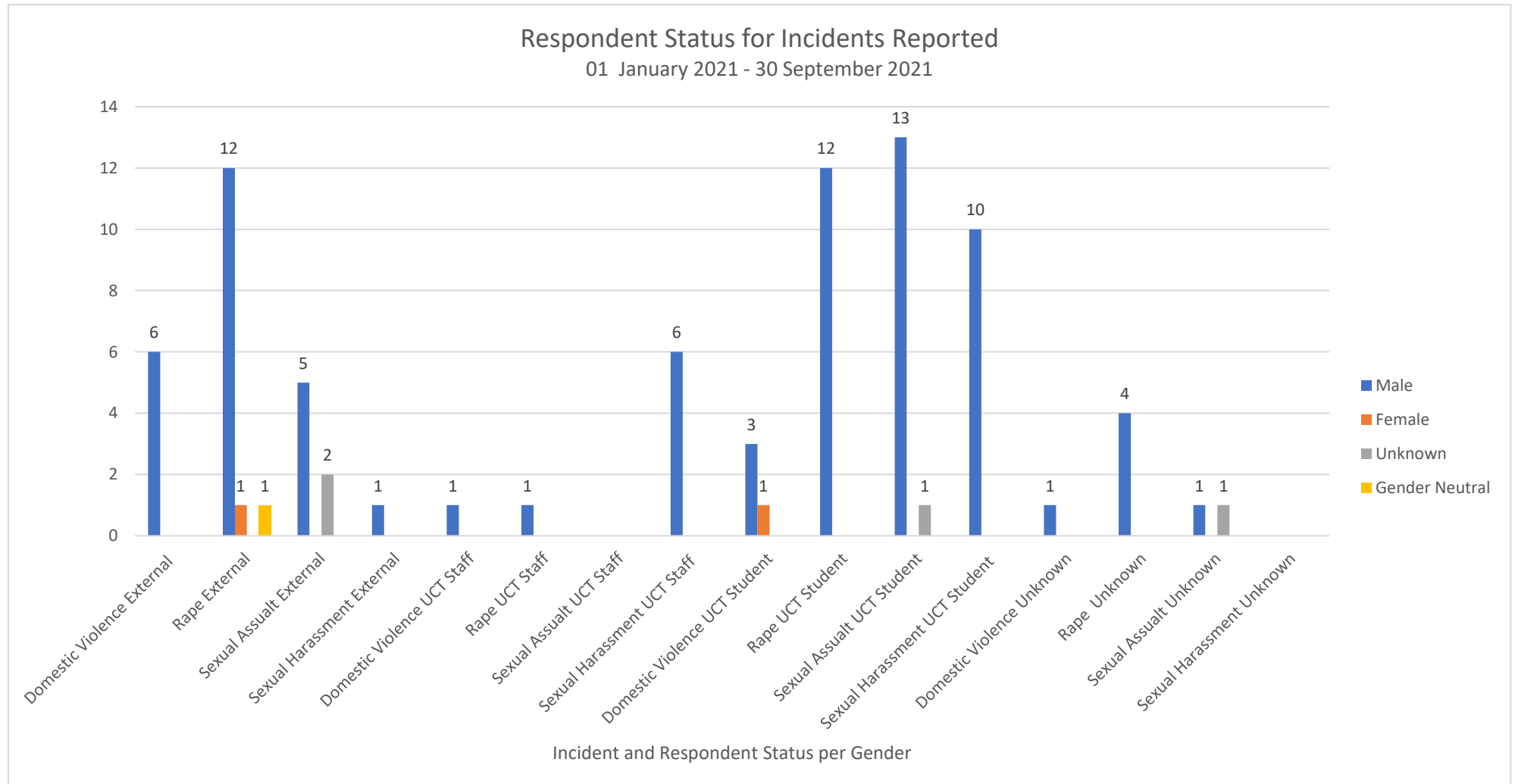


Figure 17: Respondent Status for Incidents Reported 1 Jan – 30 Sept 2021



SVGBV Incidents Reported by Gender 01 January 2021 to 30 September 2021





The 2021 data indicates that there were (n=83) Respondents in total. In 2021 of the incidents reported, majority of Respondents in 2021 were male. There were two incident types identifying female Respondents: Rape concerning an External Respondent (1), and Domestic Violence concerning a UCT Student Respondent (1). There are Respondents where gender has not been specified for Sexual Assault: External Respondent (2), UCT Student Respondent (1), and Unknown Respondent (1). There was an External Respondent (1) who identified as Gender Neutral, with regards to a Rape incident. The 2021 data indicates that Rape and Sexual harassment by a UCT Student and/or Staff Member only occurred by the Male gender.

**Total Number of SVGBV Incidents Reported by Respondent Status and Gender 01 January 2021 to 30 September 2021**

Respondent status during the 2021 reporting period, (48) respondents consist of UCT Students and Staff Members, followed by (38) External Respondents, and (7) Unknown. The total of gender classification is as follows; male (76), Unknown (4), Female (2), and Gender Neutral (1). The majority of UCT Respondents of the incidents reported to the OIC in 2021 are UCT Students (40). The highest gender field being UCT Male Students (38). The UCT Student category also consists of UCT Female Students (1) and gender of which is Unknown (1). The second highest Respondent category is External Members (28) unrelated to UCT. The highest gender field in this category is External Male (24), followed by Unknown gender (2), External Female (1), and External Gender Neutral (1). The third highest Respondent category is UCT Staff Members (8) which only consists of Male Respondents (8). The lowest Respondent category is Unknown (6) consisting of Male (6) and gender which is Unknown (1).

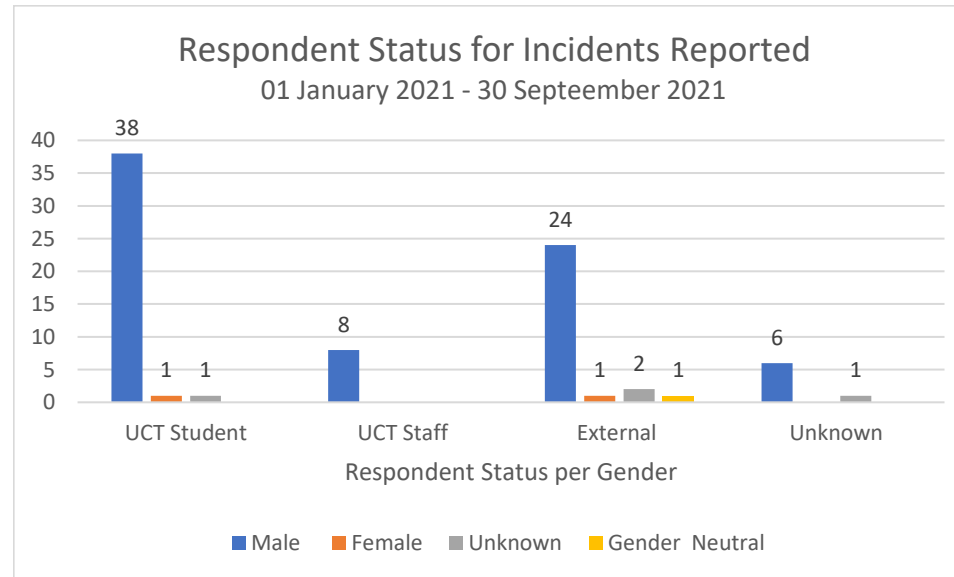


Figure 19: Respondent Status for Incidents Reported

**Total Number of SVGBV Incidents Reported by Survivor Status and Gender 01 January 2021 to 30 September 2021**

Survivor status during the 2021 reporting period, mainly consist of UCT Students. A combined total of (76) UCT students (71) and staff members (5). are Survivors, with (7) external survivors. The majority of UCT Survivors of the incidents reported to the OIC in 2021 were UCT Students (71). The highest gender field being UCT Female Students (65). The UCT student category also consists of UCT Male Students (5) and Gender Neutral students (1). The second highest Survivor category was External Members (7) unrelated to UCT of which all were Female. The third highest Survivor category is UCT Staff Members (5), which were all female.

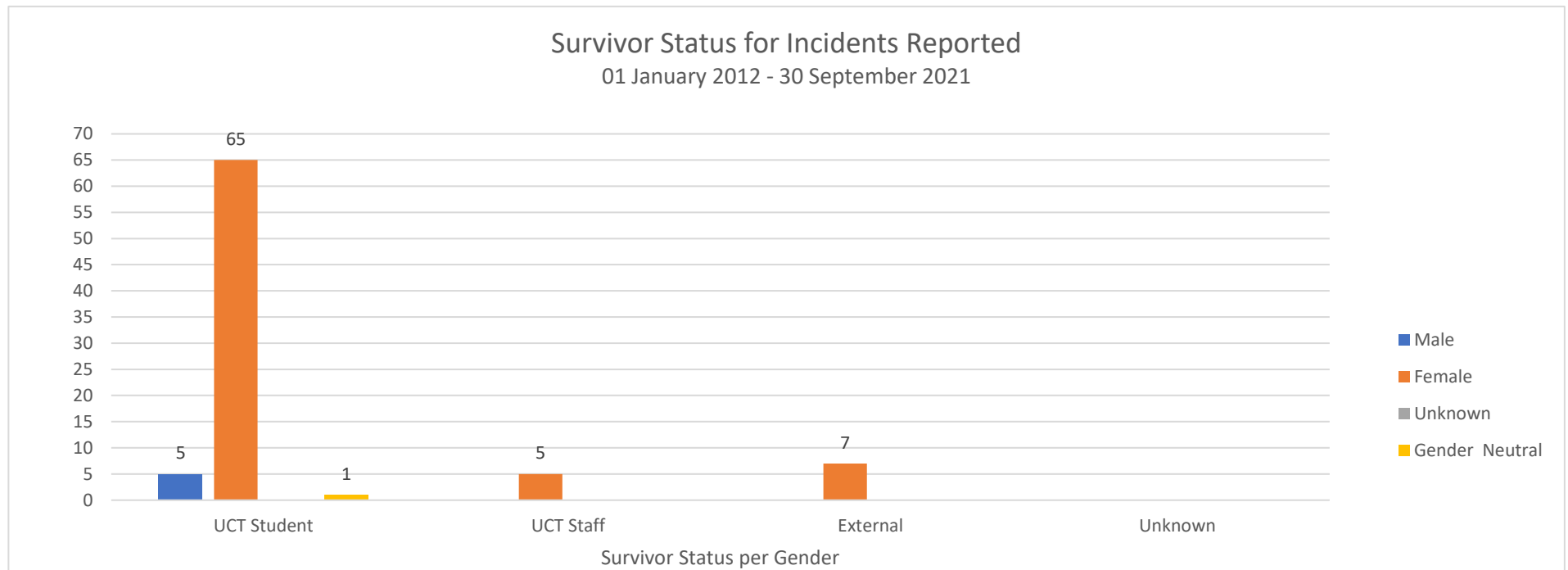


Figure 20: Survivor Status by Gender

**Case Status of SGBV Incidents Reported: External Respondents 01 January 2021 to 30 September 2021**

During the 01 January 2021 – 30 September 2021 reporting period, (26) of the incidents reported are external cases. External cases refer to incidents reported which consist of a respondent who were not affiliated and/or representing UCT. In these incidents reported, the University does not have jurisdiction to proceed with a UCT Reporting Process and a UCT sanction would not be applicable. This data excludes External Reporting Processes and Orders against UCT Respondents. During the 2021 reporting period, the following occurred for Non UCT Respondents; the OIC referred (3) UCT survivor cases to SAPS. In addition, (6) UCT survivors opened up an enquiry with SAPS and (2) UCT survivors chose to proceed with Criminal Prosecution. None of the UCT Survivors chose to apply for a National Protection Order (0) or Harassment Order (0) against the External Respondents.

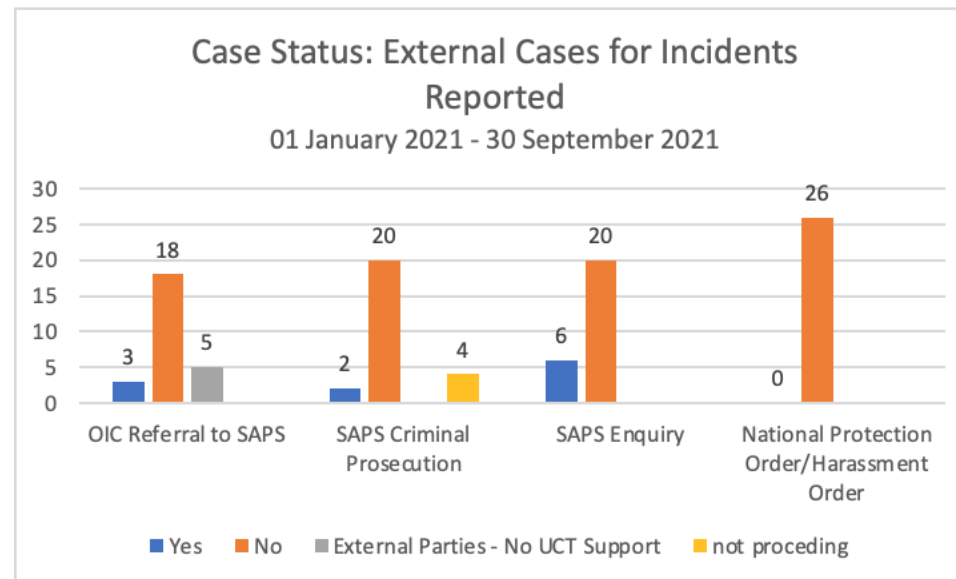


Figure 21: Case Status for External Incidents that are reported

**Case Status of SGBV Incidents Reported: Counselling Consultation 01 January 2021 to 30 September 2021**

All SGBV incidents reported and occurring in the 01 January 2021 – 30 September 2021 reporting period have been acknowledged and the Survivor Support Specialist has either reached out directly to the Survivor, or to the Complainant (person reporting on behalf of the Survivor) and/or through the CiIMS chat channel particularly with regards to anonymous cases. This does not guarantee that Survivors and/or the Complainants will reach out to the Survivor Support Specialist to continue with the reporting process or Survivor Support Services. The data graph below, excludes case reports where the survivor’s information was strictly anonymous, and consists of cases that were reported in 2021. There are (5) Survivors who reported in 2021 and have not yet made a decision on how to proceed with the reporting processes (OIC – Assessment Complete: Contact the OIC) but are in contact with the Survivor Support Specialist on next steps for their case report. There is (1) survivor who has not yet met with the Survivor Support Specialist (OIC: Consultation Requested) of which the OIC has requested to meet for the counselling consultation.

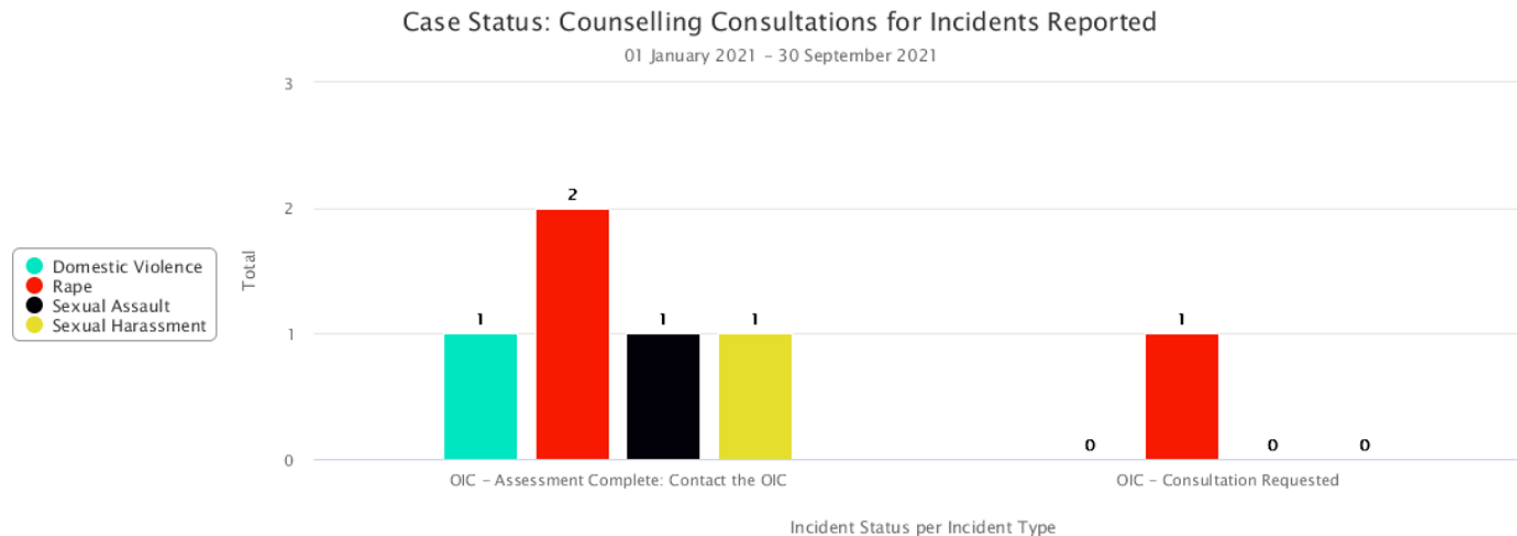


Figure 22: Counselling Consultations for Reported Incidents in 2021

**Case Status of SGBV Incidents Reported: Anonymous 01 January 2021 to 30 September 2021**

During the 01 January 2021 – 30 September 2021 reporting period, there are (6) anonymous cases whereby the survivor has not left any contact information or identification for the Survivor Support Specialist and/or the Specialised Tribunal to make direct contact and extend support services and case management. These reported incidents have been acknowledged and information on next steps and reporting processes were shared through the OIC online reporting tool chat channel. Anonymous Survivors could respond on the CiMS platform where they can remain anonymous or request to meet with the Survivor Support Specialist. The majority of the anonymous incidents took place Off-Campus (4), with the remainder of the anonymous incidents taking place On-campus (2). The data indicates, that survivors report as anonymous for both incident locations but more commonly when the incident occurs off-campus. Survivors more commonly list themselves as anonymous with no further contact information in cases of Sexual Assault (3), Rape (2) and Domestic Violence (1).

Case Status: Strictly Anonymous Survivors for Incidents Reported

01 January 2021 – 30 September 2021

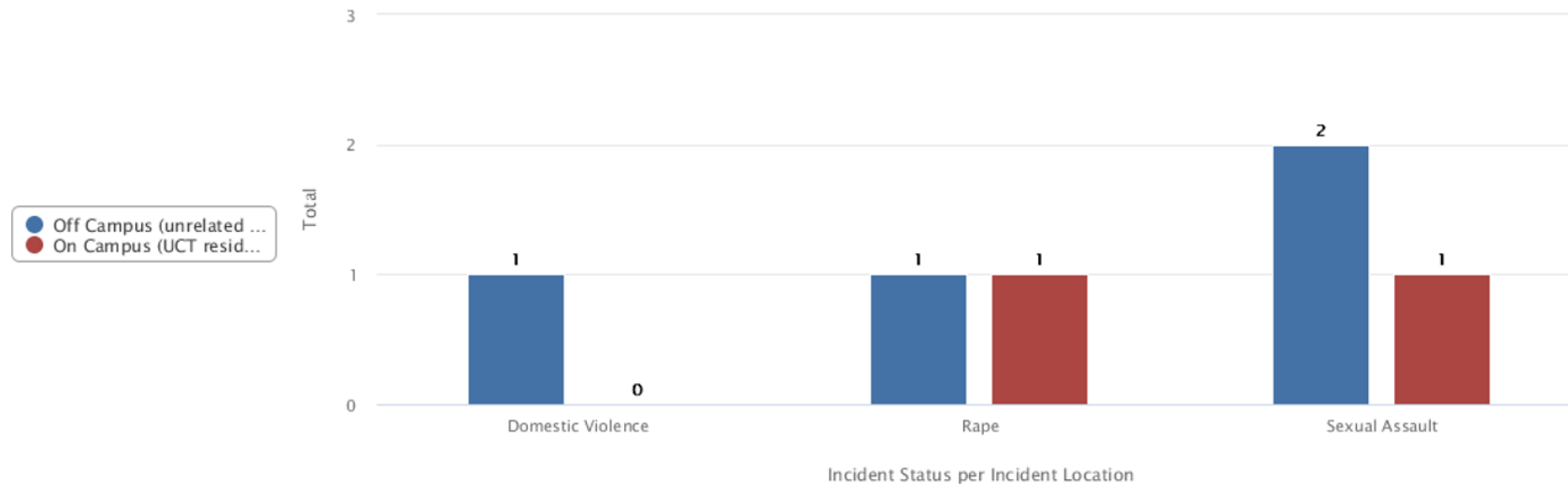


Figure 23: Anonymous Survivor Reports

**Case Status of SGBV Incidents Reported: Relations Strategist - Informal Reporting Process 01 January 2021 to 30 September 2021**

During the 01 January 2021 – 30 September 2021 reporting period, (n=7) survivors chose an Informal Reporting Process through the OIC. There is only (1) respondent consultation outstanding for 2021 requests for an Informal Reporting Process. The Relations Strategist has met with all other respondents in regard to Informal Reporting Processes; of which the OIC provided (5) respondents with educational intervention trainings and (1) written apology from the respondent to the survivor.

Case Status: Informal Reporting Processes for Incidents Reported

01 January 2021 – 30 September 2021

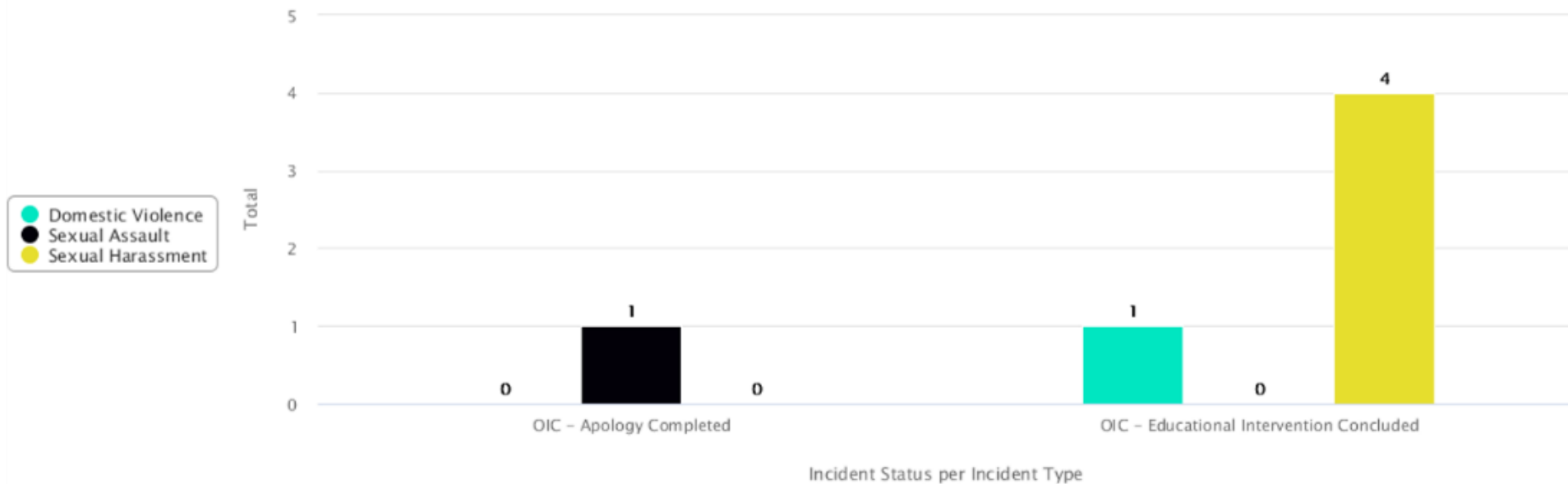


Figure 24: Informal Reporting Process in 2021



Nine (n= 9) SGBV cases were referred for Informal Reporting Processes. The highest intervention was an OIC Educational Intervention on SGBV, of which five respondents completed the workshop: Sexual Harassment incidents (4) and Domestic Violence (1). The second most common intervention was OIC Mediation of which the engagement was successful: Sexual Harassment (1) and an OIC Apology from the respondent to the survivor; Sexual Assault (1). The OIC has two cases that have not been concluded; in both cases the Survivor has requested for the Respondent to complete an Educational Intervention. The relations strategist has consulted with one of the Respondents and awaits confirmation to proceed with an OIC Educational Intervention for Sexual Harassment (1). The relations strategist has not been able to proceed with consultation as the Respondent’s mental health was of concern and the process has been put on pause until the Respondent is fit to proceed with the OIC consultation for Sexual Assault (1). The majority of the completed Informal Reporting Processes for SGBV cases were from cases reported in 2021 (6). In 2021 (1) only one SGBV case was referred for an Informal Reporting Process. There are two outstanding cases from 2021 (1) and 2020 (1) of which the case status has been discussed above. Within the nine cases reported, six incidents occurred in 2021 and three incidents occurred in 2020.

01 January 2020 – 30 September 2021

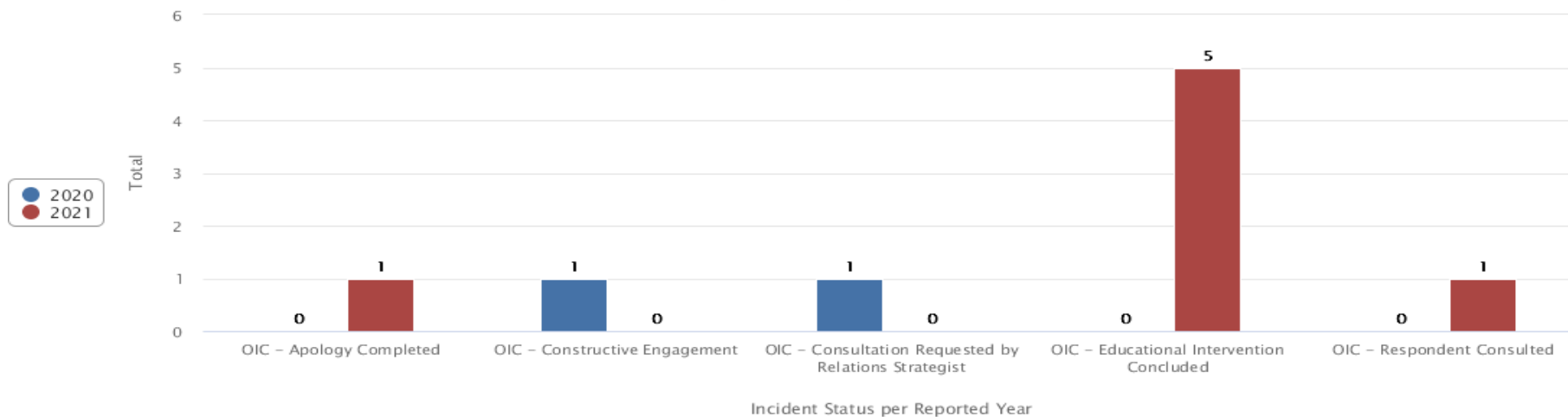


Figure 25: Outcome of Informal Reporting Processes



### **Case Status of SGBV Incidents Reported: Formal Reporting Process 01 January 2021 to 30 September 2021**

During the 2021, reporting period (n=17) incidents that reported to the OIC, were referred for a Formal Reporting Process. Rape (6) was the most referred incident type for a UCT Formal Reporting Process, followed by Sexual Assault (5), Sexual Harassment (4), Domestic Violence (1) and Harassment (GBV) (1). From the 2021 data, the specialised tribunal has sixteen (16) outstanding cases of which the specialised tribunal has met with seven (7) of the Survivors for the first consultation and have to meet with nine (9) Survivors for their first consultation. The specialised tribunal has drafted charges for two (2) of the sixteen cases referred in 2021. Prehearing meetings for the two (2) cases which have confirmed drafted charges: case proceeding in absence of Respondent. The remainder of the outstanding cases referred in 2021 require the first consult and/or UCT charges to be drawn up for the prehearing meeting, and hearing preparations with the Survivors and Disciplinary Hearing dates to be set. In 2021, one of the 2021 referrals of case has been withdrawn by the Survivor; the Survivor indicated that she no longer wanted to proceed and that the interim measures were sufficient for her to continue her academic responsibilities at UCT (Domestic Violence).

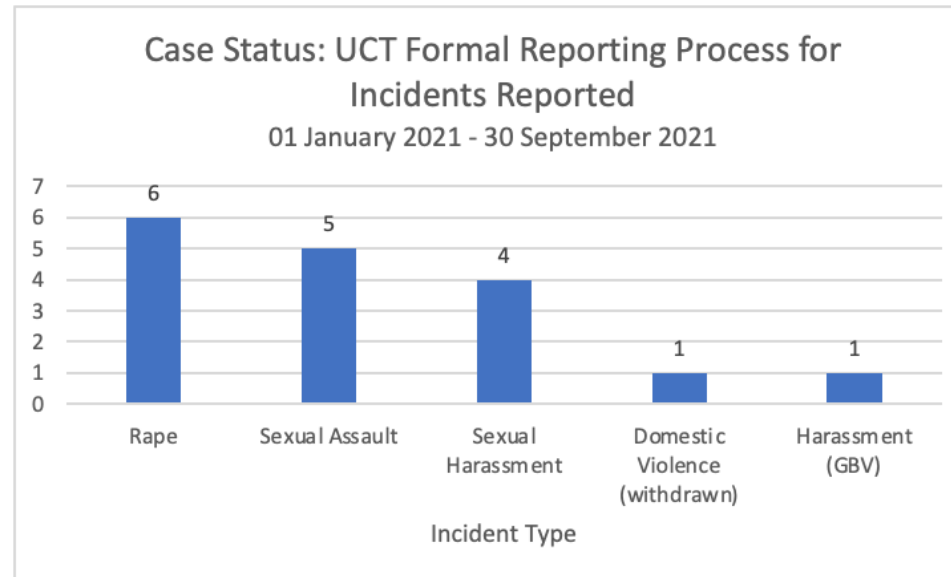


Figure 26: UCT Formal Reporting Process for Incidents Reported

In the 2021 reporting period, two 2020 cases have been finalised of which both cases the panel did not find the Respondents guilty of Rape and Sexual Assault. One of these cases have been set for a review by the OIC to reconsider the process and procedures of the panel. In 2021, two 2020 cases were withdrawn by the Survivors; one of the Survivors explained that they are not at risk due to online learning (Sexual Assault) and the other withdrew to prioritise their mental health (Sexual Harassment). In addition to the above, the specialised tribunal have an outstanding Rape incident case from 2018 (1), as well as in 2019 (11), with ten Sexual Harassment incidents (10) and one Domestic Violence (1) incident. These cases have completed the first consultations with the Survivors, confirmed chargers, concluded prehearing meetings and hearing prep – the matters are only outstanding as the specialised tribunal is yet to set a Disciplinary Hearing date. One case referred in 2018 (Rape) has been finalised and the Respondent was found guilty. The sentencing has to be completed before 29/01/2023, and failing to

do so will result in the respondent’s degrees and qualifications attained at UCT to be revoked. He will also be barred from future registration at UCT. No extension will be granted for complying with the conditions. The Respondent has chosen to apply for an appeal – the hearing date has not yet been set.

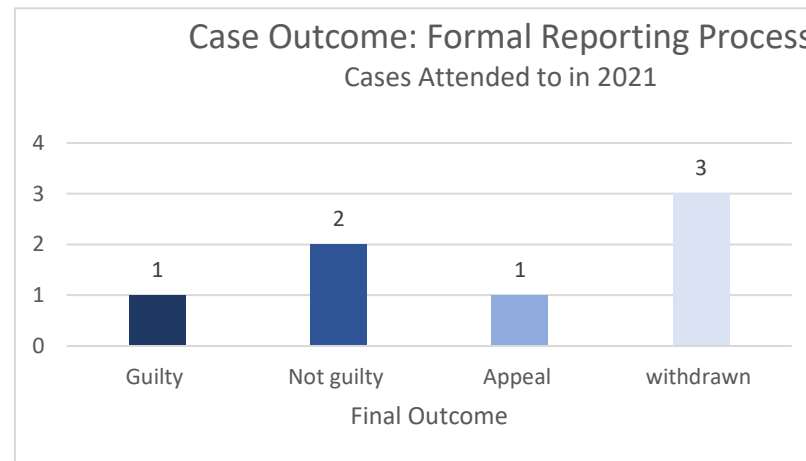


Figure 27: Case Outcome for Incidents in the Formal Process

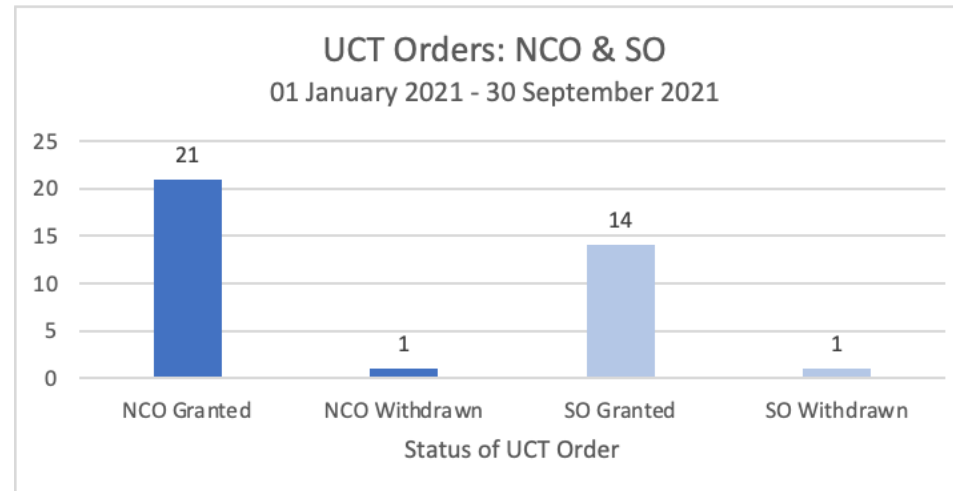


Figure 28: Protective Orders Granted in 2021

In 2021 the OIC made twenty-two (22) case referrals to the specialised tribunal for UCT NCO’s. One of the requests could not be carried out as the Student Respondent could not be identified successfully. Ten (10) out of the twenty-two (22) case referrals are set for a UCT Formal Reporting Process. The OIC made sixteen (15) referrals to the specialised tribunal for UCT Suspension Order’s. One of the requests could not be carried out as the Student Respondent could not be identified successfully. Six (6) out of the fifteen case referrals are set for a UCT Formal Reporting Process and have a corresponding NCO – overall out of the fifteen SO’s, a total of fourteen cases have corresponding NCO’s. The graph above details the status of the NCO and SO applications that were made in 2021. In 2021, the referrals for NCO’s and SO’s where the respondent can be identified have all been granted final orders. It is important to note that the university, referred a case to the Special Tribunal for to issue a suspension order against a Reapondnet as a result of the 2021 SGBV protest. All other NCO’s and So’s were made as a request from the Surviovor making this choice.

**Case Status of SGBV Incidents Reported: HR/ER Formal Reporting Process**

During the 2021 reporting period, there were three (n=3) sexual misconduct cases referred to the Employee Relations Office. One case (1) is currently pending investigation, one case (1) has been referred to the special tribunal, and one case (1) had been referred to a Commission of Inquiry (COI) however, before the COI commenced, the employee had resigned. The COI could not proceed during the notice period as the employee was not fit for work due to medical reasons. It is clear that there were very few sexual misconduct matters involving UCT Staff, that were referred.

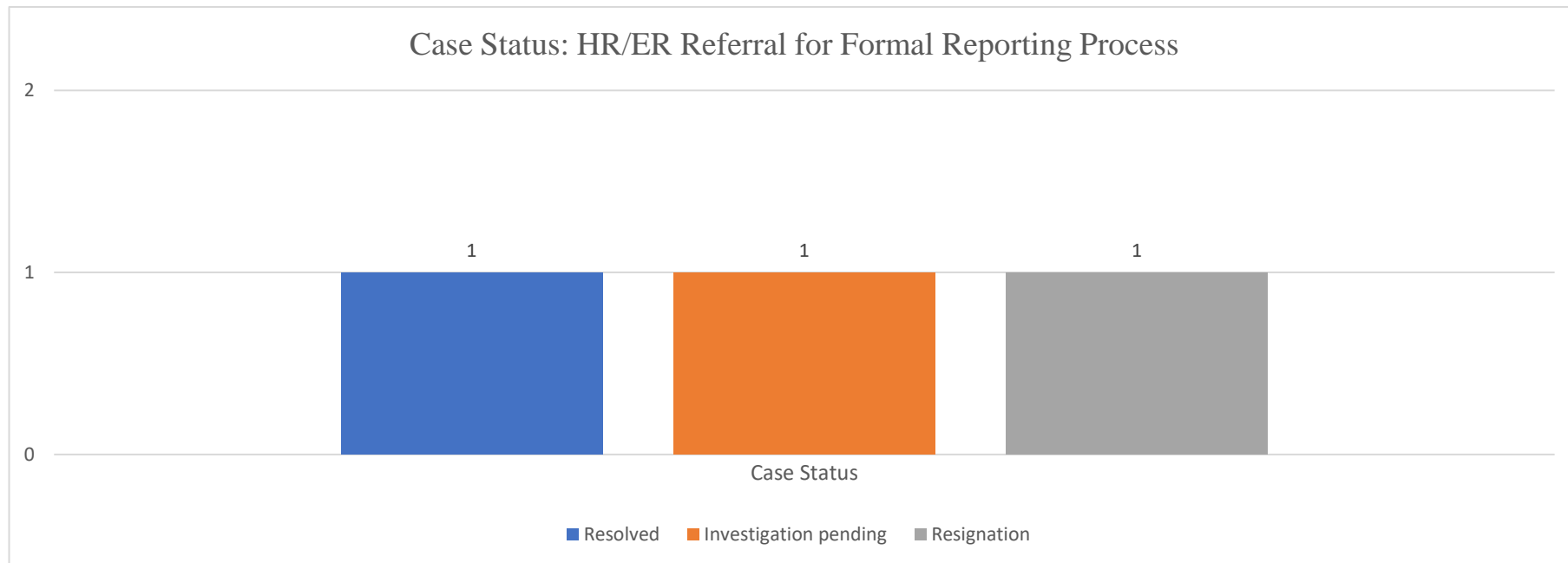


Figure 29: Cases Referred to HR/ER

## **The Report of the Special Tribunal**

The Special Tribunal was formalised in early 2021 following a pilot period that emphasise that the tribunal as a standalone unit would effectively respond to cases of sexual misconduct. However, the tribunal faced resourcing challenges throughout 2021 and a heightened increase in case load. In terms of staffing, Ms Anne Isaac was seconded as Project Manager (PM) for the Special Tribunal to provide oversight and take responsibility for piloting the Special Tribunal. Ms Sanja Bornman was contracted as the Evidence Leader until January 2021 and Ms Zodwa Ngolo was contracted as an Administrative Assistant (AA) to assist the PM and EL until January 2021. Between January to March 2021, there was no AA or EL assisting the PM. This exacerbated the Special Tribunal backlog, and it was clear that the tribunal could not function properly without an AA. The erratic appointments have impacted on the smooth running of the tribunal. Since the end of the EL's contract in January 2021 the Project Manager fulfilled the role of Evidence Leader as well as managing the Tribunal. This was not ideal for the expediency of cases. However, the Tribunal still managed to finalise cases and continue with the day to day running in as much as it could with limited resources.

Further challenges that were experienced, the limited availability of tribunal chairpersons. The Special Tribunal Project Manager has endeavoured to source appropriate Chairs and has since secured 2 new appointments. Upgrading the resources in terms of staffing is critical in ensuring survivor justice as mandated for the work of the Tribunal. In addition, the Special Tribunal has experienced the proctor numbers fluctuating throughout the year, depending on their availability and their individual work schedules and this continues to be a challenge. In order to address this, long term retainer with proctors is envisaged in order to ensure that their availability is scheduled throughout the year.

## **Special Tribunal Outcomes**

Despite challenges the tribunal has shown developments towards more effective consultations and preparations for hearings. Investigations and evidence collection, led by the EL and the PM, resulted in more efficient case building and preparation. Separating the responsibility of prosecution (EL) and that of project management (PM) strengthened case management. The most significant outcome, based on creating a survivor-centred university response to GBV, has been the improved engagement and confidence-building with. This was a significant challenge when sexual misconduct matters were dealt with in the generic student disciplinary system, which left little room for focused attention on complainants in sexual misconduct matters.

## **OIC: Survivor support and respondent support**

The Tribunal works closely with the OIC in ensuring that cases are actioned timeously, including those reported online through the CIIMS system, and that complainants have contact with both the Survivor Support Officer (SSO) of the OIC, and the EL of the Tribunal, soon after a reported incident. The Tribunal provides updated case statistics to the OIC on a weekly basis, to allow the OIC insight into case progress, in order that they may anticipate the need for pro-active complainant support at particularly stressful stages. Consultation with complainants, soon after receiving of a complaint, has proved essential for building an accurate and strong case file which can proceed to a hearing. This also allows the EL or PM to evaluate the need for corroboratory investigations immediately, rather than closer to hearing dates. Throughout the process, the EL engages with the complainant(s) on a regular basis to explain the processes and what to expect, to assist with NCO and SO applications, and to provide legal guidance and comprehensive hearing preparation.

## **Challenges Experience in the Special Tribunal**

### **Panel members**

The quality and consistency of outcomes depends on tribunal members who are responsive, knowledgeable, and sensitised to the AHT's vision and mission. It is critical to the success of the Special Tribunal that both Chairpersons and assessors are consistently trained in new developments around trauma evidence and appropriate procedures. In addition, securing skilled Chairpersons requires adequate remuneration that incentivises and retains appropriate members. Currently the tribunal has a limited number of presiding officers. A small pool of *active* proctors and assessors results in undue pressure on, and over-utilisation of, those who do generously give of their time to take part in tribunal proceedings. The tribunal has retained an adequate pool of staff and student cases. The PM conducts ongoing training to assessors. Development of training material especially on trauma evidence was done. This improves skills in presiding over SGBV cases. In order to address these challenges in 2022, a targeted call for assessor and retainer contracts with proctors will ensure that the work of the Special Tribunal will not be compromised.



## COVID-19

The interruption and uncertainty brought on by the COVID-19 pandemic constituted a major barrier to the tribunal's work in 2020. This has improved as online hearings progressed. Hearings are adequately processed via online options of Teams and Zoom. This system has worked well for most matters. However, the success of online hearings depends on **all** parties having:

- stable internet connection
- fully functioning, reliable devices that are video and audio enabled
- access to a quiet space

Access to these basic resources has been challenging to some student parties (resulting in hearings plagued by technical difficulties), and to the tribunal members where internet connectivity is erratic.

**Special Tribunal Workflow Process**

Depicted below, is the workflow process in the Special Tribunal



### Case Status in the Special Tribunal

The Special Tribunal prioritizes cases where Respondents and/or complainants are due to graduate in the year. Following this criteria ensure that cases are correctly prioritized but this process does not exclude urgent/emergency cases that would require attention.

Case Status as at 30 September 2021

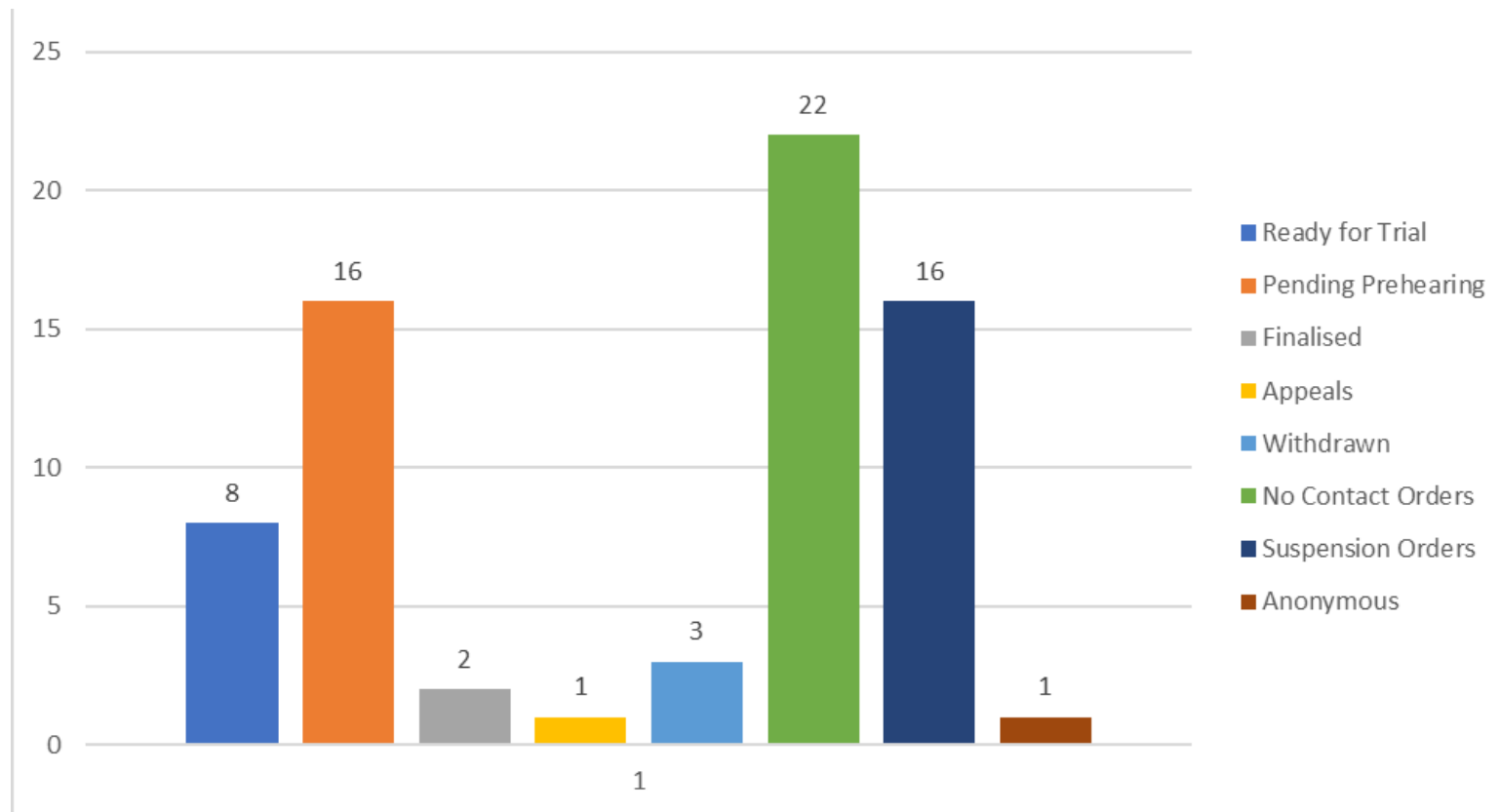


Figure 30: Case Status in the Special Tribunal as at 30 September 2021

**Case Status of SGBV Incidents Reported: Not Following a Reporting Process 01 January 2021 to 30 September 2021**

Within the 01 January 2021 – 30 September 2021 reporting period, incidents reported to the OIC which did not follow a Formal, Informal or External Reporting Process amounted to twenty-seven (n = 13). These cases involved UCT Respondents and exclude external cases with Non UCT Respondents. Survivors who do not follow a reporting process contact the OIC for support services and/or log their case report to have a record of the incident. In the 2021 reporting period, there is (1) case which is pending the survivors’ decision to proceed with the reporting processes and (2) cases where the survivor considered a UCT Reporting Process and then withdrew from the processes prior to selecting a Formal or Informal Reporting Process.

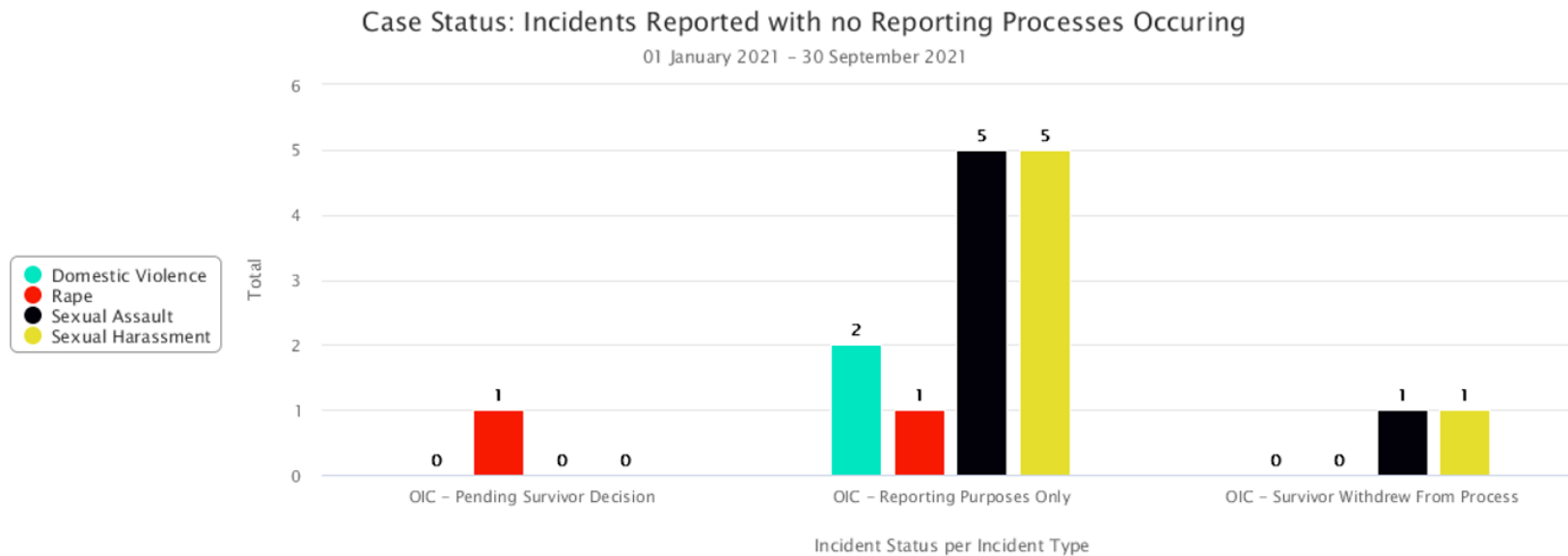


Figure 31: Incidents reported not following a reporting process

**Case Status of SGBV Incidents Reported: OIC Standby Advisor Service**

The OIC started monitoring the Standby Service through a different process since 01 April 2020 in order to monitor usage and quality of the service. A total of thirty-two (n=32) Survivors made use of the Standby Service in 2020 (8) and this increased significantly in 2021 (24). In 2021, there was a 50% increase in Survivors requiring support from Standby Advisors (SBA). The OIC provided after-hour On-Site Assistance to five Survivors in 2021 (5); Forensic Support in Hospital (4) and transportation of the Survivor to safety from her UCT Residence as the respondent shared the same UCT residence (1). In 2020, there were no On-Site Assistance required, eight Survivors (8) required telephonic assistance for Survivor Support Services, information on Reporting Processes and direct referrals for medical and mental health support. In 2021, nineteen Survivors (19) required telephonic assistance for Survivor Support Services, information on Reporting Processes and direct referrals for medical and mental health support.

Corresponding graphs below.

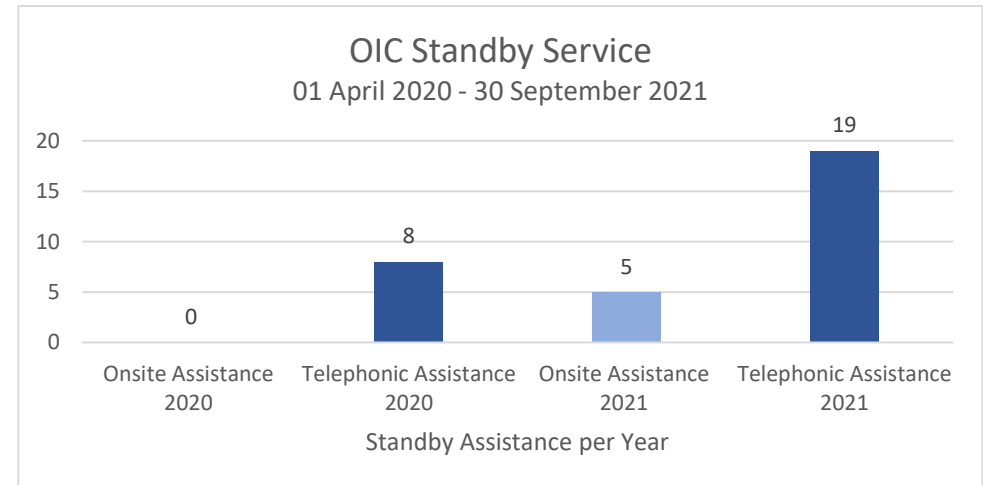
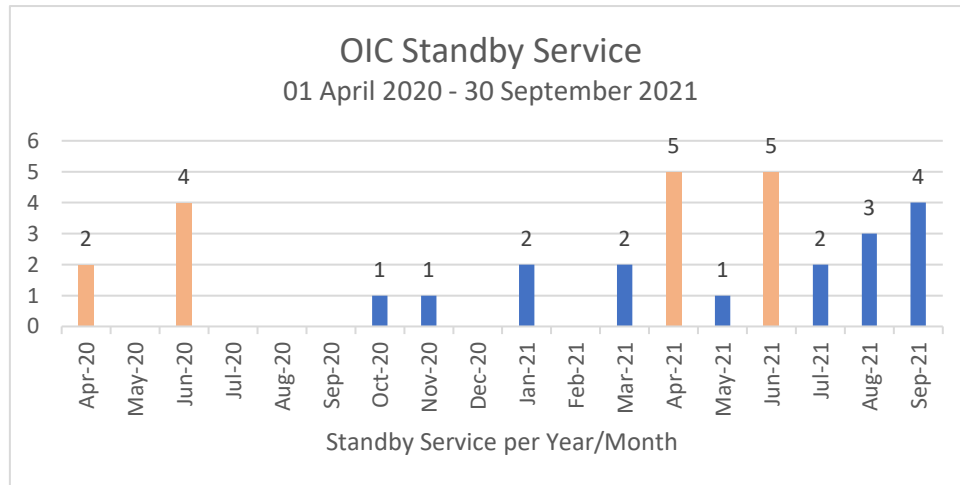


Figure 32: Standby Service Response by Month and Year

## **Communication and Awareness Among Students and Staff**

Throughout the year, there are workshops and targeted programmes that take place in the university community. Workshops have been taking place online and where possible in physical spaces. The workshops focus on a range of thematic areas that aim to increase knowledge on the need for consent and the forms of gender based violence. The workshop aimed to bring to light issues of sexual and gender based violence and how the University of Cape Town through its Sexual Offences policy and Sexual Misconduct policy takes these issues seriously. The content highlighted the definitions relating to sexual assault/violence and the different types of sexual assault. Practical examples are used to try and see if students understood what was being said. The content emphasized the various dimensions of consent and the circumstances where consent cannot be given. Every workshop includes information on where to find support and assistance. Over 233 students participated in these workshops during a one month period.

## **Pheza Content Creation project**

In collaboration with UN Women HeforShe programme, the university created online content to enable young people to create content about Gender equality. The Agents for Change (ACES) peer educators participated in this project in February and submitted 8 articles around the themes of Sexual & Gender based violence, Patriarchy, Toxic Masculinity, Women's Rights and Gender Equality. These articles included selected images that related to the content that was written and also contained links to the content of the articles. The articles were edited by UN women and shared on the Ayoba online platform. The ACES continue to write content for the Pheza platform throughout 2021.

## **SGBV Social Media Campaign**

This campaign formed part of both the Orientation programme and the UN HeforShe programme. In this campaign, the ACES peer educators created messages about SGBV and posted these messages on their Facebook and Instagram stories. Their peers were able to view these stories via social media which meant that

through this platform, awareness about Gender Violence was being created. Some of the messages that were created included “Hands off My body” , “Consent means NO” and “Persons with Disabilities can’t be touched without their Permission”. These messages were posted on social media in February or 3 days every week. In total, the peer educators reached over 9000 people through the GBV prevention messages posted. The ACEs indicated that during the campaign, their peers were able to contact them directly for further discussions on matters of gender-based violence.

### **Discussions on Race and the impact of COVID-19 on Black Women**

The ACES peer educators led Whatsapp dialogues about race and COVID-19 that focused on black women as a more vulnerable group in society. The purpose of these dialogues is to highlight the intersectionality of race and COVID-19 and how gender equality has been compromised during the pandemic. The content generated by the ACES is published on the UN Women Pheza platform.

### **Workshop Evaluations**

The feedback that will be reported from this section does not fully encompass the views of everyone that attended. Only 149 students from the 6 different faculties who filled in the evaluation form were captured. The evaluation form was created on mentimeter. They were 11 questions on the evaluation form. The results show that students took key learnings from this workshop and they felt confident in being able to report a sexual and gender based violent incident. The results also show that they students thought the quality of the facilitation was good. As the graph below presents, students were satisfied with the overall experience of the workshop. It is important to note that most of the workshop participants were able to share the key messages from the workshop which related to consent, its dynamics and circumstances where one cannot give consent.



Figure 33: Workshop Participants Review of the Workshops

Most students felt that they have gained more understanding of consent and sexual assault. The students felt that the examples used during the workshop were useful as it helped articulate the relationship between consent and gender based violence. The pie chart below shows this pictorial view.



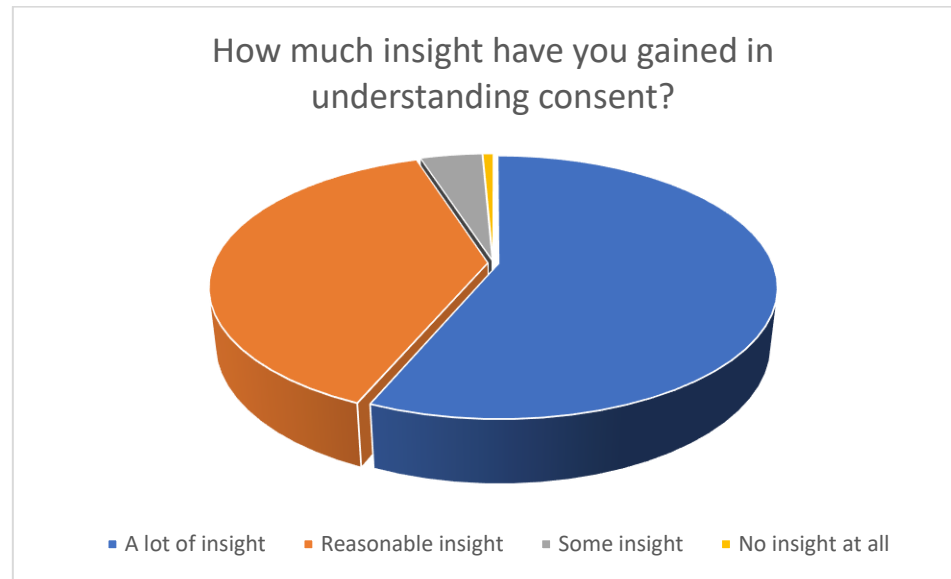


Figure 34: Workshop Participants Perceived Level of Understanding of Consent

The graph below shows that most students felt confident in having a conversation about consent with their peers however one cannot tell with certainty the influence that this workshop had pertaining to this confidence.



Figure 35: Workshop Participants Confidence Level in Discussing Consent with Peers

An important aspect of this workshop is being able to make the students see the value of reporting. One question centered on the confidence of students in being able to report any incident related to sexual and gender based violence. The graph below shows that students were confident in reporting such incidences.

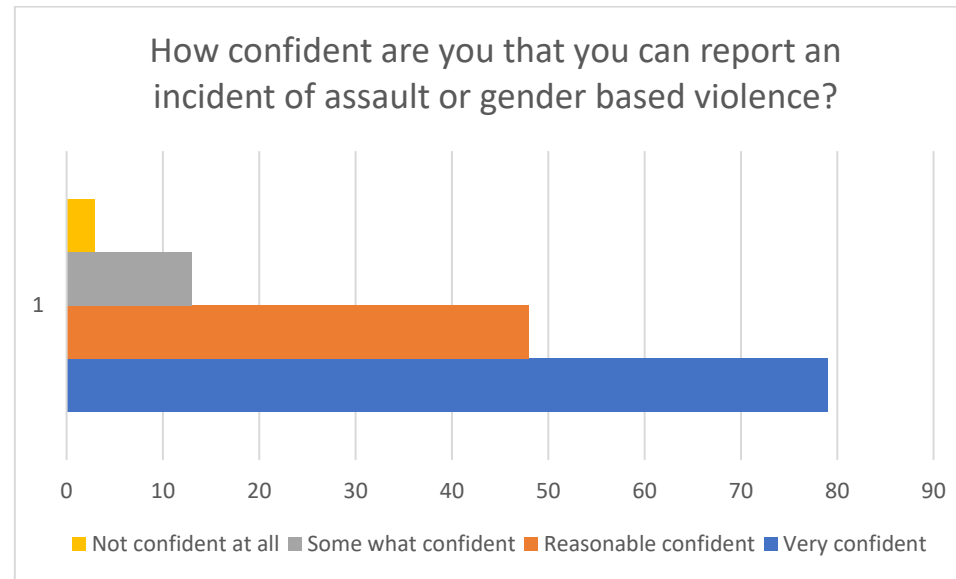
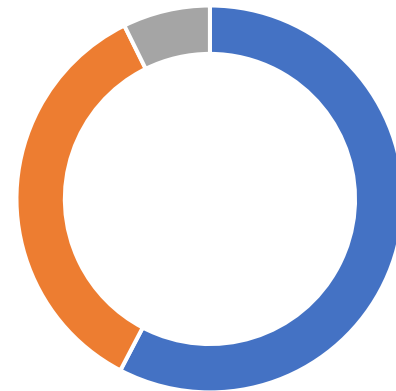


Figure 36: Workshop Participants Confidence in Reporting GBV

The last chart shows that a large number of students felt that the quality of facilitation for the workshop was above average and they were able to engage with the facilitator. They appreciated their ability to share their inputs and questions during the workshop.



Rate the quality of facilitation for this workshop



■ Excellent ■ Good ■ Average ■ Poor

Figure 37: Workshop Participants Rating for the Workshop

## **Concluding Reflections**

### **Restorative Justice Programming**

To date, restorative justice programming has occurred among respondents who have been involved in restorative justice processes. With the new appointment in the OIC the restorative justice programme that is being conceptualised it is recommended that in addition to the reactive measures, a proactive strategy is amplified to ensure that preventative education and engagement occurs in the university, particularly among the male community.

### **Special Tribunal**

The university's policy on sexual misconduct states that "The University is committed to providing an institutional environment where all may pursue their studies, careers, duties and activities in an atmosphere free of any threat of unwelcome sexual attention." The Special Tribunal is an important part of this commitment. It is one of the ways in which the university community can see justice being done and is the only recourse that many complainants will choose, in a context where there is a justifiable lack of faith in the criminal justice system. For these reasons, the university's responses to sexual violence and misconduct, is the subject of high expectations and scrutiny by the community and the public. A failure to appropriately resource and support the Special Tribunal will be interpreted by the community as an "empty promise" and a wilful failure to meaningfully address SGBV on campus that undermines UCT policy. In order ensure that the university benefits fully from the Special Tribunal the resource and operations of the Tribunal should be stabilized. Further exploration with the Faculty of Law, to assess how respondent legal support could be reliably accessed on campus would strengthen the university response to students.

### **Education and Advocacy**

Recommendations by students were received following education workshops administered online and in residence. These recommendations included the need for more nuanced situations that includes representation of intersectional identities is encouraged. Furthermore, as identified in the empirical data, some residences would benefit from concentrated support and programming to reduce instances of sexual misconduct in these spaces.

### **First Responder Training**

It is evident that there are a number of first responders in the university community who are enabling and supporting survivors who may not be using the university services. We recognize this as a form of community citizenship and service to others which has resounding impact for the mental wellness and health of the survivor, and we extend our thanks to you for your allyship and citizenship.

### **HR Disciplinary Policy**

With the inception of the new Disciplinary Policy and the Bullying Policy it becomes particularly important for the university community to attend training and understand what procedures and processes are deployed when a gender based violence incident occurs. In this way, quicker and relevant support is provided to UCT through the specialist units.

### **Annual Reporting**

It would be ideal if there was a stronger coherence between the transformation report and the gender based violence report. Ideally, the university annual report cycle could align with the June Council meeting in the following year which would allow for a full year of data to be represented and introduce stronger synergy between the barriers to transformation and equity in the university.

### **Conclusion**

The 2021 Gender Based Violence report shows that the university's prevention, response and education programmes continue to be a necessary function for UCT staff and students. The challenge remains is in the stabilization of the special tribunal in order to effectively expedite cases. The empirical data shows that an amplification of evidenced-based programs that educates and capacitates men and bystanders remains one of the most effective ways to address behavioural aspects that perpetuate gender based violence. In terms of the use of survivor support the data indicates an increase in uptake by survivors which demonstrates an increased confidence in survivor support services and first responder services. There remains a concern about how the university is communicating to the broader



community the changes made since 2017 and 2019 to update the university community about how historic challenges have been addressed. It would be equally important to remain transparent about existing challenges that continue to burden the administrative justice response to gender based violence.