

**A research
report on sexual
harassment in higher
education institutions.**

2024



Commission for Gender Equality
A society free from gender oppression and inequality



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Foreword and acknowledgements

Gender-based violence (GBV) is a significant challenge in South Africa due to entrenched patriarchal and sexist attitudes. University communities are increasingly at risk of GBV and sexual harassment (SH), with students being the primary victims. Various risk factors contribute to this, including individual and institutional elements. Research indicates that both staff and students experience SH, with cisheterosexual women being the primary victims. The experiences of the queer community are often overlooked, highlighting the need for greater awareness and inclusivity. Although policies exist to address SH on campuses, some institutions lack clear guidelines and effective grievance procedures. However, there is evidence that universities are beginning to take action against SH. Accountability is emphasised as a critical aspect of addressing GBV and femicide in South Africa, with the Commission for Gender Equality (CGE) playing a key role in promoting accountability.

The study sought to explore students' perspectives on the factors contributing to the persistence of SH in HEIs. The study also sought to evaluate the existing measures within these institutions to address SH and to assess their effectiveness. The research focused on three specific institutions: Nelson Mandela University, North-West University, and Sol Plaatje University.

The findings of the study have led to the CGE concluding that universities have a responsibility to ensure they provide a safe environment for all individuals, especially students. University management is tasked with creating a supportive culture and ensuring a campus free from violence. Furthermore, managers must hold themselves accountable for fostering a secure environment. The report highlights the need to address inconsistencies across institutions and to establish uniform policies and practices to better protect students. Finally, there is a call for increased education within the university community on SH to facilitate informed participation in prevention measures.

The CGE would like to thank the three (3) sampled site universities: Nelson Mandela University, North-West University and Sol Plaatje University, that provided access to CGE Researchers to conduct data collection for the study. A thank you to all the respondents, staff, and students who participated in the one-on-one key informant interviews and focused group discussions, which provided invaluable data that informed this study.



The CGE is also grateful to its researchers who conceptualised and undertook the data collection for the study. They are:

- Prince Gontse Motaung (project leader)
- Lieketseng Mohlakoana-Motopi
- Thandiwe Lorraine Matshazi

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Abbreviations and acronyms

CET	Community Education and Training
DHET	Department of Higher Education and Training
DVC	Deputy Vice-Chancellor
FGDs	Focus group discussions
GBV	Gender-based violence
GBVF	Gender-based violence and femicide
HEI	Higher education institutions
HH	Higher Health
IHL	Institutions of higher learning
IKS	Indigenous knowledge systems
IPV	Intimate partner violence
KIIs	Key informant interviews
KPA	Key performance area
LGBTQIA+	Lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual (plus)
NSP GBVF	National Strategic Plan on Gender-Based Violence and Femicide (2019)
PSET	Post-school education and training
SGBV	Sexual and GBV
SH	Sexual harassment
SOGIESC	Sexual orientation, gender identity, expression, and sex characteristics
SOP	Standard operating procedure
SRC	Student Representative Council
TVET	Technical and Vocational Education and Training
VAW	Violence against women



Terms and concepts

Abuser	A person who treats another person or animal in a cruel or violent way, especially sexually
Accused and Accusation	A person who has been arrested for or formally charged with a crime
	A charge or claim that someone has done something illegal or wrong
Bullying	Bullying is the use of force, coercion, hurtful teasing or threat, to abuse, aggressively dominate or intimidate
Bystander	A person who is present at an event or incident but does not take part
Complaint and Complainant	A written or spoken statement in which someone says that somebody has done something wrong or that something is not satisfactory
	A person who alleges that another committed a criminal act against them
Culture	A way of life of a group of people, the behaviours, beliefs, values, and symbols that they accept
Disciplinary action	A procedure of responding to misconduct or poor performance, when one does not follow policies and regulations
Gender-based violence	Refers to any type of harm that is perpetrated against a person or group of people because of their factual or perceived sex, gender, sexual orientation and/or gender identity
Gender power	A conventional approach of male persons having a superior advantage over female persons in a school, workplace, institution or environment, due to more senior positions held by male persons
Grievance	A real or imagined cause for complaint, especially unfair treatment
False accusation	A claim or allegation of wrongdoing that is untrue and/or otherwise unsupported by facts
Harasser	Someone who annoys or upsets another person over a period of time by their behaviour, especially by unwanted and offensive sexual behaviour



Harassment	Behaviour that demeans, humiliates, and intimidates a person, including aggressive pressure
Misconduct	Behaviour that is inconsistent with obligations or duties; a breach of policy or procedure; or generally unacceptable or improper behaviour
Perpetrator	A person who carries out a harmful, illegal, or immoral act
Respondent	A person who responds or makes reply
Retaliation	The act of hurting someone or doing something harmful to someone because they have done or said something harmful to you
Sexual abuse	Sexual conduct or sexual activity by one person upon another without consent
Sexual exploitation	Actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another
Sexual harassment	Sexual harassment is the persistent and unwanted conduct, bullying or intimidation of a sexual nature or the unwelcome or inappropriate promise of rewards in exchange for sexual favours
Sexual violence	Any sexual act, attempt to obtain a sexual act, or other act directed against a person's sexuality using coercion, by any person, regardless of their relationship to the victim, in any setting
Survivor	A person who continues to function or prosper in spite of opposition, hardship, or setbacks
Survivor-centred	To put the rights of each survivor at the forefront of all actions and ensure that each survivor is treated with dignity and respect
Victim	Someone whose rights are violated, or they are injured, harmed or killed as a result of a crime, accident, event or action
Violence	Behaviour involving physical force intended to hurt, damage, or kill someone or something
Violence against women	Any act of GBV that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women
Vulnerable	Exposed to the possibility of being attacked or harmed, either physically or emotionally



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1. Introduction

Gender-based violence (GBV) continues to be a challenge with which all institutions struggle. This is a feature entrenched in the patriarchal and sexist community that South Africa continues to be (1). Prevention and response to various forms of GBV are legally regulated. Duty bearers must exercise their positional power and implement the regulations in their realms.

In South Africa, the gender machinery was set to aid the State, the private sector and civil society to ensure a safe environment for all: men, women, and gender non-binary persons. The South African gender machinery is led by the Office of the Status of Women (OSW), which is in the Presidency and in premiers' offices. The OSW is responsible for, among other things, developing national gender policies, promoting affirmative action, and organising gender training. The Commission for Gender Equality (CGE) is part of this machinery and is a Chapter 9 institution that promotes gender equality and undertakes research, public education, policy development, legislative initiatives, monitoring, and litigation. Other structures are formed to support the gender machinery on an ad hoc basis with specific projects. For example, the Steering Committee on GBV and Femicide developed the National Strategic Plan on Gender-Based Violence and Femicide (2019). The National Strategic Plan (NSP) provides a broad multi-sectoral, strategic policy and programming framework that aims to strengthen a coordinated national response by the state.

There is mounting evidence, both research and anecdotal, that university communities are increasingly at risk of GBV and, in particular, sexual harassment (SH) (2). Students constitute the bulk of complaints for GBV (1); this is not necessarily an indication that staff (adults) are not victims of harassment, but they might deal with it differently. Power is at the centre of GBV, and this intersects with other variables (3). Previous victimisation, alcohol and drug consumption, age, class, gender, and first year of study are risk variables for victimisation (1; 3). Warton and Moore separate these individual factors from institutional-level risk factors such as institutional and social norms, lack of effective policies and structures, perpetration with impunity, the nature of campus spaces, the location of GBV on campus, and the environmental design of an institution (2).

Sexual harassment affects staff and students alike and, in some cases, staff are students, and this dual identity can pose a challenge for the application of policy. A study conducted by Oni, Tshitangano, and Akinsola in an unnamed institution of higher learning in South Africa in 2019 reported that 27 (17.3%) of male respondents and 47 (25.5%) of female respondents ($P = 0.047$) had experienced unwanted



touching. Of the men, 17 (10.8%) and 19 (10.2%) of the women had been coerced to comply with a sexual relationship on campus (4).

Recent studies of SH show that cisheterosexual women are invariably the victims, whilst cisheterosexual men are the perpetrators of SH. Very little is known about the queer student community's experiences of SH. The invisible experiences of the queer community are by no means an indication of their safety on campus but rather point to the marginalisation and exclusion of sexual minorities in studies, reports, and awareness campaigns about SH. Jagath and Hamlall, in their study, found that LGBTQIA+ students were vulnerable to SH due to their sexual preferences (5).

Almost 15 years ago, based on research conducted by the University of Stellenbosch, Gouws and Kritzinger argued that institutional culture is a critical variable in interpreting and responding to SH (6). However, violent institutional cultures are still uncovered in South African universities. Policies are a good start in curbing SH on campuses (6). Yet, the literature suggests that some HEIs in South Africa do not have clear policies that guide how they prevent and respond to SH. A well-defined grievance procedure is important to guide authorities and those involved in the response team (6). Some institutions have developed policies over the years, but observation tells us they are either ineffective or unknown. Victims of GBV, including SH, experience challenges with regard to access to GBVF services. These can be unlocked by local communities' actions to hold duty bearers accountable. There is initial evidence that universities are acting against SH through both practice and commitment.

Accountability is recognised as the first Pillar of the National Strategic Plan on Gender-based violence and femicide (7). The Commission for Gender Equality (CGE) plays a pivotal role in promoting accountability. The CGE undertakes monitoring to support its oversight role as a [Chapter 9 Institution](#).¹ As part of this, the CGE has taken a keen interest in monitoring SH as a form of GBV (8; 9; 10). The CGE undertook a study with the aim of investigating measures put in place to address SH in higher education institutions (HEIs), as well as to assess the adequacy of these interventions in tackling SH against students in these institutions. The focus of the study was not on employer-employee or staff-student relations but rather on SH as it manifests among students. In complex and nuanced issues such as SH, it is nearly impossible to be linear and narrow in focus and because students sometimes hold dual roles where they may also be employed in universities and so these distinctions and categorisation could not be entirely omitted from the study findings, and they enriched the study.

¹ Chapter 9 Institution: <https://www.justice.gov.za/constitution/SACConstitution-web-eng-09.pdf>



The CGE partners with and amplifies the voices of the victims. The sites of investigation for this study were a sample of three South African universities, namely Nelson Mandela University in the Eastern Cape, North-West University in the North West, and Sol Plaatje University in the Northern Cape. The sites were particularly selected because these were understudied institutions.

1.1 Problem statement and rationale

There has been a disturbing prevalence of reports regarding SH, particularly by female students, in many HEIs in South Africa. These reports have been covered in the media (social and conventional media), legal reports, as well as in institutional reports. It has been reported that between 2011 and 2014, 247 cases of sexual violence, partner violence, and rape were reported at 15 universities across South Africa (11). It must be noted that these are official reports, and there could have been other cases that were not reported, given the challenge of under-reporting of sexual offences in the country. Former Minister of Higher Education and Training Naledi Pandor also reported to Parliament in 2017 that there were 47 cases of rape and sexual assault on students reported on campuses across South Africa (12).

According to the Policy Framework to address Gender-Based Violence in the Post-School Education and Training (PSET) system, GBV has overwhelmed the PSET system for quite some time. More cases of rape and murder of women students have been reported in recent years. Most of these crimes against women were perpetrated by men who were well known to the victims as partners, former partners, or fellow students. The prevalence of these reports of GBV resulted in students protesting against unsafe environments and demanding gender transformation in institutions. The identified sexual and gender-based (SGBV) drivers, among other things, are linked to societal problems such as drug and alcohol abuse, abuse of people living with disabilities, safety of students and staff on campuses and in student residences, and mental health problems such as depression on the part of victims and their families. GBV further places a huge burden on the resources of institutions as they are required to render interventions that include psycho-social support to the students/staff members through many phases of their process towards healing. The healing process could be very long, and the psychological scars are everlasting in most cases (13).

In 2016, a list of alleged GBV perpetrators at Rhodes University in Makhanda was released on campus, leading to protests. The same outrage manifested after the rapes and murders of University of Cape Town student Uyinene Mrwetyana, and University of the Western Cape student Jesse Hess in 2019. Bhengu has reported that



10% of all rape cases reported in South Africa come from HEIs, as also highlighted by Minister of Higher Education Dr Blade Nzimande (14).

Following the full opening of HEIs post the COVID-19 pandemic, vulnerable young female students have fallen victim to SH when staff and heads of political student movements sexually harassed some students in exchange for assistance with registration and residence allocation. In addition, some lecturers demanded sexual favours from students for marks.

Moreover, irrespective of the existence of policies and other initiatives geared towards addressing SH, the prevalence of SH and escalating cases in some HEIs paint a troubling picture. Furthermore, institutional support was not forthcoming because universities are very concerned about protecting their public image and generally do not want publicity around SH (15; 1; 3). This study, therefore, sought to unearth underlying causes that contribute to the continuous perpetuation of SH in HEIs and to investigate measures put in place to address SH that persists despite interventions employed and available in HEIs.

1.2 Study aim and objectives

The study aims to investigate measures put into place to address SH in HEIs, as well as to assess the adequacy of these interventions in tackling SH against students in these institutions.

- The study seeks to explore the views and perceptions of students regarding factors that enable the persistence of SH in HEIs.
- The study seeks to examine measures that exist in HEIs to address SH against students.
- The study will assess the adequacy of the initiatives put in place by HEIs to address SH against students.

1.3 Definitions of sexual harassment

Harassment and SH are defined in various ways. Below are some of the definitions that inform this study:

“Sexual harassment is unwanted conduct of a sexual nature. The conduct is such that it violates the dignity of the complainant or creates an intimidating, hostile, degrading, humiliating or offensive environment. Sexual harassment occurs if a reasonable person would find the conduct offensive and humiliating. If no reasonable person would be offended and the complainant is simply oversensitive, then it will not be SH” (16).



“Sexual harassment is the persistent and unwanted conduct, bullying or intimidation of a sexual nature or the unwelcome or inappropriate promise of rewards in exchange for sexual favours” (17).

“Sexual harassment is unwelcome conduct of a sexual nature that violates the rights of an employee” (18).

“Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.” (19)

“Sexual harassment is any unwanted sexual behaviour that makes someone feel upset, scared, offended, or humiliated or is meant to make them feel that way. Sexual harassment is a type of sexual violence – the phrase we use to describe any sexual activity or act that happened without consent” (20).

2. Legislative and policy frameworks

South Africa has good policies and frameworks that guide how institutions could create a safer space, and prepare for and respond to GBVF, including SH. The list provided here is an example of the legislature, strategic plans, and policy frameworks that are applicable to this work.

The **Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (2008) developed under Section 203(1) of the Labour Relations Act 66 of 1995** sets out a detailed definition of SH in the workplace. The code recommends that there be skilled people to assist complainants, that policies are in place, that employers act and that appropriate support be given to complainants.

The **Labour Relations Act 66 of 1995** deals with unfair dismissal and provides that an employer may dismiss an employee if they have conducted an act of sexual misconduct if there is procedural fairness and that employees are aware that sexual misconduct is a serious form of misconduct.



The **Employment Equity Act 55 of 1998** provides that no person may be discriminated against and that the employer has a positive duty to ensure that the workplace is free from discrimination and harassment, including SH. This obliges HEIs to have in place policies to protect staff from SGBV.

Although the **Labour Relations Act 66 of 1995** and the **Employment Equity Act 55 of 1998** make provision for labour laws in the country, they both have codes of good practice for handling SH cases in the workplace (21). Because HEIs are also places of work and business, and with consideration for the dual role held by students at these institutions as employees, these Acts and Codes are applicable. A new code on the Prevention and Elimination of Harassment of 2022 repealed the old code that dealt with SH in the workplace. The new code covers more than SH and includes GBV; bullying; and racial, ethnic, sexual orientation, or social origin harassment, expanding on what constitutes unwarranted conduct such as following someone, sharing sexually explicit pictures, threats, shaming, hostile teasing, and sexist language, among other things (22). Where employees work from home or any other place other than their physically designated place of work, the code introduces addressing harassment outside the workplace (23). It is also worth noting that although the Codes guide the employer and employee relationship, perpetrators and victims also include “owners, employers, managers, supervisors, employees, job applicants, clients, suppliers, contractors, and others having dealings with a business.”

The **South African Constitution (1996)** is the framework created for all behaviour and law in the country. No one should be unfairly discriminated against on the basis of their race, gender, sex, sexual orientation, or age, amongst other things, and no person may unfairly discriminate against another. Everyone has the right to dignity and to be respected and protected, and everyone has freedom and security of person and the right to be free from all forms of violence. Also, everyone has the right to security and control over their body.

The **Domestic Violence Act 116 of 1998** provides that a person can obtain an order to protect themselves from domestic violence. The Act further defines a complainant as “any person who is or has been in a domestic relationship with a respondent and who is or has been subjected or allegedly subjected to an act of domestic violence, including any child in the care of the complainant” (24). In HEIs, students are provided accommodation and will occupy private residences approved or not approved by the university. The Act may be applicable in such instances where students cohabit as couples, with potential for incidences of GBV and SH.



The **Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA)** provides that no person may unfairly discriminate against any person on the grounds of gender, sex, or sexual orientation, amongst other things. This includes GBV, which is prohibited, as is hate speech and harassment. PEPUDA intends to prevent and prohibit unfair discrimination and harassment and defines harassment as “unwanted conduct which is persistent or serious and demeans, humiliates, or creates a hostile or intimidating environment, or is calculated to induce submission by actual or threatened adverse consequences and which is related to sex, gender, or sexual orientation; or a person’s membership or presumed membership of a group identified by one or more of the prohibited grounds or a characteristic associated with such group” (25).

The **Continuing Education Act 16 of 2006** requires TVET and CET colleges to adopt disciplinary codes to “curb racism and any form of unfair discrimination, violence, and harassment, especially sexual violence and SH”. The Higher Education Act 101 of 1997 does not contain a similar provision.

The **Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007** provides that a person who commits a sexual offence is guilty of an offence in terms of the act. The Act broadly defines a sexual offence and includes rape and sexual assault, among other things.

The **Protection from Harassment Act 17 of 2011** was assented to on 2 December 2011 (26). The Act makes provisions for addressing harassment and stalking behaviours, including SH, which violate one’s constitutional right to privacy and dignity (27). It provides for issuing protection orders against harassment, thereby coming into play after the fact, prohibiting harassment towards a victim who is already experiencing harassment from further harassment. Violation of the protection order is a criminal offence.

The **Commission for Gender Equality Strategic Plan (2019-2024)** outlines approaches to creating a society free of violence under its GBV thematic area through monitoring enforcement legislation that seeks to address GBV and improve service delivery. One of the key programmes includes a SH Guide, which should be useful in developing HEI policies on SH (28; 29).

The **National Gender-Based Violence & Femicide Strategic Plan (2019)** provides a strategic framework to guide the national response to the GBVF crisis in South Africa and includes SH as part of violence against women (VAW). However, the NSP’s Strategic Areas of Intervention do not define SH as experienced by students in HEIs but focus on SH as it occurs in formal workplaces and in ensuring that SH policies



are developed in the public and private sectors (7). This framework is applicable to HEIs as it employs students who hold a dual role and thus are at risk of committing SH.

The **Protection of Personal Information Act 4 of 2013 (POPIA)** promotes the protection of personal information that is processed by public and private bodies. While, the Promotion of Access to Information Act 2 of 2000 (PAIA) gives effect to the right to access any information held by the state or another person, which is required for exercising or protecting rights. These Acts are applicable in SH cases. For example, the POPIA provides for a victim's right to have their personal information appropriately and responsibly collected, processed, stored, and protected when they report an incident of SH, throughout the case investigation, and beyond, to ensure their safety and security from their abuser/harasser or any potential further victimisation (30). Victims or potential victims, on the basis of the PAIA, may request access to public records on potential perpetrators' criminal history to better exercise their rights, provided they can show how such information will help them in accessing or protecting their rights (31).

The Department of Social Development's **South African Integrated Programme of Action Addressing Violence Against Women, Children and LGBTIQ+ persons (2019-2024)** is targeted at "the elimination of all forms of violence against women, children and LGBTIQ+ persons, at all levels, including the individual, relationships, communities, and societies". The pillars of this plan of action (POA) include initiatives to target the full cycle of violence through "(i) a strengthened system and social mobilisation, (ii) prevention and protection; (iii) response, care, and support". Under the Response Pillar, the POA proposed that by 2024, "children, women, and LGBTIQ+ persons who experience violence are able to access a standardised and sensitive response from state service providers" (32). HEIs are such service providers, and this report recommends the use of a national algorithm for reporting, which could ensure a standardised response across all HEIs. The POA defines violence against women as inclusive of SH.

South Africa conceded to the call to develop national guidelines (3) and published the **National Policy and Strategic Framework to address Gender-Based Violence in the Post-School Education and Training System of 2020** (33), a framework for all HEIs post-secondary schools. The Policy Framework aims to:

- Conceptualise GBV and define its manifestation in terms of existing laws and policies



-
- Detail the international and national regulatory framework compelling institutional and departmental responses to GBV
 - Provide guidance around the structures, mechanisms, and processes that PSET institutions must put in place to address GBV
 - Compel PSET institutions to both create awareness of GBV-related policies and prevent incidents of GBV
 - Set out a framework for oversight of the Department and PSET institutions' development and implementation of GBV policy" (34).

This Policy Framework, together with some relevant South African legislation, forms a basis for developing institutional policies on SH in HEIs in the country.

3. Literature review

Patriarchy, expressed through everyday sexism and gender inequality, inherently undermines the achievement of human rights for all: men, women, and gender non-conforming (GNC) persons. Women are more likely than men to experience SH in their lifetime (35). Women, transgender persons, and gender-diverse people experience SH and GBV at higher rates than men (36). Interpersonal and systemic violence are embedded in everyday actions and inactions, and SH can be expressed in both. Power dynamics play a substantial role in the perpetration of SH, where social constructs such as gender create social privileges that marginalise some through having or being perceived as having more power and/or authority than others (37). Empirical evidence tells us that this is true for vulnerable female students who need accommodation, assistance with registration, or improved marks to pass a module, amongst other reasons. With heads of political student movements being cited prominently in the SH of students in exchange for assistance with first-year registration and residence allocation in this study, it is evident that hegemonic masculinity plays a role in organising gender power (38; 39) and should be urgently addressed. Literature found that medical students entering clinical work may feel intimidated, and this may entail SH incidences (40) and may be true for other student occupations such as student assistants, research and lab assistants, and tutors, among others. Research also suggests that the hierarchical nature of universities contributes to transactional relations among students (and students as staff) such that perpetrators of SH will sometimes challenge complaints against them by claiming harassment by offers of sex from women rather than the driver of harassment being founded on their own patriarchal privilege (41). This continued resistance makes no regard for consent and the intersectionalities that contextualise SH and speaks volumes about the culture of normalised violence in HEIs.



Within the exploration of what causes SH, it is important to reflect on how the university community understands, perceives, and contextualises this issue to offer an effective address. The University of Zambia's SH policy defined SH as “unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, when submission to or rejection of this conduct explicitly or implicitly affects a person's employment or education, unreasonably interferes with a person's work or educational performance, or creates an intimidating, hostile or offensive working or learning environment” (40). What is of interest in this definition is the intentional inclusion of or reference to the term education, where most definitions of SH are only in the context of the workplace. It may be argued that this definition allows for HEIs to expand their jurisdiction in investigating and addressing SH matters affecting the university community to contexts outside of the institution itself (such as external private residences or public places where members of such communities meet or socialise). This should be explored further.

Tharumiya and Manicka found that individual factors such as socio-economic status significantly influenced the perception of SH (42). Their study found that students from higher socio-economic status had been continuously educated, especially by their parents, on the identification and dealing with SH. In contrast, those from lower socio-economic status had little knowledge, including from their parents. The three institutions sampled for this study service students from predominantly rural towns and villages, likely from middle to lower socio-economic status. Therefore, individual factors such as socioeconomic status arguably influence the varied perceptions and understandings of SH. This bias should be considered in the processes of participative development of SH policies, the design of programme interventions, and the reporting and investigating processes.

Policies guide how institutions deal with SH, but more must be done to dismantle the violent institutional cultures that may hinder the interpretation and response to SH. Sexism, gender bias, and GBV explain the lack of access to preventive and response measures, as well as the disproportionate burden of SH victimisation that women and gender non-conforming persons shoulder. For example, a study from the University of Venda confirms that various forms of SH are experienced among students, including the queer community (43). The data from this study suggests that there could be an element of othering of complainants who identified as queer students. In the study, a university staff member referred to cases that were withdrawn by referring to the sexual orientation of the parties involved, which is an unnecessary reference and could be interpreted as indicative of sexual prejudice. This need for diversity sensitivity should be addressed, as 'othering' is found to



silence the voices of complainants, remove their agency and perpetuate a cycle of violence (44).

Findings from this CGE study elucidated on programmatic interventions targeted at developing positive masculinity, as toxic masculinity beliefs embedded in gender roles and cultural norms were identified as contributing to SH perpetration. Long-term programming is essential in curbing SH through empowering students, particularly men, on the concepts and implications of male privilege and linkages to the perpetration of violence against women and minorities, as these impact perceptions of SH and non-acceptable behaviours (42).

A study on SH among students at a Durban university found that the downplaying of SH complaints and reports by students as not being serious led to under and non-reporting, which stifles the address of SH in HEIs (45). Kabaya cited students not reporting SH due to feelings of shame and questioning their own behaviour in the matter, influenced by conservative gender roles and cultural norms (37). The findings indicate that the downplaying of SH and self-blame, to varying extents, normalises and minimises SH and suggests that campus society has been desensitised to it.

Lack of reporting is largely attributed to the distress and trauma of the experience but is also compounded by the gender dynamics that normalise SH and other acts of sexual abuse as healthy masculine privilege (41). The findings from this study that suggest that men under-report and are under-represented as complainants in cases of SH resonate with findings reported in other studies, such as that by Mfisa (46).

Whilst there are policies on SH at universities, a study from North-West University reveals that these are not functionally implemented (46). Young women are unsafe in universities, and the duty bearer's response fails to protect victims from abuse (47). Gouws and Kritzinger concur and further raise a concern that lack of implementation invisibilises SH incidents to university management, and this is a disservice to the victims (48). The ways in which victims cope with experiencing SH and other assaults against them are strongly linked to the attitudes of society and the law enforcement system (49). Therefore, it is imperative that institutions, as authorities in the matter, consistently implement policy, ensure thorough investigating, and are cognisant of the psychological and physiological consequences of SH on victims.



4. Research approach and methodology

4.1 Study design

The study adopted a qualitative research approach for its relevance in unravelling people's lives, stories, and behaviours. The approach is deemed the most relevant given that it is used in studies that seek to unravel people's lives, stories, and behaviour, including those related to organisational functioning, which is relatable to what this study sought to do. Qualitative research is used to explore, uncover, describe, and understand what lies behind the visible attributes of a phenomenon (50). This approach is most suitable for exploring and uncovering issues beyond visible attributes in relation to people's behaviours and allows respondents to express their opinions. Research designs are a blueprint that guides the researcher in the process: in qualitative research, the design is flexible, open, and fluid, and adopts an iterative and non-sequential approach (51).

4.2 Study site/s

Interview and document data was collected from selected universities, and interviews were planned as tabled below (see Table 1). Additionally, there were plans to interview participants from the Department of Higher Education, but this did not materialise.

Table 1: Planned interview data collection

Institution	Transformation Office	Student Representative Council	Students focus groups
Nelson Mandela University (NMU)	4 participants	4 participants	6 men 6 women 6 LGBTQI+
North-West University (NWU)	4 participants	4 participants	6 men 6 women 6 LGBTQI+
Sol Plaatje University (SPU)	4 participants	4 participants	6 men 6 women 6 LGBTQI+



4.2.1 Nelson Mandela University

As a result of the merging of the PE Technikon, the University of Port Elizabeth (UPE) and the Port Elizabeth campus of Vista University (Vista PE), Nelson Mandela Metropolitan University (NMMU) was opened on 1 January 2005 and was renamed Nelson Mandela University (NMU) in 2017. NMU is the largest higher education institution in the Eastern and Southern Cape, with some 27,000 students enrolled on seven campuses or delivery sites – six in the Nelson Mandela Metropole and one in the city of George. The main campus of NMU is situated in Summerstrand, Gqeberha (formerly Port Elizabeth). The faculties are spread across the six campuses, and in some cases, programmes are duplicated on more than one campus (52).

4.2.2 North-West University

The North-West University (NWU) officially came into being on 1 January 2004 as a merger of the former University of North-West with the Potchefstroom University for Christian Higher Education, University of Bophuthatswana (UNIBO) and the Sebokeng Campus of Vista University. NWU is committed to functioning as a unitary, integrated, multi-campus university that enables equity, redress, and globally competitive teaching and research across all three of its campuses, namely, the Mahikeng Campus, Potchefstroom Campus, and Vanderbijlpark Campus. Its core activities, teaching-learning and research, are intertwined with community engagement and innovation in its eight faculties, most of which serve both distance and contact students (53).

4.2.3 Sol Plaatje University

Sol Plaatje University (SPU) opened in 2014, the first of two new universities established in post-apartheid South Africa, named after Solomon Tshekisho Plaatje. It is also the first university to be established in the Northern Cape Province. The niche university situated in the heart of Kimberly offers a variety of academic programmes that meet the unique needs, competence, and characteristics of the Northern Cape region in four faculties – Economic and Management Sciences, Education, Humanities, and Natural and Applied Sciences (54).

4.3 Data collection

Pragmatic considerations influenced the application of the design in the field (51). Data was collected by CGE Research Department staff. Two methods of data collection were mainly used: key informant interviews (KIIs) and focus group discussions (FGDs). The study used a maximum variation sampling approach, which enabled the researchers to source a broad range of information and perspectives



(55). The variety of target participants recruited resulted in participants being interviewed who have different experiences and who think differently.

4.3.1 Interviews

Interview data was collected through KIs and FGDs. Interviews are the best way to collect data on sensitive matters. Papers on methodology in the field of GBV report that men can speak about GBV matters when anonymity is guaranteed (56).

One-on-one KIs are used to collect information from strategic people who are chosen based on their expertise in the investigation area. The KIs took between 15 minutes and one hour. 'Focus groups' is a term that is generally used to refer to a group of people who share a similar type of experience but are not naturally constituted as a group (55). FGDs were organised by same-gender peer groups of men, women, and the LGBTIQ community. The advantages and disadvantages of group discussions for research are known to researchers (57).

Table 2 is the summary of the total interviews conducted: 21 one-on-one KIs and nine FGDs.

Table 2: Summary of KIs and FGDs conducted

Interview participants	Nelson Mandela University	North-West University	Sol Plaatje University
FGDs	3	3	3
SRC	2	3	3
Transformation Officer	2		
GBV Office	1		
Pride Office	1		
Peer Educator/Student Life	1	1	
Employee Relations		1	
Protection Services		2	2
Student Support/Judicial/Counselling and Development Services/ Nurse	1	2	3
Total	11	12	11



4.3.2 Supporting documents

There were 16 institutional documents received for analysis and the documents provided evidence, context, and framework to inform the study. The documents included ethics and disciplinary codes, equality and SH policies, protocols and guidelines, and complaints reports, as well as additional materials such as manuals and pamphlets (see Table 3). Data received in the form of documents was uneven, with most documents received from NMU and the least from NWU. This report recommends documents that could have been beneficial for the study and that the CGE should access in its oversight activities.

Table 3: Institutional documents

	Nelson Mandela University	North-West University	Sol Plaatje University
1.	203.01 Student Disciplinary Code NMU	NWU 3Pr-3.13_ Behavioural Manual_01.01.2024	SPU Implementation Procedural Guidelines on Sexual and Gender Related Misconduct in PSET institutions
2.	701.10 NMU Integrated Policy for the Promotion of Equality and the Prevention of and Protection against unfair discrimination	NWU poster NWU on harassment	SPU Implementation Protocol on Rape and Sexual Assault Cases
3.	C_216_23_ (2023-05-12 11h23) _Biannual Equality-Related Complaints Report	NWU Sexual Harassment Policy (Employee Relations)	SPU Implementation Protocol on the PSET Code of Ethics
4.	C_652_23_ (2023-11-24 14h08) _Biannual Equality-Related Complaints Report		SPU Sexual Assault Protocol
5.	Safeguarding Policy relating to Modern Slavery Human Trafficking Draft Policy (v7) NOV 2023		
6.	Singamadoda FAQ pamphlet		
7.	Singamadoda Training manual 2022		
8.	701.02 Gender Equality Policy IRC version		
9.	701.08 Policy on SH and Sexual Offences (2022)		



There is a plethora of IEC material online and in physical format that is distributed and accessed by members of the university community and developed and shared by outside parties. NGOs that collaborate with universities make their genetic material on SH available. However, these may not give specific information about the university context that students and staff should be aware of to protect themselves.

Often, training on GBVF and SH is not considered to be the core business of universities and is outsourced. In those instances, the institution may not have a training manual that they use to train students and staff on SH. Not all three institutions submitted their quarterly reports, although the generic guidelines and protocols of disciplinary hearings were received. However, generic guidelines that contain procedures used in disciplinary hearings may not be the best way to approach GBV matters. GBV, including SH cases, have an underlying factor – power – a very difficult construct to negotiate. In order to respond to the power factor, institutions must be guided by tailored disciplinary codes that recognise gender and institutional power as central to reparation.

4.4 Data management

The CGE research team ideated the study, wrote the proposal, and collected the data. It was a good practice for the CGE to outsource data analysis and report writing. This outsourcing helped the researchers manage researcher bias. This outsourcing also strengthened the study by introducing researcher triangulation. The two data analysts were external to the CGE. This enhanced study rigour.

4.5 Data analysis

During data analysis, the researchers used the approach suggested by Kelly: immersion, unpacking, and associating (55). The researchers immersed themselves in the data to get a good understanding of the narratives offered by the respondents. Textual data was unpacked to find patterns between and within institutions. Associations were formed from the patterns that were uncovered, were discussed, and temporal linkages formed. This approach enabled the researchers to look at the research material from the outside whilst also empathetically engaging with it. While undertaking the analysis, the researchers were guided by discourse analyses and analysis human behaviour,. The meanings of words used, metaphors expressed, and behaviours displayed were analysed.

The researchers met with CGE staff who were involved in writing the protocol and collecting data to present and discuss preliminary findings. The meeting established coherence between the themes that the researchers identified and those that the data collectors noted. This concurrence further validated the findings.



5. Statement of research ethics

The Human Sciences Research Council (HSRC)'s Research Code of Ethics is a key code to which the CGE subscribes and abides. This code includes key principles adhered to and entails commitments that CGE research staff should abide by regarding rights in undertaking research work involving people, communities, and other social entities. The code primarily guides other research aspects that involve interactions with selected individuals, households, and communities, among others. Through this, CGE research staff are required and expected to comply with universally accepted professional standards of research to ensure that all participants' rights and concerns that may potentially be impacted by activities related to the study are acknowledged. The protection of participants through the application of appropriate ethical principles is important in all research studies. However, in qualitative research, ethical considerations have a particular resonance due to the in-depth nature of the process, especially considering the sensitive nature of this study. Part of these considerations include transparency and accountability.

Respect and protection: The ethical considerations that the CGE subscribed to in carrying out the study created the conducive environment required for a qualitative research approach where, in the main, there was anonymity and privacy to protect the respondents. **Auditory and visual privacy** is important in research interviews and was mostly achieved in this research. Even though interviewers may be trained to interview only in complete privacy, ground logistics may be challenging, and sometimes there may be interference. There were instances where, from the recorder, interference during the interviews was picked up. Not all interviews were conducted with complete privacy. Some interviews were conducted in the car and/or outside. CGE must ensure that interview venues are prepared and booked, as well as that the venues provide complete privacy.

Scientific and academic professionalism: One of the important ethical considerations in science is that the researchers should be qualified and competent to carry out the study. The team collectively held the relevant education and training qualifications that range from a bachelor's degree to a doctoral degree. The team also had years of experience in GBV research, including SH. At the time of conducting the study, the lead analyst attended a course on Respect@Work that covered SH in detail.

Further to these, research conducted by the CGE is guided by the following ethical considerations:



5.1.1 Informed consent

Before the commencement of the semi-structured interviews, participants were informed about the study rationale, its goals and objectives, and the research methodology. Participants were informed that the study will culminate in a research report that will later be presented to parliament. With regard to the key informants, a letter with all the above information was provided. Participants (including key informants) were afforded the opportunity to ask questions or seek clarification on any aspect of the study that may be unclear.

5.1.2 Voluntary participation

None of the participants were coerced to participate in the study. There was no undue inducement through any promises or incentives.

Voluntary participation does not necessarily apply to key informants working for State institutions, as they are obligated to engage and comply with the CGE when requested. However, cooperation was sought from the key informants (in and outside of State institutions) through the clearly written articulation of the research aim, objectives, and CGE mandate and powers.

5.1.3 Confidentiality

Researchers explained to prospective participants the importance of adhering to confidentiality and also transparently outlined the legal requirements to report harm, potential harm, and crime. Participants were informed that their confidentiality would be protected as trust was built between the CGE and the participants. The CGE researchers and the outsourced consultants are obligated by ethical guidelines to safeguard participants' information. All data collected will not be disclosed to unauthorised individuals or entities and will not be used to violate the interests and safety of the participants. Data was used solely for this research.

5.1.4 Anonymity

Participants were informed that the study would culminate into a research report and that their names would not be mentioned in any documentation or presentations regarding the research. The interviews were held in locations that can guarantee the privacy of the participants, and the audio recordings were kept on password-protected devices. The transcripts that emanate from the research interviews are password protected.



5.1.5 Beneficence

This study seeks to contribute positively to the human condition; studies that do not aspire to do this run the risk of being unethical. The right of participants to be free from harm, uneasiness, and mistreatment was respected throughout the study.

While precautionary measures were taken to ensure that the study does not expose participants to any risks or harm, the researchers provided participants with the LifeLine 24-hour national counselling line for free telephonic counselling. LifeLine is a non-profit organisation which “offers community members access to a 24-hour telephonic service that can assist them in addressing the psychological triggers, social stresses and trauma that they are struggling to deal with, as well as address inciting secondary victimisation”. Face-to-face services are also available by appointment.

6. Constraints and limitations

Methodological research on GBV emphasises the importance of creating a conducive environment for respondents. The trustworthiness of the study depends on the honest and candid responses of the respondents. In this case, the researchers executed the study with careful attention to this as all interviews were carried out in privacy. In FGDs, privacy and anonymity cannot be guaranteed.

The language used during the interviews was English, even when the respondents were non-English speakers and could have expressed themselves better in their spoken languages.

Some concerns were expressed about fear of victimisation when speaking to the researcher, and these fears may have limited the data collected. In one of the universities, students agreed to speak to the researchers on condition that they would not be audio recorded. Furthermore, one of the respondents, who was a student leader of a formal organisation (a man), expressed hesitation to truly talk about what he knew. This hesitation resonates with findings (58) wherein researchers found out that some men feared information leaks would be used against them. This potential for leaking of information should be handled carefully as some research, including research on SH, does not only cause harm to the respondents but also can cause harm to important institutions. Kelly calls this the ‘contextual risk’ (55).

It is possible that some respondents in this study were also aware of this risk and held back information. Further to this, respondents may have been inclined to hold back their views and experiences for fear of chastisement by the interviewers.

Because the questions asked during one-on-one and FGD interviews were mostly about the general university community, these provided a level of protection for the respondents to feel safe as they were not expected to talk about themselves.

There was uneven data that was submitted/received as supporting documents for the three institutions. The documents submitted predominantly constituted information education and communication (IEC) material, national guidelines, institutional policies, and guidelines and training manuals. There were documents from the supply chain on how the values of the institution are communicated to external contractors. There were no documents from the Registrar's Office and no faculty or discipline-specific protocols. There was no reference to online repositories or materials, although universities have a large online presence.

This study deliberately excluded recruiting respondents who had reported experiences of SH to avoid collecting and recording first-hand lived experiences. The purpose of this decision was to prevent exposing participants to emotional distress by discussing sensitive topics, particularly for those who have not fully dealt with these issues.

Even with these limitations, this study collected valuable and insightful data which is useful for the CGE.

7. Findings of the study

7.1 Institution 1: Nelson Mandela University

7.1.1 Understandings of sexual harassment

Respondents in all three FGDs exhibited an understanding of SH and its various forms and that it affected both men and women, including linking its effects to mental health and wellness. However, there was no mention of gender non-conforming (GNC) persons in the discussions with the male and female FGDs. It is commendable that there was an understanding and linking to the various ways in which SH manifests and the SH drivers, such as patriarchy, power imbalances, consent, abuse of alcohol (39), and differences in backgrounds and cultures. Recognition of varying interpretations of SH is also worth noting as this indirectly drives SH, where perpetrators are certain of no wrongdoing and will maintain innocence in cases of SH (40). The most common forms of SH offered by the LGBTQIA+ FGD participants were quid pro quo demands, rape, verbal and physical sexual assault, and what the participants referred to as “cat talks”.



An example was offered of a system where the student leadership (SRC) were given a dozen rooms per residence to administer and allocate themselves. This gave unfettered power to the student leadership, which they abused and engaged in quid pro quo transactions of rooms for sexual favours. Higher levels of GBV perpetration are noted by students (and staff) who hold power, and this should be avoided (1).

7.1.2 Understandings of risk factors for sexual harassment

The Singamadoda Redefining Positive Masculinity programme forms part of the institution's anti-GBV campaign programme and aims to encourage male students to engage regarding matters related to gender, masculinity, and inequalities. The programme consists of four hybrid sessions where facilitators and coordinators use a training manual, workshops, and activities to engage and dialogue on issues related to manhood, masculinity and gender inequality, and related topics. The programme provides a positive platform to work towards positive masculinity by scrutinising the links between masculinity and the perpetration of violence, rape culture, beliefs related to gender, and other harmful beliefs (39). This programme-supported scrutiny is important as cultural and social norms and ideas around masculinity and femininity are established as factors that influence SH (1).

Reportedly, student participation in the Singamadoda programme was poor, possibly due to poor organising. Information on the programme was distributed using university memorandums and emails, the institution's Facebook page and website, and posters. The highest response was when the programme implementers approached on-and-off-campus residences, liaising through residence managers, who assisted in gathering students. Lack of student participation may be an issue triggered by fears of vulnerability and exposure among peers.

LGBTQIA+ FGD participants offered that leadership students asked for sexual favours from students, especially first-year students, in return for offering them accommodation, which is a form of SH. There was also a consensus on the lack of understanding of gender and sexuality. Participants also argued that LGBTQIA+ persons are also harassed based on their sexuality. What was equally interesting is that some students confirmed that some LGBTQIA+ persons believe in "changing" heterosexuals. Moreover, it was also argued that less education on SH and misinformation contributes towards SH in their institution. Stigmatisation was highlighted in this group, where reportedly, heterosexual security personnel did not take same-sex relationship cases seriously, with the belief that people in same-sex relationships could not harass each other. One student mentioned that "they don't take us serious especially the lesbian community, as they believe we are both girls

why would we fight" (LGBTQIA+ FGD participant). The perception that same-sex harassment is not possible or serious is a common misconception and is a gender binary view of relationship dynamics in relation to violence and SH (49).

7.1.3 Prevalence of sexual harassment

The second SRC leader interviewed shared that there is an abuse of power, particularly with new first-year students who require assistance at the beginning of the schooling year. This is categorised as quid pro quo SH (60) and has been a culture in the institution to the point where "when you get help from a comrade, you must give them something. When they offer and then you say no, and you tell your comrades – they're like you're done!" (SRC leader, man). LGBTQIA+ participants shared that a lack of knowledge of SH and sexuality in general, as well as not knowing proper reporting structures, contributed to the prevalence of SH in their institution. Other contributors to poor reporting were that the students maintained that they were unaware of the Transformation Office and maintained that perpetrators were never dealt with.

7.1.4 Policy implementation process

The university has a definition of various forms of SH. The policies of the university include a SH policy, sexual offences policy, and a prevention and elimination of unfair discrimination policy held by and led by the director of the Transformation and Gender Office. The university has a gender and equality committee that develops the policies through engagement with the institution's stakeholders (campus health, student governance [SRC], representatives from the Gender Centre and the DVC for Engagement and Transformation). According to the Transformation and Gender Office's Singamadoda programme coordinator, implementation of the policies was "best known by the Transformation and Gender Office investigator and the case coordinator, as they dealt with the complaints, the process, and the provision of support" (programme coordinator).

LGBTQIA+ FGD participants reported that they had no knowledge of any policies in relation to SH at the institution. However, one of the participants (a PRIDE leader) shared that the Transformation and Gender Office did help with information related to SH, especially for LGBTQIA+ persons. According to the programme coordinator interviewed, the university policy on SH included the gender-diverse community. The SRC transformation officer also shared this view but not entirely, stating that he felt that the policy was written with a binary women-and-men inequality lens that may alienate LGBTQIA+ persons and muddy the contextualisation issues and risk factors of the community.



7.1.5 Reporting of incidences of sexual harassment

The GBV case investigator described a process where they received a case from the case coordinator, perused the statement provided by the complainant, analysed offences related to the case, and whether it fell within the purview of the Transformation and Gender Office. If the case is for same-sex offences, analysis determines whether it is a common assault or if it is indeed sexual. If it is a common assault, it is referred to Protection Services, and Protection Services reciprocally refer SH cases to the Transformation and Gender Office case investigator for analysis, particularly when the case is unclear. This process is evidence of a good and mutual working relationship with Protection Services, which is important for appropriate response and action. The Transformation and Gender Office's policy has an additional offence that constitutes intimate partner violence (IPV). So, if the case has a romantic relationship element, then it is automatically an IPV case. Even though the institution has policies, FGD participants were not aware of the institution's policies pertaining to SH.

The institution has one case coordinator for all the campuses, and this may pose a capacity challenge that negatively affects efficiency in reporting. Cases from other campuses may be reported to residence managers, Protection Services or the institution's clinic, who then refer the complainants to the Transformation and Gender Office. The case coordinator interviewed also coordinates LGBTQIA+ cases and advocacy work, facilitating SOGIESC training, dialogues and podcasts for students and staff, residence orientation, and visits to various student societies, arranging subject matter experts and LGBTQI organisations to provide sensitisation training, such as Gender Dynamix and GALA Queer Archive, among others. The institution will register a UniQueer Society in 2025 and have a queer support group and reading club to support the community. The case coordinator shared that the SH and sexual offences policies were not gender sensitive because the framing is cisheteronormative and does not speak about anything outside of that, "even the assumption most of the time when the work is being done [...] advocacy work around this policy, it's like GBV is a women and men issue. It's not cognisant of the fact that there are other genders out there; other people who might identify differently" (case coordinator). Engagements with Gender Dynamix displayed interest in improving this, in terms of, for instance, institutional forms and room allocation for accommodation. The case coordinator, however, felt that more needed to be done to accommodate SH cases involving transgender and gender-diverse persons and make the policy more inclusive. There seemed to be no clear understanding of the reporting process among most of the LGBTQIA+ FGD participants. However, one of the Pride leaders "assumed" that the process they



had heard about was through residence leaders, then security personnel; the latter was shared with much uncertainty as the majority of the crowd remained quiet. The silence may allude to a variety of things such as fear, discomfort, perhaps a display of the silencing that members of this community have become accustomed to, or a moment is taken for reflection – silence in FGDs is an opportunity to observe non-verbal data that can be a valuable data source (61). Participants highlighted that due to their roles in the PRIDE community, they were aware that the Transformation and Gender Office was the relevant office to report some of these issues. There was no clear understanding of South Africa's legislation on SH. However, some LGBTQIA+ FGD participants highlighted that they were affiliates of groups such as TRIANGLE (external structure NGO) and UniQueer Students Society (that usually assisted them with both internal and external SH cases specifically for LGBTQI+ persons).

Women's FGD participants also shared that it is mostly women who report SH cases and that LGBTQIA+ persons were more afraid to report, even though they have a unit at the university. LGBTQIA+ persons cite that same-sex couples are often disregarded: "they will say that's your partner [...] why are you being overpowered by a woman when you are a woman, so they'll end up not reporting" (women's FGD participant). Gender bias plays a prominent role in SH blame attributions. Socio-cultural norms tell us that women as perpetrators of violence, including SH, are a contradiction of the socialisation of women as agreeable and passive (49). Therefore, it is arguably difficult to comprehend the same-sex perpetration of SH, and more so, women as perpetrators.

According to the case coordinator, the institution had an online reporting page where anyone could lodge complaints, however, she admitted that the page was unknown. The page on the Student Information Management System (SIMS) is available on the student portal for students and on the staff portal for staff. However, the page is not frequently used as people prefer to consult physically. A women's FGD participant mentioned that this platform was not conducive to reporting and that it was not cognisant of the digital divide experienced by some of the student population that would struggle with accessibility, as well as the difficulty a victim would experience in writing something as opposed to speaking to someone physically when in such a vulnerable state.

Engagements with male students gave the Transformation and Gender Office's programme coordinator the sense that the male student population still holds deeply toxic beliefs about masculinity and finds the beliefs difficult to relinquish. When male students were asked why they did not want to be part of the programme, they responded that "they feel under attack in a way, they feel like when you speak



about toxic or masculinity, you are just saying that they are bad” (programme coordinator, man), which contributes to their reluctance to engage, making it “a lot more difficult to shift those perspectives which lead to the perpetration of SH and violence” (programme coordinator, man).

Even though much work is done around advocacy and increasing knowledge about the Transformation and Gender Office, there is still a sense that students do not trust institutions enough to report incidents and tend to deal with things on their own. However, from the CGE’s sessions with the students, it was found that students do not know about the Transformation and Gender Office or its programmes, citing that the information was out of reach, with only the student portal as a means to get any information. The programme coordinator admitted that it would be helpful to have a compulsory gender-related programme at the beginning of the year like the compulsory computer literacy programme, and not have them as optional additional activities that may not catch the interest of students.

7.1.6 Structures in place for victims of sexual harassment

Once a case is received, an assigned case coordinator reaches out to assist the student complainant and guides them through the processes related to a SH case. There is also a GBV counsellor within the office who provides psychosocial support. The case coordinator also engages lecturers and residence management to address and support the student’s academics and accommodation in relation to the incident. The coordinator also facilitates lodging a no-contact order with the Legal Services Office should a victim require this as a protective measure. The case coordinator also assists in referring or accompanying the student to a Thuthuzela Care Centre or the police station in the case of sexual assault or rape. According to the FGD participants, there is little knowledge or awareness about the formal structures and channels available for victims, further attributing continued harassment to this; “I think it’s not knowing where to go when they are being harassed [...] the perpetrators continue doing it because, who are you gonna tell?” (women’s FGD participant).

One of the things frowned upon in the GBV sector is the involvement of many people in handling a case. The university should consider this. In the description above from NMU, before a disciplinary hearing sits, the complaint would have been reported to approximately five people, including the case coordinator, GBV counsellor, lecturers, residence management, and Legal Services Office, among others. The question that should be asked is: What are the best ways to service and maintain a complainant’s privacy and to limit risks to confidentiality?



7.1.7 Relationship with the Student Representative Council

The Transformation and Gender Office and the SRC are supposed to work closely together in the implementation of their respective activities, including awareness campaigns and programs. They should work together, but in practice, they do not. Instead, they should work together on one or two joint events in the year. Due to compartmentalisation and working in silos, with the SRC focused more on Student Governance and Development Office structured activities, there may be some overlap in the Transformation Office and SRC's work but a lack of collaboration. The programme coordinator mentioned that addressing this lack of collaboration could vastly improve student reach for programme participation. LGBTQIA+ FGD participants concurred with this view and added that hard work was needed to improve awareness campaigns on matters related to SH. Moreover, they highlighted that the institution must focus more on educating students on sex-related ills, sexuality and reporting processes. Lastly, they noted that the SRC must be involved in queer-related programmes as they do not assist the community with anything. One student mentioned that "the SRC does not care about us, in fact some do not even want to associate with us; hence our issues are not even prioritised" (LGBTQIA+ FGD participant).

The SRC leader shared that with the existence of an institutional Transformation Office, he leveraged a relationship with the office as it aligned with his SRC portfolio; this was to build his own lack of exposure to issues of women and gender. Lack of knowledge about gender and the sexualised culture of campuses may have shaped the nature and lack of collaboration in the working relationship with the SRC, as lack of capacity in the form of subject matter knowledge in this portfolio may have been conducive to a laidback demeanour around programming. At NMU, the SRC was not included in the SH reporting processes but sat in on inquiries and disciplinary hearings.

7.1.8 Addressing sexual harassment

One of the SRC officers offered that SH is complex and is a result of upbringing and culture; that solving the problem, reducing the numbers, and instilling mechanisms for a new culture will require shifting embedded cultural beliefs. He suggested that the shift should be done in a speedy and yet effective way because students are typically in an institution for only three to four years. Change should happen in that time in terms of cultural shifts and understanding of harassment and sexual violations. He also shared that this should be done at the residences as the residences are the first student contact point, particularly for students coming from outside. When asked if he thought the SRC was doing enough to promote



educational programmes that would lead to the promotion of policy advocacy programmes, he shared that there are not enough programmes and that the SRC paid no attention to existing programmes. Apparently, “there’s the Motsepe donations that go around universities, which are prescribed to actually assist with programmes of transformation, but those kinds of things or those programmes are not given enough support to actually create the necessary impact” (SRC officer, man).

Where there was evidence of active research engagement in the areas of GBVF, the institution seemed to be supported with policies and good practices. For instance, NMU has a centre that deals with matters of gender, GBV and SH. Punishment for perpetrators of SH are six-to-12 month suspensions or expulsion, depending on the offence. There are also psychological and developmental interventions that may sometimes arise out of a mediation process. One of the SRC officers mentioned that there was no consistency in the application of policy where people in positions of power or leadership were concerned.

7.2 Institution 2: North-West University

Nine one-on-one interviews and three FGDs were conducted at NWU. In this institution, public education to raise awareness about GBV seemed to be in place. The respondents’ understanding of SH was that SH is:

“as an unlawful and unwanted action, words”.

“it is not only about what the students are not doing [...] it is also about what we are doing as staff” (SCD staff).

Both male and female FGD participants gave an unclear understanding of SH, with some arguing that it was unwanted behaviour from men. In contrast, others believed it was GBV, and some had a clear definition and understanding of it to be “an unwanted behaviour towards any gender whether verbal, physical, any way that made the next party uncomfortable” (men’s FGD participant). LGBTQIA+ participants provided a clear definition. Whilst it is not expected that everyone will have an academic definition of SH, a working definition suffices that is subjective and demonstrates an understanding of unacceptable social norms, unpalatable sexual behaviours, and degrading comments. Locating SH in the broader concept of GBV (39) was accepted and found to be common across the interviews. Students believed that contributing factors towards SH were alcohol and drug abuse, and a failing justice system that continues to give perpetrators power. Alcohol was considered to be at the top of the list.



The GBV investigator from NWU said that they “teach about acts of crime, criminal procedures and host events with SAPS, the judiciary, and others” (GBV investigator, woman). The response about what this means could be attributed to the profession of the respondent. GBV cuts across disciplines and the respondent’s immediate area of work was an investigation and therefore the respondent gave this answer. It is possible that the awareness talks also touch on the sociological aspects and health impacts of violence.

The Employee Relations Office admitted that there was a policy lacuna at the institution, especially in relation to parties that held a dual contract. The Employee Relations Office deals with employee matters, and sometimes, the parties involved in the matter hold a dual contract with the university: employees and students. Here are the possible dual contractual arrangements:

- Fulltime permanent employee – part-time students
- Fulltime student – contract employee (tutor/contract lecturer, among others) common in the case of postgraduate students
- Part-time student – contract employee
- Part-time students – service provider
- Post-doctoral candidates are neither considered staff nor students, raising a technical challenge for policy implementation.

A study of SH at HEIs in Zambia found that past research submitted that 27% of participants reported seductive remarks from lecturers, with 44% reporting experiencing this from another student. This suggests that peer SH has been and continues to be rampant in university settings, and institutions must be more concerned about student-student harassment regardless of dual roles held, as this is not only/always a faculty-student issue (40).

7.2.1 Factors contributing to and prevalence of sexual harassment

Students believed that a lack of knowledge about SH caused the prevalence of SH in their institution. Others argued that power dynamics among students and student leaders contributed to the prevalence. A few students seemed to have no idea what the cause could be. Notably, participants here referred to ‘normal’ students in a way that separates them from others, thus creating a pecking order of students by the roles and positions that they held at the institution, with those in students’ representative leadership positions singled out. Research across the spectrum of violence in HEIs links bullying to harassment (62). Bullying and harassment share a common thread in that they are allowed by sexist and patriarchal values that affect



men and women differently and intersect with social identities, personalities, and institutional culture. An institutional culture that promotes bullying and harassment affects the academics and performance of victims and survivors. There is a need to investigate more explanatory and risk factors, such as race and nationality, which are linked to bullying in other studies (62). Women's FGD participants further elaborated on the lack of accountability and punishment of perpetrators as contributors, arguing that many perpetrators always got away with the crime and remained perpetual perpetrators as they were never punished. There was general silence from many in this group. LGBTQIA+ FGD participants further added that the lack of full representation of all the gender groups in the student leadership compromised the voice of the vast majority.

The common cases of GBV reported to the university included rape, SH, physical violence, IPV, and hate crimes. Women's FGD participants corroborated this, also highlighting sex work as a contributing factor.

Participants shared that some students engage in sex work as a means to survive. Most of the men's FGD participants believed that the most common form of SH in their institution was unwarranted touching and verbal sexual advances, with only one student mentioning rape.

A Student Counselling and Development (SCD) staff member added that there was a peculiar problem on campus with resident students engaged in relationships that resemble domestic relations, which are referred to as 'marriage internships' wherein students cohabit at residence. These relationships resemble gender power dynamics and gender roles typical in adult relationships and can be fraught with violence. Gender role division and heterosexual scripts were also observed in same-sex relationships.

As with other South African institutions, universities do not have enough space to accommodate all students who need residences, and as such, private accommodation is a norm. Where private accommodation is accredited by the university, the SCD proposed that "interventions are needed with landlords [...] because there's GBV in couples in private res".

7.2.2 University sexual harassment policies

Most FGD participants said they did not know of any SH policies in their institution, nor any on GBV and gender. However, students highlighted that they had seen posters on GBV and SH, and some had attended a men's conference on GBV issues. Moreover, they mentioned the prioritisation and acceptance of the



LGBTQIA+ community and noted that there are sensitisation efforts around gender-related issues by the student counselling unit. This ignorance of policies suggests that communication about SH policies and services should be intensified in HEIs. Similar conclusions were reached by Melanie Marais and Navindrah Naidoo (62). In their study, Marais and Naidoo conclude that the safety of all parties involved, regardless of gender, should be taken seriously and that women, in particular, should be included in student structures. Students' structures were viewed in their study as manly, sexist, and affording power that was misused against women. Modern technologies such as social apps could be used for this purpose as young people use these more than traditional media. In a study by Nkoala and Makwambeni, Twitter was identified as one of the platforms that was used to communicate about the prevention of workplace GBV at universities (63). Other apps could be explored as they may have relevant content creators, including Instagram, Facebook, and TikTok, among others.

The SCD staff expressed uncertainty about the existence of official university policies on GBV and acknowledged the existence of a structure. The structure meets at the beginning of the year to explore means to improve their GBV service. The policy, standard operating procedure (SOP), and practice gap leaves affected parties and university staff responsible for providing the service unsure of which tools to refer to. Without a policy backup, commitments to end GBV are lip service. The men's FGD participants noted that there should be an increase in SH awareness campaigns and more dialogues with men, and that the university must improve the dissemination of information regarding its policies, especially around SH.

In terms of the visibility of SH cases, the respondents suggested that they noticed heightened reporting at the end of the month. When probed about this, they attributed it to drunken behaviour, which is a feature of the month's end. Some of these cases were brought to book, whilst other experiences went unreported. The SCD official gave the impression that "alleged suspects with no cases opened against them is a huge problem". When probed about this, the official said she knew because students come to talk to them at the SDC but do not open a case.

7.2.3 Reporting structure

An explanation of the reporting structure suggested that at one of the campuses in NWU, students reported to a student leader, who then reported to the residence manager, who then reported to the protection officer. The protection officers did give out their numbers and were reportedly "accessible to the student community". It was thus unclear why the complainant would have to go through two other



people before reporting to the protection officer. Whilst the value of peer student support and the role of the residence manager is important, these layers may appear to be gatekeeping, which may be unnecessary. According to one of the respondents, a residence manager and the residence and house committee are responsible for dealing with students' problems and challenges. All but one of the men's FGD participants mentioned that they did not know of any reporting processes. The participants informed that cases were reported through the Campus Security Services, known on campus as the Control Room, and no one knew what happened from there. Most of the women's FGD participants mentioned that they were aware of "crime" reporting processes. At the same time, only a few said they knew SH cases were reported at the Student Counselling Department (SCD). Some of the FGD participants had heard about the University Judicial Services, where the cases are documented. Some LGBTQIA+ participants were aware of reporting processes, while the rest said they were not aware and always reported their cases at the nearest police station as they were based off campus. There was a general understanding in the group that all cases were reported at the Control Room and then sent to the Student Judiciary for a full investigation. They, however, also did not have an idea of any of the country's legislation on SH apart from the protection of rights under the South African Constitution and they highlighted that they were aware of their institution's reporting processes. In terms of reported cases, Marais and Naidoo indicate that complainants should be kept informed of the steps, processes, and procedures (62).

A residence committee member was concerned that "people do not go and report". Once awareness about SH was raised, the expectation was that SH incidents would be reported to authorities. However, there was a lack of platforms to report and address SH. In some instances, students dismiss acts of SH even when these make them feel uncomfortable because:

"You are lucky if your case gets serious attention" (residence committee, woman).

"Victims have access to their friends" (residence committee, woman).

"The university has no platforms or anything of that nature [...] the university should establish an office and make sure that there's female staff" (residence committee, woman) for women victims who may prefer to be attended to by a woman".

This feeling of hopelessness could be a demotivation to reporting. Compounding this was the view that some cases are ignored by the institution, which allows backlash



against the complainant. A men's FGD participant seemed to have a general idea about South Africa's legislation on SH and highlighted that the SAPS plays a major role in terms of case reporting. The participant also had a general understanding of the protection of rights in the South African Constitution. Whilst national tools are important in setting the tone to curb GBV, including SH, localised interventions are also needed. Local interventions are more relatable and enforceable, with little need for resources. A study by Tyolwana and Marala raises the need to ensure that these local tools and interventions are contextually driven and operationalised to move beyond theory (64).

7.2.4 Case turnaround time

There was a recognition that SH cases are time sensitive in that the time between reporting and concluding a case should be as short as possible, yet this was constrained by several factors such as reporting apprehension, staff shortages, skills shortage in the investigation teams, university exams period, and others factors. Below, we offer a typical response to an incident of SH as described in the interviews with the various respondents.

Reporting apprehension: Respondents mentioned that sometimes the victims would approach their offices to report the case but were not yet willing or ready to open a case. This lack of a formal report means that the office cannot initiate an investigation. The office provides information to the victim and assures the victim of their service. The victim may decide to pursue the matter and open a case or never return. When followed up by the office, the victim may state that they will not be opening a case, and that the initial meeting and counselling received helped them to come to terms with their experience. The reporting challenge was also identified with male victims wherein “especially men – they feel shy to report. [...] Hence there is a targeted effort to educate them” (GBV investigator, woman). There are various reasons why this would happen. One reason for the reluctance to report was identified as the lack of commitment of the university to address “such issues”. Some students may be discouraged from reporting when the alleged perpetrators hold power. For instance, the SRC members who are senior at the university “hold positions of power, know the VC and the Executive and are entrusted with the responsibility to reach out to [first-year students]” (SCD, woman). They victimise new and desperate students who may feel disempowered to report the case. The SCD office acknowledges that there are two types of reporting: official and unofficial reporting. Official reporting is when a case is opened and the incident is recorded. Unofficial reporting is when the students accessing the centre narrate their experience and hear how the centre can service them in their



case, but choose not to open a case. When they choose not to open a case, the SCD suggested that it was because they chose their health and wellbeing over a possible protracted redress process.

Parties concerned: Different institutions followed different paths in incidents of SH. In NWU, whilst Protection Services handled the investigation and represented the case, the complainant was simultaneously referred for counselling. Once an incident has been reported and a case opened, the affected parties, if in residences, are removed from the vicinity. If there is enough evidence pointing to the seriousness of the case, the alleged perpetrator is suspended. If not, the perpetrator is moved from the residence. However, in other cases, it was the victim that was moved for safety reasons.

Staff shortages: The victims may approach the responsible office to report, and the office may be inundated with reports and unable to investigate within the reasonable time as expected. This lack of timeous investigation has implications for the university's target wherein "the university's target to resolve cases is two months [...] and five days to conclude an investigation" (GBV investigator, woman). Staff shortages delay the timeline, and some victims lose interest, will be away from campus (holidays or studies completed), and fail to follow up.

Skills shortage: There was also a concern about the investigative skills of the investigation officers. This sometimes leads to weak evidence collected and weakens the case of the victim. In these instances, the alleged perpetrators' defence team may have an advantage that is created by the inability of the university to present a strong and admissible case.

University exams period: Teaching and learning are the main business of the university, and university staff are acutely aware of this and should do everything they can to protect the academic enterprise (1). One of the respondents mentions that if an investigation is concluded at the start or during the exams, they draw up the charges but do not serve the alleged perpetrator to allow them time to finish the examination. This could be viewed as providing a layer of protection for the alleged perpetrator, which is unfair as victims of SH are not spared during exam time or any other crucial time.

Witness: The respondent from the protection office responsible for investigations highlighted that they sometimes have a problem with witness availability. Sometimes, the witnesses lack adequate education about SH and do not feel confident enough to support the complainant with witness information. The student community's uncertainty regarding SH results in "a lot of alleged perpetrators in



our midst" (SCD, woman) who know they have done wrong and know nothing will be done about it. Due to a lack of proper support for the complainant and their witnesses, the case is lost.

7.2.5 How cases were closed

Various outcomes conclude a case of SH. The **disciplinary hearing (by a Disciplinary Counsel) could conclude** in favour of the complainant. The Disciplinary Counsel could conclude in favour of the defendant (the alleged perpetrator), or **the complainant can withdraw the case**. There was reported foreclosure in some of the cases. The SCD offered an explanation that in cases where the relationship with the alleged perpetrator continues, the victim tends to withdraw the case. Under-reporting of violence that happens in the context of a relationship is noted elsewhere (3). In cases where the case was opened by a secondary party (friend or witness), there was also a higher withdrawal rate. As if to suggest that this was linked to sexual orientation, a respondent from NWU could only recall "one incident that involved an LGBTIQ+ identifying student, and this was later cancelled by the student". This invisibility of SH experience for the LGBTIQ+ community is noted elsewhere as a problem that is linked to under-reporting as well as inaction when reported (3). When probed about reasons for cases which the victims withdrew, the investigating officer offered that some cite that "they did not want to ruin the other students' future [...] they wanted the accused to finish his studies [...] they would say 'I don't want to destroy his future'" (GBV investigator, woman).

In addition to delays in concluding SH cases, there was also concern with cases that were closed due to **the alleged perpetrators resigning** (in the case of staff) before being charged. In typical cases, the university has no recourse if the alleged perpetrator resigns after learning about the complaint, and then the complaint does not affect the university's records. If the alleged perpetrator resigned after they had been charged, the university indicates on their HR file that they resigned amidst a case of alleged SH. The withdrawal rate was unknown at the point of the interview as the respondents did not have records to refer to but spoke from conviction. Moreover, the Student Judicial Office noted with great concern the fact that most of their victims lost cases due to what was deemed as lack of evidence. Perpetrators seemed to get away with the crime as they had external legal backing which in most cases victims could not afford. Additionally, the lack of viable evidence was recorded as an issue caused by lack of full collaboration of all the student support units in providing victim support during such cases.



7.2.6 Sanctions

There was no information offered from the interviews nor from the records provided by the university on the existence of a guideline for sanctions. It could be that this was left to the chairperson of the disciplinary hearing to consider. This is common practice. However, introducing a guideline for sanctions would introduce some standardisation across campuses and reduce variability in sanctions given for similar offences. Introducing a transparent guideline would also build trust in a system where “there is no trust [...] students do not see justice being dispensed” (SCD, staff).

The SCD staff further noted that the university lacked the commitment to address such issues as “people have been raped and survived”: meaning without recourse and reparation. This university’s failure to commit to addressing SH issues was corroborated by the Student Judicial official who felt that the behaviour of senior managers and leadership was “unhelpful”. These are some of the challenges that need attention from managers. The respondent warned that the work to protect students should “not be about key performance areas (KPA) and [...] not about ticking checkboxes: it is about people that need our service” (SCD, staff).

One of the areas that were unclear from the data was oversight monitoring and evaluation of campus activities. The role to ensure that the institution delivers on its promises was left to the implementers of the programme with no external oversight. This need for external oversight is another reason why the role of the CGE is so important to follow up on the actual work done by the institutions.

7.3 Institution 3: Sol Plaatjie University

7.3.1 Understanding sexual harassment

In general, the research revealed that respondents from SPU were familiar with the concept of GBV and were able to locate SH as violent. SPU respondents understood SH as unsolicited, unwelcome, and a violation. In interviews with various participants, the following understandings of SH were offered:

“Any form of action that a person does to another person sexually so [...] without consent [...] how you look, touch, speak words that are sexually inclined, with a person you are not in a relationship with” (SRC community outreach officer).

“Unwelcome sexual advances, verbal or non-verbal and of sexual nature” (SRC residence officer).



"You can be harassed sexually or verbally" (women's FGD participant)

"It is when a person says you can sleep with me for this" (women's FGD participant).

"It is not just [...] it is anything that has to do with your body [...] in relation to your sexuality".

"Violation of your body" (Rainbow Club, FGD participant)

"Any action or deed that is being taken or done without approval, especially sexually" and another one added "causing discomfort" (Rainbow Club, FGD participant).

"Looking at someone and undressing them" (Rainbow Club, FGD participant).

In the main, women were quick to offer definitions, and theirs were extensive. On the other hand, men hesitated and had very brief definitions. One said, "it's a violation" and the interviewer had to probe what they meant by "violation". A question was posed to some interviewees about their assessment of their risk of SH. It was noted that a female respondent answered this swiftly and indicated that she believed that she was at risk. A male counterpart of the respondent delayed, evaded, and questioned the researcher about this question. After clarification was offered to him, he answered as if to please the interviewers because they would not move from this question. This dynamic revealed the gender dynamics of exposure and vulnerability to SH and showed how acutely aware women are of their risk of harassment and how sure men are of their protection from SH (40).

There was an understanding that SH was not a standalone phenomenon and that it was embedded in other forms of GBV (39). This understanding is commended. A concerning part was when some respondents seemed to believe that SH was a lesser form of violence, which could lead to and manifest in real violence. This misapprehension about SH should be addressed and debunked, as SH is a serious standalone offence that tortures victims and negatively affects their ability to function maximally. SH may happen with or independent of other forms of GBV. Also, SH may be more prevalent than other forms of violence and relegating it to a lesser offence negates daily exposure for most. Also, minimising SH may normalise it, and less attention may be given to preventing and responding to SH in favour of what is construed as real or serious violence.



There was also a conflation of SH and sexual violence (rape) by some. In one case, it is possible that this framing was informed by the respondent's profession and role as a nurse at the institution. Though health promotion and prevention forms part of the role of professional nurses, the interviewee did not see her role beyond administering treatment in cases of rape. The social worker interviewee mentioned some of her roles, including education, advocacy, and awareness raising, among other roles.

7.3.2 Drivers of sexual harassment

The participants identified a few factors that are responsible for SH. Upbringing, social media, socialisation, and peer pressure were some of the cited examples of drivers of SH. The wellness manager confirmed that some students presented with anger, and as a result, the centre did "a lot of workshops on anger management". One of the interviewees highlighted societal-level violence as a factor responsible for SH. She said that "most of the students do not understand gentleness" (Wellness Centre manager) because they were used to expressions of anger, shouting, and violence.

The view that substance use fuelled acts of SH was shared by other stakeholders, including the SRC. The heightened vulnerability was reported to happen when students leave campus to seek fun in the community, and "boys are fighters, that is the mentality they live with" (student safety and disability officer).

Lack of knowledge of the student community was also cited as a problem. Their lack of knowledge was in relation to potential perpetrators, victims not knowing the difference between acceptable and non-acceptable behaviour, not knowing how to address SH, and not knowing how to avert SH. The response structure, not knowing how to handle cases, letting perpetrators get away with impunity, and thinking that they did not do wrong were also contributors. In talking about this, one member of the SRC was apprehensive and wanted to hold back information, suggesting that "this may come back to bite me" (SRC gender officer). This response demonstrates that some students, even in leadership, know things that happen on campuses that they feel unsafe discussing. Witnesses' freedom of speech is curtailed by the "snitches get stitches" norm, not wanting to put their lives in danger and not risking being social outcasts for having reported perpetrators. This intimidation of witnesses results in impunity for perpetrators. At some point in the interview, the SRC gender officer asked if he "should be truthful" for fear of victimisation and marginalisation by university authorities for speaking out and telling truths.



In these discussions, patriarchy, gender inequality, and sexism as entrenched systems were not mentioned as factors that fuel SH.

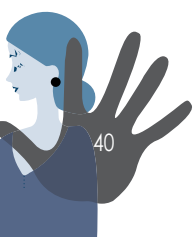
7.3.3 Sexual harassment programmes and services available

The university had a comprehensive team that constituted the committee that handled GBVF and SH matters on campus. The wellness manager recalled that “more than 50% [of the members] are students” (wellness manager, woman). As part of the victim support team that responds to GBV matters, the nurse could not differentiate between SH and rape (sexual violence), which means that education and training are needed for the response team.

There seemed to be a good practice of linking the university services with community-based services. This collaboration aids with continuity of care as university students come from and go back to the communities (62; 63). Though the wellness manager mentioned this, she also mentioned that this referral happened because “our social worker was not here”, as if to suggest that this was seen as an alternative/backup service rather than part of the support structure.

For a staff member who assumed duty seven months before the research study, the respondent did not know enough to answer many of the questions. This lack of knowledge suggests that staff orientation, staff induction, discussion of the job role (job description) and setting of KPAs were inadequate (64), and should be considered as a health and safety issue in the workplace, with the identification, assessment, control, and monitoring of risks (65; 66). The gap in knowledge of matters of SH and sources of help was also pointed out as lacking in students. In terms of the university’s response to SH, it was noted that more advocacy, education, and training for the university community was needed.

There seemed to be a unison voice from the SRC and student wellness centre that the university required a gender expert to be appointed for these matters. Even though the university did not have a dedicated gender officer to deal with these matters, the university had several entry points, such as the Health and Wellness Centre, SRC Office, and campus security control. These structures dealt with cases and brought cases to book, stating that “perpetrators have been charged and found guilty” (SRC safety and disability officer). Student leaders, wardens, sub-wardens, and wellness warriors were part of the response structure and were accessible because they lived with students. Sub-wardens were students with an employment contract for the duties they performed at residences.



7.3.4 University sexual harassment policies

There is a need for feedback and communication to inform the university community of approved policies. The university was largely guided by frameworks from [Higher Health](#),² which are available on the website for all institutions to access and use. One respondent mentioned the university's SH policy. By and large, other respondents were not aware of Senate-approved policies on GBVF and SH of which this respondent was aware. A member of the SRC believed that "they have... but they do not make it public". There was an expectation from the SRC members interviewed that SH policies should have been shared at first-year orientation, but this was not done. The participant who offered that she was not aware of any policies was in her second year in student leadership. As a member of the student leadership structure, she indicated that students approached the student leadership when they encountered these problems, yet she had not received training regarding SH. When asked about what she would do if she experienced SH, her response was that she would approach the SRC gender officer, which was consistent with what others mentioned as a point of contact for students.

For her role as a nurse, the interviewee should know if the policies exist. The researchers reviewed the university's documents and found that university-specific policies did not exist. The university documents contained protocols, a code of ethics, and implementation guidelines from Higher Health. The social worker had a recollection of how this policy was developed. Also, the SRC noted that the "challenge is the length of time that policy development at the university takes" (SRC residence officer). He believed that there were many committees that the draft policy had to go through before the policy reached the Senate and Council. He indicated that this was the reason why the policy that was referred to in the interview was not evident. The SRC estimated that it could take up to three years to have a policy finalised and approved.

7.3.5 Reporting sexual health

The social worker indicated that the reporting journey at SPU involved "the first point of contact that the student makes [...] they could go to control [the Control Room]. [...] If off-campus, they would alert the committee coordinator". The Security Office handles the reporting of a case. A deviation from what would happen at the police station is that the complainant writes the statement. They do not narrate to the officer to write.

2 Higher Health: <https://higherhealth.ac.za/resources/publications/>



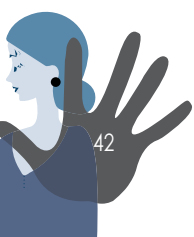
An equivalent of a committee coordinator on campus is a sub-warden, and these are student leaders responsible for student residence matters. From the control or committee coordinator, the victim support team (health and psychosocial support) would receive the referral for the complainant. To provide support, the social workers would undertake debriefing and give information about the matter. At this institution, there are rooms reserved for students who must be moved to a safer place. Parallel to this, a case may be opened if the complainant volunteers to do so. Daily, in the morning, “the university investigating officer passes by the Control Room to check whether there is any complaint or a docket [...] they take it and start investigation [...] when they have investigated, they take the matter to the senior who will advise on the steps to be taken” (section/supervisor officer). The option to pursue a criminal case is left to the complainant.

Cases of GBVF that involved students were attended to at the Wellness Centre. Staff cases were attended to through human resources. The Wellness Centre also provides recommendations for exam concessions for students in distress. The victim support team works with multiple stakeholders locally, and the university provides transport to access off-campus services such as Thuthuzela, Pathways, and other organisations. Therapy is also provided for the victims whilst investigations are underway.

In terms of improving the services, the social worker imagined that the various support offices of the university as their activities were uncoordinated. The interviewee also pointed out that the lack of a dedicated office and experts working on gender matters hindered the work of the psychosocial support team. The team members were responsible for all students' wellbeing, and this lack of a gender specialist compromised the work of the victim support team.

Notably, there was a lack of coordination and reporting. There was uncertainty about what routine information was collected by which offices to record GBV and keep reports for accountability. To this, an SRC member reflected that “there is this thing that the school [university] wants to maintain a perfect image for everybody; whether it is with the public in general or the students [...] they are aware of the offenders [...] majority of the time they tend to sweep it under the carpet”, and hence the researchers struggled to obtain clear reports.

On a positive note, one of the SRC members believed that the university fostered inclusivity and affirmed sexual minorities “though it has its shortcomings [...] but they are doing it” (SRC safety and disability officer). A member of the Rainbow Club confirmed that “the SRC held transformational talks during orientation, and



gender forms part of this". Whilst this was an affirming observation, there was little to no reference to the queer community during the interview unless the interviewer specifically asked and probed.

Breaking the silence is a common slogan in the GBV sector. However, this university lacked a direct policy that spells out to complainants what they should do and the specific procedure to be followed in the case of victimisation. Sexual harassment remains under-reported, and one of the respondents at this institution agreed with this, citing a few reasons why students would not report, such as "being bullied, being accused of lying, perpetrators getting away with it and turning into multiple [harassment-incident] perpetrators, lack of trust in the system" (wellness manager, woman). Further, some complainants drop cases after they have reported, and the change of mind can happen within 24 hours, and this frustrates the social workers responsible. The respondent said, "I would see students and they would say no way [...] no way I am going to open a case [...] it is disheartening to know of a student who is walking free, and they have done it" (wellness manager, woman).

The institution has a team that was tasked to respond to GBV matters. The team included the Security Office, wellness, health, a social worker, wellness warriors, peer educators, wardens, sub-wardens, and the SRC. Even with this in place, some students were not aware of the services available to them.

Sexual harassment may be perpetrated against students by people who are not part of the university community (1). As in the case of the other two campuses of this institution, students who were not at residence did not enjoy the same protections. They missed out on education programmes that are run in the evenings and weekends on campus. They were not able to access the structures for violations that happened outside campus. Perpetrators, when not students, would not be charged through university policies.

During the process of reporting, investigation, and disciplinary hearings, other students represent victims. The challenge in this situation is that "students' representatives are other students with no legal training or background: so, students' reps and advocates are not empowered to represent students, whether the alleged perpetrator or victim" (Rainbow Club, FGD participant). Participants went on to express a concern that parties may lose a case due to inadequate representation during the process.



8. Overview of key findings

These findings show that universities are beginning to take serious action against SH. The universities' improved responses to SH are evident in the existence of policies and awareness interventions on various campuses. However, questions remain about the unevenness of the existence of policies across the higher education landscape. A lack of a national policy on SH was pointed out as a limitation (2). Nelson Mandela University (NMU) reported and submitted extensive documents. The study found that the university had a number of interventions for prevention and response. Extensive engagements may have resulted in this. One such is the HRSC/NMU Policy Development Action Research Project (67).

Another cross-cutting finding was the under-representation of the experiences of the LGBTQIA+ community in the findings. This under-representation confirms an assertion that GBV is construed as a male-to-female in a cis-heterosexual encounter, and this is not necessarily true as it can be same-sex and woman-to-man violence (3).

What was missing across the three campuses was a reference to digital online SH, and yet this is now a common experience (3). It is possible that online harassment is less understood by students and duty bearers alike. Sexual harassment interventions should include education about this, and policies should be revised to now include this form of harassment.

8.1 Understanding gender, gender-based violence and femicide, and sexual harassment

Throughout the study sites, there was a good understanding of SH and GBV. What emerges as important is a need for a national working definition of SH. A clear definition would establish what is reported, what is considered misconduct, and guide sanctions (1). It is not true that SH is a precursor to other forms of GBV, although some researchers construct it this way (3). In their various documents, Higher Health has provided some guidelines towards a definition that includes physical, verbal, and non-verbal elements (1).

In expressing an understanding of SH and GBV broadly, there was a consistent default reference to gender binaries (men/women). There was silence on gender diversity and thus invisibilisation of the transgender and gender-diverse community. In the main, even when no direct question was posed, all respondents framed SH as a man-to-woman encounter, with the former as the perpetrator and the latter as the victim. Whilst this is largely true, there is a need to emphasise the nuanced gender dynamics in SH so that these are addressed in education, training research,



advocacy, and response mechanisms. Men, Straight or gay/bisexual can be victims of harassment by other men, or by women. The same goes for women, straight or lesbian/bisexual. Gender non-binary (including trans and gender diverse) people also face harassment from the queer and straight community (3).

Evidence from this study suggests a construction of masculinities as typically violent. References to men as 'angry' and 'fighters' are examples of this. This discourse of violence has been reported in other South African studies (56; 3) and requires attention in HEIs. The view that men are largely perpetrators of SH in HEIs is supported by past research from NMU that identified male-dominated sectors (such as the construction, security, and bus/taxi sectors) are unsafe for young women (67).

There is a need for institutions to explore socio-sexual scripts and how men, women and GNC are socialised into positions of femininity and masculinity, and the links with victims cancelling or withdrawing cases in the interest of other people's lives/futures. The seemingly imminent guilt for not wanting to ruin the other person's life overtakes the victims' needs for justice and reparations. Whilst the experience of violence disturbs one's peace, there is an unwritten script that the doer of wrongdoing should be left at peace, for his lack of peace may haunt their victim. Leaving perpetrators alone does not help to fight SH.

Senior staff and executive members of the university community may not be construed as needing interventions in the same way as their junior and younger counterparts and students. However, SH transcends age, and staff may be found to be involved in some cases, either as perpetrators or victims. A well-captured statement that supports this and the participants' thoughts here is from research conducted by the HSRG in 2014, where young women expressed that "we were victims of our protectors" (67). Such statements were repeated here across the three sites, suggesting that duty bearers, leaders, and managers may behave in ways that take advantage of vulnerable students.

8.2 Drivers of SH on campuses

The normalised use of violence by men is part of the bigger problem in curbing SH. The use of violence beyond interpersonal altercations extends to gender-based forms of violence, and men's use of violence is gendered and normalised. This gendered normalisation is dangerous as it delineates men as fundamentally violent and disregards the social context that breeds violent masculinities (1; 68).

Although there seems to be recognition of the contribution of substance use to the SH problem, the link between the two is not a simple cause-effect relationship



and is mediated by gendered power dynamics and stereotypes about alcohol use and femininity/masculinity. This report thus suggests that universities must tackle both responsible alcohol use and address gender stereotypes that support the devaluing of women in the context of alcohol use.

Also, universities must implement strict measures to ensure students' safety and end campus cultures that breed problematic masculinities that are fuelled by substance use. Attention should be given to the provision of platforms for students to engage the links between masculinity and gender power, the perpetration of violence, rape culture, and harmful gender constructs. In addition, these constructs should be challenged to enable positive masculinity and to develop a blueprint for improved mainstreaming of SH and GBV programmes and processes that work.

8.3 University policies on sexual harassment

Policies are important in communicating the commitment of institutions and details of how they will live their commitments. These provide the university community with a sense of protection and clarity on what to do in cases of harassment (1). This study reveals gaps in policy, policy formulation, policy communication, implementation, and evaluation. These gaps in lack of alignment, lack of effectiveness, and implementation are reported in previous studies (69). Policy making should include real, meaningful, and emphatic consultative processes, not a copy and paste of policies and not a tick-box exercise. Evidence from this study demonstrates that ill-thought policies result in poorly designed interventions that do not serve the institutions and their stakeholders: the students. The main beneficiaries of the policy, young people, should be listened to during the policy formation process. It takes a special kind of process to achieve that. Examples are found in work undertaken by the HSRC on SH in HEIs from 2013 to 2014 (67).

It is easier to ensure the dissemination of policies to employees at official job inductions. For students, this could be mandated as part of student orientation and could greatly counter the issue of under-reporting when students are confident in their recourse. The public's access to university policies is important, and these should be available to prospective applicants, current students, and alums. Public universities are public institutions, and transparency about their policies is key. The invisibility of institutional policies suggests that the university community may not be aware of their existence and what is stated in them, and this is a missed opportunity to educate the university community through the policies. The lack of policies also presents a missed opportunity for managers to know what to do in encounters of reported harassment. The university community should be socialised to the



policies at student orientation, staff induction, and promotion induction to take on headship, deanship, or DVC roles, among others.

8.4 Role of Higher Health

Higher Health has policies, protocols, guidelines, and other useful evidence-based documents. It offers training for student leadership and responders using the First Things First³ and other manuals. Higher Health has a responsibility to make sure that national policies and frameworks are translated and made relevant and applicable to HEIs. In this regard, Higher Health could create national policies for adaptation and adoption by all, with key elements that are common across institutions. Higher Health should support all HEIs in developing stand-alone reporting mechanisms and offices. It is recommended that Higher Health supports with training for case management, investigation capabilities, psycho-social support mechanisms for complainants, and prevention activities such as awareness raising and education. Higher Health also supports the capacity development of protection services, clinical staff, student support structures and SRCs. It supports health promotion and building awareness through its Second Curriculum and peer educator network. All of these are valuable resources and materials for combating GBV, SH and other forms of violence in the PSET sector.

8.5 Reporting and data handling

Data on cases of SH is collected at reporting points. With the findings of official and unofficial reporting, this study can conclude that the data that institutions have is an underestimate of the magnitude of the problem of SH on campuses. There are several reasons for under-reporting and unofficial reporting. Lack of confidence in the system (2), not wanting to peruse litigation, not knowing where and how to report (3), and seeing how those who reported have been ill-treated are amongst those cited here and in the literature.

Sometimes, SH incidents are reported but not recorded. This constitutes unofficial reporting unless the complainant makes a formal complaint. Findings from this study point to the lack of disaggregated data that is routinely collected on SH by the universities. If there is such data, the data was not made available to the researchers. It is imperative for DHET to have regular reports with disaggregated data for planning, accountability, resourcing, and development of interventions. It is concerning that the three universities failed to submit proper reports to the CGE.

3 First Things First: <https://higherhealth.ac.za/programmes/first-things-first/>



HEIs in South Africa have an obligation to collect, keep, and make available this information as per the details below (1).

- a) “The number of cases reported in total, including those where counselling/ information only was sought. These totals should also distinguish between those cases perpetrated on-campus and those off-campus
- b) The number of cases dealt with through alternative justice processes and the number referred to disciplinary proceedings. This section must also provide an overview of case outcomes
- c) Time taken to resolve the cases and actions taken to mitigate obstacles to resolution of cases
- d) Training provided to staff responsible for implementing the policy;
- e) The nature and extent of efforts made to provide information about the various policies to staff and students, including the platforms utilised to disseminate information
- f) Any programmes or other interventions undertaken to improve safety and reduce incidents of SGBV
- g) Interactions with external stakeholders in relation to the policy, its programmes and procedures
- h) Budget and expenditure on addressing SGBV
- i) Any policy developed to further support the implementation of the SGBV policy
- j) Assessment of successes and challenges in implementing the policy, including any recommendations offered.”

In order to better understand SH, anonymous survey data on SH must be collected across all South African campuses. Existing data could form a baseline, and this would have to be tracked regularly to monitor the trends in the incidents, prevalence, and responses to SH.

8.6 Pathways to justice and reparation

The three universities that formed part of this study had varied pathways to resolve SH cases. When corroborated with information from other universities in other reports, this variability was evident (1). Sexism and gender-based crimes, including SH, are fuelled by a patriarchal system (3). Universities are microcosms of society and thus not protected from patriarchy unless they consciously, actively, and effortfully do something to address the patriarchal outlook of university culture and systems.



The services offered at the universities were available 24/7/365 for complaints. Complainants had access to a GBV line, and walk-ins were assisted. The complaints were received by people (student representative, the Control Room staff, and others) who collected information on the crime scene and connected the complainant to the GBV service. Handling complaints guarantees anonymity, confidentiality, and consent in a complainant-centred (survivor/victim) approach and are important considerations. Survivor-centred approaches to addressing SH ensure respect, safety, and confidentiality for the complainant.

Not knowing where and how to report is a barrier to reporting (3). Across all three institutions, the importance of clarifying and simplifying reporting emerged. A pathway to resolve individual cases should follow an algorithm that has common elements across institutions. Students in all universities have to know what to expect as a basic minimum service across all universities. Therefore, an algorithm should be developed nationally, and all universities should put in place the necessary basics. Each university can be allowed to add extra protection to the national algorithm as their means allow.

Universities require a collective consciousness of the need for reparations that not only focuses on individuals but addresses vulnerable groups as groups: mostly women and the queer community. University management should demonstrate leadership in establishing ways to recognise the collective psychological impact of violence against women and the queer community. Improved stakeholder relationship building and management (such as strengthening relationships between the SRC, Protection Services, and the Transformation and Gender Office) can enhance case analysis systems to better define and/or categorise unclear cases to help drive this.

8.7 Sources of help

Universities are a home away from home to a multi-cultural community that embraces diverse values. Victims of GBV, including SH, have access to multiple and varied sources of help: these can be formal and/or informal. What universities have in place is helpful to victims but invariably lacks appreciation of the variability in sources of help. Familiar sources of help and coping based on Indigenous practices are sometimes excluded from university recommendations. Institutions mostly refer the victims to a psychologist or counselling by a trained counsellor. While such services are good services, some victims may identify with services outside of this. Research is required on varied sources of help to inform universities of ways to connect victims to support beyond or over and above counselling.



Several universities purport to embrace decolonial education, but decoloniality should be infused into all aspects of university life, not only in research and teaching. Decoloniality should also be evident in administration and support services wherein Indigenous knowledge systems are embedded and treated equally to Western options.

9. Conclusion

Universities have a responsibility to ensure that they meet their minimum obligation to provide a safe place for all, especially for the students. University management should build a culture that allows them to support students and ensure a violence-free campus. Managers must hold themselves accountable for fostering a safe environment. This report concludes that much must be done to address the unnecessary variability across institutions and establish common policies and practices for better protection of students. More must also be done to educate the university community on SH, adequately informing participation regarding the measures to address and prevent SH.

The study, in the main, has met its aim and objectives as stated in this report.

10. Recommendations

Institutions of higher learning, private and public, should all follow the national policies and guidelines as well as those developed and published by Higher Health. Over and above these, each institution should develop and approve institutional policies that may cater for more but no less than the national directives. To effectively respond to both primary and secondary prevention, institutions must adopt a victim/survivor-centred approach. This approach does not discount the need to intervene with the respondents but centres the complainants. Institutional responses to SH do not follow criminal case procedures.

All focal points or people who deal with SH at all levels must be trained on the victim/survivor first responder approaches by:

- Uncomplicated, pragmatic policies must be developed and structures put in place at all HEIs, including Technical and Vocational Education and Training (TVET) colleges and Community Education and Training (CET) centres to address SH. Formal policies and structures will help separate SH reporting from other violations to help counter impunity and the disregard for SH as merely a liability to be avoided



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- It is crucial to ensure dissemination, awareness, and education regarding all available and applicable frameworks, policies, procedures, support, and response structures. HEIs must ensure that the university communities understand what constitutes SH for clarity and understanding that can, in turn, improve reporting and reduce perpetration
 - Improving collaboration among formal on-campus support and response structures to ensure adequate investigation, uniform response avenues, and representation is essential.
 - HEIs must Comprehensively address specific challenges of under-reporting by strengthening confidence in institutional response mechanisms
 - HEIs must develop policies that provide for proactive prevention of SH, such as challenging toxic masculine culture and intersectional inequalities, and through inclusive gender mainstreaming
 - More studies are needed to explore the SH experiences of the LGBTQIA+ community in HEIs.
 - In order to build a business case for advocacy for the prevention of SH and prompt response, further studies are needed:
 - Cost studies must be used to calculate productivity and academic time lost by the complainants and the respondents in attending to cases.
 - Cost studies to calculate productivity time lost for significant others in supporting the affected parties
 - Cost studies to calculate productivity time and real financial costs for the institution to attend to cases of GBV and SH
 - Further studies could survey the incidence and prevalence of SH on campuses
 - Studies should also examine perpetrators of multiple incidents, as this was mentioned as a concern in this study and others conducted in HEIs.
 - Potential victims of SH remain on campuses for about three to six years, as such experiences of multiple victimisation and poly-violence must be understood
 - An under-researched area is digital online harassment
 - To support the HEIs' monitoring role, an app could be recommended to all HEIs for reporting and response purposes. An app would enable timeous and easy monitoring of SH with real-time data for reports, enabling the institutions to identify hotspots and react timeously.



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