



## PREVENTION AND REPORTING OF DISCRIMINATORY AND ABUSIVE CONDUCT

SAFEGUARDING AND COMPLIANCE TRAINING SEMINAR FOR RESEARCHERS: 21 MAY 2021

Partners:








### UNIVERSITY OF PRETORIA TRANSFORMATION OFFICE : OFFICE OF THE REGISTRAR

**Presenters:**

**Mrs Sarah Matseke: Transformation  
Manager**  
BA Psychology; BcomHR; BcomHR  
Honours;  
PG Course: Management of Sexual  
harassment in the workplace

**Mr. Tumelo Rasebopye: Training &  
Advocacy Coordinator**  
BSocSci: Industrial Sociology & Labour  
Studies; Honours Development Studies



### THE ARUA MANDATE:

- Partnerships and networking essential for universities throughout the world to leverage their resources for greater impact;
- Universities with similar ideals and complementary endowments working together to achieve greater outcomes.

### SOUTH AFRICAN PROVERB:

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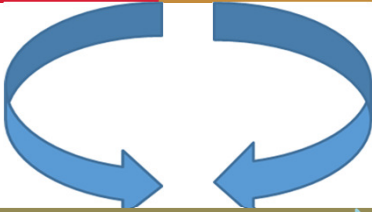

*When the right-hand washes the left hand,  
the left hand equally washes the right hand.*



## CONTENT

1. Anti-discrimination legislation and institutional policies
2. Multi-dimensional approach protection services
3. Identification of abusive conduct
4. Need for prevention and reporting
5. Guiding protocols for the LGBTQI+ community

**BACKGROUND:  
INSTITUTIONS: MICROCOSMS OF THEIR NATIONAL SOCIETY**



APARTHEID ←→ CULTURE OF OTHERING AND INEQUALITY;

➤ **GENDER VIOLENCE:**


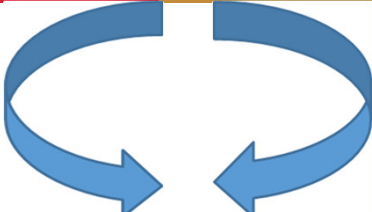

- ❖ Normative role expectations around gender;
- ❖ Unequal power relationships between genders,

➤ **PATRIARCHY: THE ROOT OF INEQUALITY:**

- ❖ Social and political system: Men as superior to women;
- ❖ Women cannot protect their bodies/ meet their basic needs, participate fully in society

**BACKGROUND:  
INSTITUTIONS: MICROCOSMS OF THEIR NATIONAL SOCIETY**



←→

➤ **SEXUAL AND GENDER BASED VIOLENCE ENTRENCHMENT:**

- ❖ Culture and traditions
- ❖ Religion

➤ **1956 WOMEN'S LIBERATION MARCH:**

- ❖ SA pass laws: "We shall not desist until we have won for our children their fundamental rights of freedom, justice and security..."






# 1. LEGISLATION AND INSTITUTIONAL POLICIES

Partners:





## 1.1. LEGISLATION AND INSTITUTIONAL POLICIES

- **INTERSECTIONAL POWER INEQUALITIES: Gender, race, class and sexuality**
  - ❖ Manifested the **work and study spaces**
- **SA CONSTITUTION & LEGISLATION:**
  - ❖ Constitution of South Africa (1996): Supreme law: **Prohibits SGBV** with all its manifestations;
  - ❖ Chapter 2 of the Constitution – the Bill of Rights ensures the **equality and human dignity** of all citizens;
  - ❖ Section 9: Right to **equal protection and benefit** of the law.

***“No person may unfairly discriminate directly or indirectly against anyone; ( no one may unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth...”***



### **National strategic plan on gender-based violence & femicide ( 2020)**

- Holistic, coordinated, multi-sectoral approach, harmonized, impactful and enforceable legislation : for the protection of women, children, older persons, persons with disabilities and LGBTQIA+ persons against all forms of violence and its consequences

### **Policy framework to address GBV in the post-school education and training system( July 2020)**

- University environment : comply to safety & Protection of students & employees



## **1.2. UP POLICIES ON ABUSE**





## 1.2. UP: ANTI-DISCRIMINATION POLICY & SA LEGISLATION

- Ever **changing national social and economic conditions**;
- 2018 > UP comprehensive review of all its discrimination policies
- 2019: Anti-discrimination Policy implemented;
  - ❖ Race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth..."
- **Guiding Principles of the UP Anti-discrimination Policy:**
  - ❖ The Protection from the Harassment Act 17 of 2011,
  - ❖ SA Constitution
  - ❖ Employment Equity Act

***Institutions of Higher learning: Can not work in isolation/ignorance of their national condition:***

UP Anti-discrimination Policy **recognizes the national challenges:**

- ❖ **Prevalent discriminations:** Race, gender, sex and sexual orientation;
- ❖ Aims to **make a difference through Transformation** of citizens behavior as they interact within the University;



## 1.3. INSTITUTIONAL AGENDA & COUNTRY AGENDA

### UNIVERSITIES GOALS:

- ❖ Impart **knowledge & skills**;
- ❖ Understand and apply the Technological Process to **solve problems** and satisfy needs and wants;
- ❖ Engage in entrepreneurial activities for nation building & economic growth & **societal advancement**
- ❖ **Eliminate inequalities** of race, class gender & violence

### UP TRANSFORMATION PLAN:

*"South Africa has a long history of exclusion and marginalization of significant sections of its population. With the collapse of apartheid in 1994, the country embarked on a deliberate and necessary process of undoing the effects of many years of institutionalised racism, marginalisation and deprivation of a significant section of South African society..."*

- ❖ **Reformation:** in accordance with the new dispensation by **aligning academic and**



## 2. APPROACH/SUPPORT

# MULTI-DIMENSIONAL APPROACH TO THE MANAGEMENT OF ANTI-DISCRIMINATION WORK

Partners:












2.1. OPERATIONAL MULTI-DIMENSIONAL APPROACH	
UP STAKEHOLDER	UP SUPPORT PROCESSES
Security Investigations unit	<ul style="list-style-type: none"> <li>➤ 24 HR emergency support;</li> <li>➤ Police intervention;</li> <li>➤ Investigation &amp; statement gathering</li> </ul>
Transformation Office	<ul style="list-style-type: none"> <li>➤ Investigation &amp; statement gathering</li> <li>➤ Social Justice: Case assessment &amp; disciplinary recommendations;</li> <li>➤ Counselling;</li> <li>➤ Mediation &amp; Restorative Justice;</li> <li>➤ Training &amp; Advocacy;</li> </ul>
Student Health Clinic	<ul style="list-style-type: none"> <li>➤ Post-exposure prophylaxis support;</li> <li>➤ Medical support</li> </ul>
Psychological Unit; Faculty Student Advisors	<ul style="list-style-type: none"> <li>➤ Psychological support &amp; Counselling;</li> <li>➤ Faculty Psychological support</li> </ul>
Human Resources : Employee Relations; Student Legal Unit	<ul style="list-style-type: none"> <li>➤ Disciplinary processes: Employees</li> <li>➤ Disciplinary processes: Students</li> </ul>

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## 2.2. MULTI-DIMENSIONAL APPROACH WITH STAKEHOLDERS

INTERNAL SUPPORT STAKEHOLDERS		ROLE
Department of Internal Affairs		Marketing support on Training, Advocacy & Awareness
Centre for Sexualities, AIDS and Gender		Research & support on Training, Advocacy & Awareness
Unit for Internal Auditing		Governance, internal auditing, Whistleblower management & reporting support
EXTERNAL SUPPORT STAKEHOLDERS		
South African Depression & Anxiety Group ( SADAG)	Lifeline	Thuthuzela Care Centres
TEARS foundation	CrossRoads: Pregnancy Crisis Counselling Centre	Mary Stopes: Reproductive health and family planning services
SA Police Services	People opposing women abuse (POWA)	

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## 2.3. MULTI-DIMENSIONAL APPROACH PEER TO PEER: STUDENT ACTIVISM GROUPS

#SpeakoutUP	Transformation Office
JustLeaders	Centre for Sexualities Aids & Gender
ManDown	Department of Student Affairs
UP&Out	LGBTQI+ group
BOLD ( Beyond our limiting disabilities)	Department of Student Affairs
Student Wellness Committee	Department of Student Affairs

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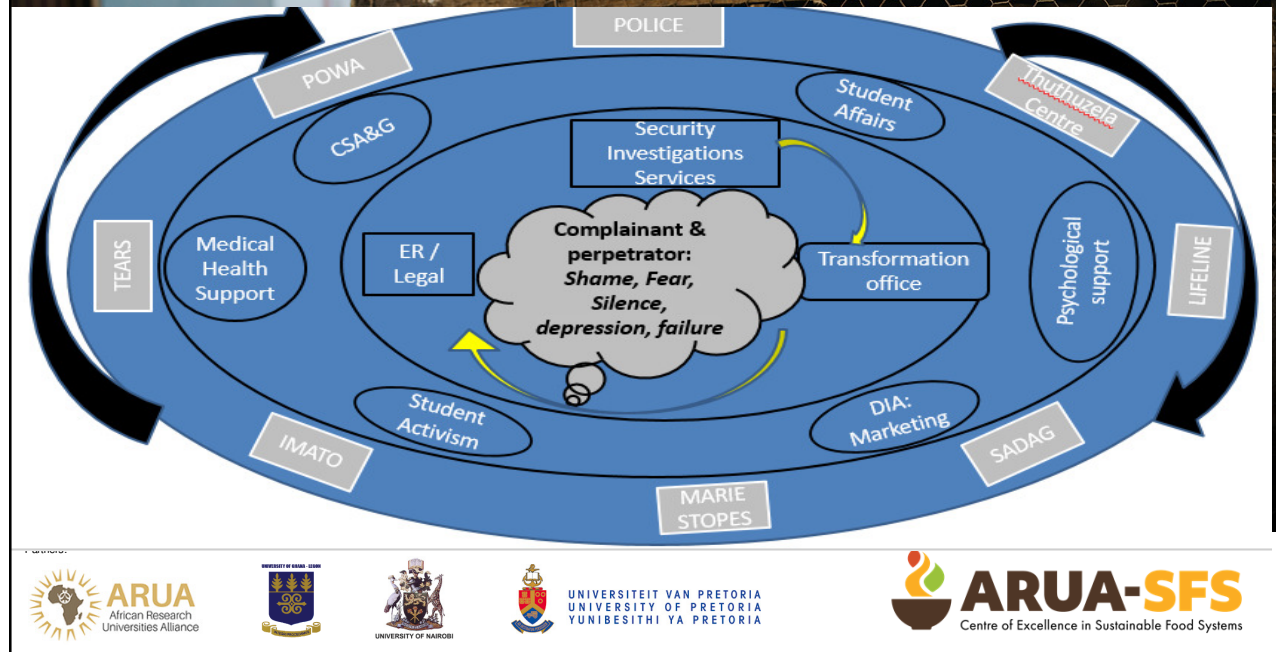


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## 2.4. POLICY ENFORCING: THE RIGHT POLICY-THE RIGHT ENVIRONMENT



### South African universities : need for unity: a common cause

- Cape Town
- Stellenbosch Pretoria
- Witwatersrand
- Kwazulu Natal
- Western Cape
- Rhodes
- South Africa
- Johannesburg
- North West
- Free State
- Walter Sisulu
- Limpopo
- Fort Hare
- Nelson Mandela metropolitan
- Zululand
- Monash
- Vaal UT
- Central UT
- Cape Peninsula UT
- Durban UT
- Tshwane UT



## DEALING WITH SOCIO-ECONOMIC DRIVERS ABUSE: Need for multi-stakeholder approach

Beliefs in **male superiority** can manifest in men feeling **entitled to sex with women**, strict **reinforcement of gender roles** and hierarchy, women having **low social value** and power, and associating **masculinity with control of women**. These factors interact with a number of drivers, such as **social norms** (which may be cultural or religious), low levels of women's empowerment, lack of social support, **socio-economic inequality**, and **substance abuse**

<https://www.moore-southafrica.com/news-views/november-2020/gender-based-violence-not-my-problem>. Moore: SA:2010



## 2.5. DEALING WITH SOCIO-ECONOMIC DRIVERS ABUSE continued...

- **Social norms:** cultural or religious: Paradigm shifts in churches & religious leadership, school curriculums
- **Low levels of women's empowerment:** Employment Equity & Advancement of women in workplace
- **Lack of social support:** Empowering women at local level
- **Socio-economic inequality:** Women Financial support > Entrepreneurship & Scholarly support
- **Substance abuse:**
  - ❖ SA National Council on Alcoholism and Drug Dependence;
  - ❖ Crossroads Recovery Centre;
  - ❖ Anti Drug Alliance SA and many others ;
- **From Community level, to School to Tertiary level:**
  - Life skills imparting & changing past narratives;
  - **Curriculum transformation ( SGBV part of compulsory modules):** produce status quo changing, social life changing, economic contributing graduates into society





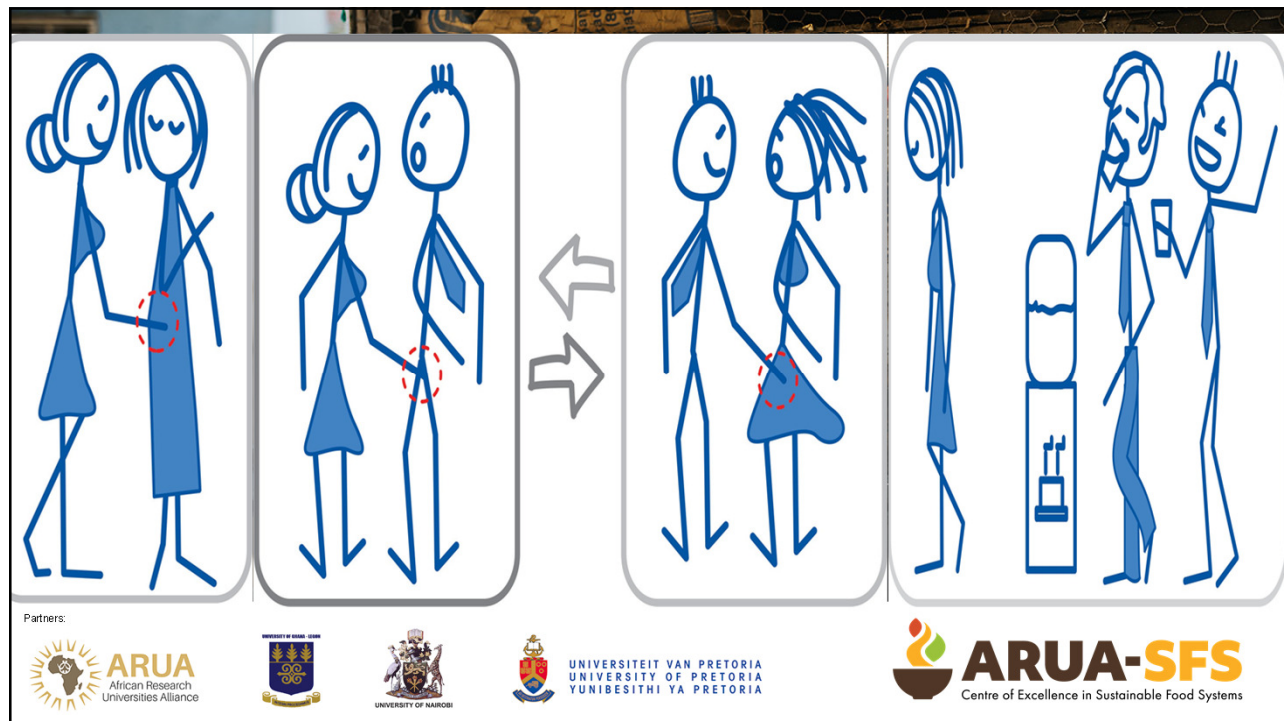
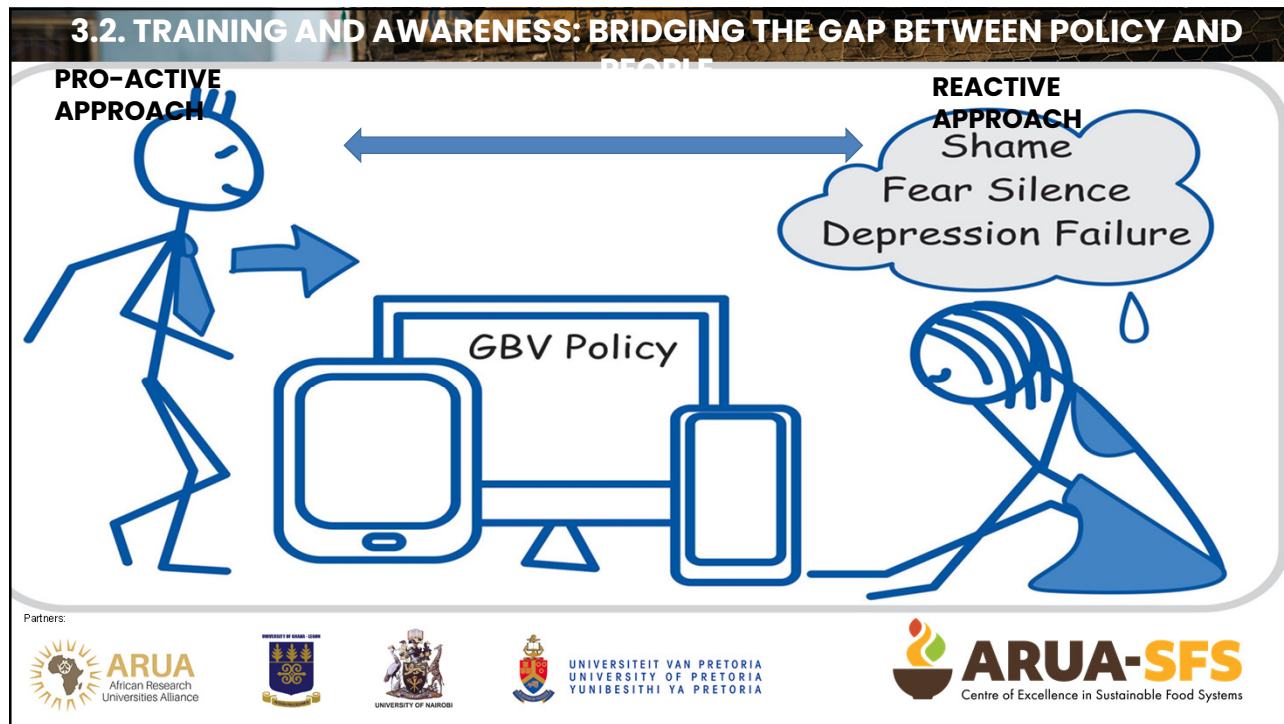
### 3. IDENTIFYING ABUSIVE CONDUCT AND DISCRIMINATORY PRACTICES





#### 3.1. IDENTIFYING ABUSIVE CONDUCT AND DISCRIMINATORY PRACTICES

- Clear **Institutional guidelines** & governance articulating of abuse in all its forms
- **Definitions** of discriminatory and abusive conduct
- Clear disciplinary **consequences** to non-compliance;
- **Training and Awareness:** Forms of abusive conducts












**INTIMATE PARTNER VIOLENCE IPV:**

- ❖ Biggest contributor to Femicides;
- ❖ “No” to sexual request to a life-Partner or married partner is still a “No”;
- ❖ Forced Sexual Action: defined as rape even in a such relationships;


**Covid times: Work / Study from Home**





**Power dynamics**




**SEX FOR MARKS**



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## 4. THE NEED FOR PREVENTION AND REPORTING RESPONSIBILITIES

### 4.1. BARRIERS TO REPORTING

REPORTING DOES NOT HAPPEN WHEN THE FOLLOWING NARRATIVES OCCUR:

- ❖ **FEAR** : not believed, labelled / stigmatized or perpetrator retaliation;
- ❖ **Dissuaded** from pursuing formal complaints;
- ❖ Discouraged by **Lengthy processes**;
- ❖ **Shame, confusion, guilt, including self-blame**, or concerns about possible complicity;
- ❖ **Power dynamics**: respect and admiration for the alleged perpetrator;
- ❖ **Inadequate psycho-social** support;
- ❖ Believe that **ignoring** the behavior will cause it to stop;

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## ROLE OF RESEARCHERS:

1. Expanding the knowledge base and dispelling myths and stigma
2. Giving victims/survivors an alternative space to share their experiences towards a meaningful end
3. Broadening our understanding of how and where injustice takes
4. Giving voice to marginalized communities and persons
5. Identifying the gaps/shortcomings in the services available
6. Creating an opportunity for issues on the ground to find articulation where power/influence may be centered

## 5. ANTI- DISCRIMINATION WORK AND GUIDING PROTOCOLS FOR THE LGBTQI+ COMMUNITY WITHIN UNIVERSITIES



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## Case study: Trans Protocol

A guideline to **strengthen and support** the Anti-Discrimination Policy of the University of Pretoria (UP), towards the **eradication of discrimination against transgender** (trans), intersex, gender non-conforming and non-binary members of the student and staff body, and towards building a positive and affirming environment.



### What the protocol achieves:

- ❖ Prevents discrimination and harm in a rights-promoting way
- ❖ Address discrimination should it happen
- ❖ Builds a positive, affirming and inclusive institutional culture
- ❖ Facilitates a safe space for students and staff who wish to start gender transitioning or wishing to come out as trans, to be assisted to manage their transitioning and be protected from discrimination or harm



## What the protocol achieves ...

- ❖ Protects students or staff members who are gender non-conforming or non-binary
- ❖ Outlines practical ways to support and assist UP students and employees who are engaged in gender transitioning or otherwise in need of assistance with related issues
- ❖ Provides a definition of key terms to encourage the correct use of respectful and empowering terminology
- ❖ Provides an understanding of transitioning, its associated rights and the support needed



THANK YOU



✉ [arua-sfs@up.ac.za](mailto:arua-sfs@up.ac.za)

🐦 ARUA\_SFS