



New Apostolic Church
Southern Africa

Sexual Misconduct Policy



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1. PREAMBLE

The New Apostolic Church South Africa (hereafter referred to as “The Church”) has decided to adopt a framework which will detail the procedures in handling any form of sexual misconduct within The Church.

In keeping with it’s moral and legal duty, The Church has elected to adopt a policy document to:

- Create an atmosphere of trust and safety in each congregation and the church community in general.
- Prevent sexual misconduct and to protect members and individuals from inappropriate sexual behaviours.
- Provide spiritual and emotional support to victims and perpetrators of sexual misconduct.
- Promote reporting and support individuals during the process if they have reason to believe that sexual misconduct has occurred or may be occurring.
- To establish a mechanism so that allegations of sexual misconduct may be dealt with promptly, judiciously, and fairly in keeping with the teachings of Christ.
- Provide a procedural framework in which allegations of sexual misconduct are handled in a fair and non-judgmental manner.
- The policy is a means for The Church to gather information, and to assess complaints of sexual misconduct. The aim is to take disciplinary action when this is warranted.

2. DEFINITIONS

Child

A child is a person under the age of 18 years.

Child sexual abuse

Involves forcing or enticing a child to take part in sexual activity, whether or not the child is aware of what is happening. This may include activities such as involving

children in looking at, or the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse.

Complainant

A person who lodges a complaint under this policy who has first-hand knowledge of misconduct by a person subject to the provisions of this policy.

Complaint

An accusation of sexual misconduct made by the person who experienced the misconduct or a person who has first-hand knowledge of the misconduct (i.e. has observed or has evidence of same) and has reported it in terms of this policy.

Employee

In terms of section 213, read with section 200A of the Labour Relations Act, 'employee' refers to anyone, other than an independent contractor, who works for The Church or assists in conducting the business of The Church. Volunteers and leaders are not regarded as employees.

Guest

A person who visits the church services and or participates in activities of the New Apostolic Church.

Informed Consent

Informed consent may be understood to be permission granted in full knowledge of the possible consequences of giving personal information to a person. For the purposes of this policy, consent will typically be given by an individual who wishes to share sensitive or personal information with a person for a specific reason. In this instance regarding any act of sexual misconduct with knowledge of the possible risks and benefits of sharing such information and the possibility of such information shared to be the initiation of an enquiry or investigation on the matter shared. Consent also implies voluntary agreement to engage in an activity by an individual in a position to make such a choice. The choice will be guided by the circumstances listed in Section 1(3) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, No 32 of 2007 and the following considerations:

- Parties involved in interpersonal relations must be able to communicate effectively and agree to any interpersonal activities (activities that take place between two individuals) relating to a sexual nature.
- It is the responsibility of the person that initiates any type of sexual activity to obtain the other person's consent
- Consent to one type of sexual act does not necessarily imply consent to other forms of sexual activities
- Silence does not imply consent
- A previous or present sexual or other relationship between the parties does not imply consent.

Investigation

Investigation is the process used to gather and examine information from a complainant or victim and respondent to a complaint under this policy and other persons who may have information relevant to the complaint.

Investigator

The Investigator is a person who is appointed as an investigator in accordance with this policy.

Leader

A person who is considered a leader, is understood to be any person, including volunteers, members, visitors, and ministers, who are tasked with a responsibility within The Church. These include ordained, appointed, and assigned individuals.

Leave of absence

When an allegation of misconduct is made against an ordained, appointed or assigned minister or member, that minister or member may be placed on leave of absence, which is temporary leave from the ministerial mandate or suspension or leadership role while the complaint is investigated to determine an appropriate course of action.

Member

A person who has been received into full membership of The Church through Holy Sealing.

Minister

A person who has been ordained by the laying on of hands of an Apostle into a ministry and has been given ministerial authority and mandate through such ordination.

Sexual abuse

Sexual abuse, also referred to as molestation, is abusive sexual behaviour by one person upon another. It is often perpetrated using force or by taking advantage of another.

Sexual assault

Sexual assault is a form of sexual misconduct and represents a continuum of conduct from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will.

Sexual exploitation

Sexual exploitation involves taking non-consensual, unjust, or abusive sexual advantage of another person.

Sexual intimidation

Sexual intimidation" definition. Sexual intimidation involves threatening another person that you will commit a sex act against them; or engaging in indecent exposure.

Sexual harassment

Sexual harassment is inappropriate conduct of a sexual nature in word or deed, which degrades the affected person. Sexual harassment is an expression of disrespect towards the other person. The elements of an offence of sexual harassment can also be fulfilled even with a supposed or manifest agreement of the victim.

Sexual misconduct

Sexual misconduct is any misconduct of a sexual nature that is of lesser offence than sexual assault (such as rape and molestation), particularly where the situation is normally non-sexual and therefore unusual for sexual behaviour, or where there is some aspect of personal power or authority that makes sexual behaviour inappropriate.

Sexual Misconduct Panel

The Sexual Misconduct Panel (SMP) is established by, and reports to, the District Apostle of The Church. The District Apostle is responsible to appoint the Chairperson

and various team members. The SMP will report to and advise the District Apostle in line with the Sexual Misconduct Policy.

The SMP and its sub-committees constitute an accessible and trained body of various relevant experts who can facilitate training on the Sexual Misconduct Policy content, provide information about procedures, facilitate the resolution of complaints, and fairly and expeditiously deal with complaints of sexual misconduct. The SMP will discharge its duties in a manner that is lawful, reasonable, and procedurally fair.

The task of the SMP is to establish, revise and implement a policy on sexual misconduct within the wider church which complies with all relevant legislation to assist in preventing and responding to any form of sexual misconduct within the church environment.

Sexual offence

Shall be any sexual offence described and set out in the criminal law (Sexual Offences and Related matters) Amendment Act 32 of 2007 which includes the following, but is not limited to:

- Compelled rape
- Sexual assault
- Compelled sexual assault
- Compelled self-sexual assault
- Compelling or causing persons 18 years or older to witness sexual offences, sexual acts, or self-masturbation
- Exposure or display of or causing exposure or display of genital organs, anus or female breasts to persons 18 years or older
- Engaging sexual services of persons 18 years or older
- Incest
- Bestiality
- Sexual acts with a corpse
- Acts of consensual sexual violation with children under the age of 18
- Sexual exploitation of children under the age of 18
- Sexual grooming of children under the age of 18

- Exposure or display of or causing exposure or display of child pornography or pornography to children under the age of 18
- Using children for or benefiting from child pornography
- Compelling or causing children to witness sexual offences, sexual acts, or self-masturbation
- Exposure or display of or causing of exposure or display of genital organs, anus, or female breasts to children
- Sexual exploitation of persons who are intellectually impaired
- Sexual grooming of persons who are intellectually impaired
- Exposure or display of or causing exposure or display of child pornography or pornography to persons who are intellectually challenged
- Using persons who are intellectually challenged for pornographic purposes or benefiting therefrom.

Suspension from duty

When an allegation of misconduct is made against an employee that person may be placed on suspension from duty on recommendation by the panel which deals with sexual misconduct. In the case of an employee of The Church, this is a temporary leave from a job assignment and may include with or without remuneration and benefits. The suspension will be enforced while the complaint is investigated and to determine an appropriate course of action. Where the employee is also a pastoral leader, this may involve a combination of a suspension of duty and a leave of absence from pastoral duties.

The Church

This is a reference to the New Apostolic Church South Africa (NAC-SA) and includes every congregation within the pastoral designation; New Apostolic Church Southern Africa as decided by the Chief Apostle.

Victim

Means a person against whom an act of sexual misconduct has allegedly been perpetrated.

Volunteer

Shall be any person who is carrying out a responsibility that has accountability in some manner to The Church and who is not to be a minister or employee of The Church.

3. INTRODUCTION

The term “sexual misconduct” is often used in policies aimed at addressing cases or situations marked by behaviours associated with power imbalance, coercion, and predatory behaviour. Furthermore, this term is commonly applied as an “umbrella” term for any misconduct of a sexual nature.

Sexual misconduct is a lay term, and a concept which is far from clear. It is acknowledged too that the word ‘misconduct’ also lacks precision. It is used as an encompassing term for all kinds of behaviour which is unacceptable or improper, often obscuring what happens. For the purposes of this policy, the term includes an array of problematic sexual behaviour including harassment, which may cover both criminal and non-criminal conduct.

Sexual misconduct is often perpetrated against an individual without his or her consent. A power imbalance usually exists, where subordinates are subjected to, or coerced to comply and participate in inappropriate sexual acts and behaviours. The impression of consent by the victim to engage in sexually inappropriate behaviour is then generally created. The alleged misconduct can be of varying degrees, such as inappropriate conversations, exposure, assault, aggressive come-on, and incessant attention seeking behaviour. There is a complete disregard for the discomfort created by inappropriate advances, behaviours, and comments.

Sexual misconduct can occur with female and male members of all age groups. Such behaviour violates the personal dignity of the individual and is condemned by The Church in the strongest possible terms.

Sexual misconduct by any leader, who normally enjoys a high degree of trust and respect from the members, will not be tolerated. Such behaviour will be viewed as a violation and an abuse of trust invested in them. This will have serious repercussions for the offender. Exposure of members to such behaviours can cause trauma and

distress and leave them deeply disturbed. The Church, therefore, recognises its obligation to investigate reports of such offensive behaviours, and above all, to institute appropriate preventive measures.

Assessing cases of sexual misconduct as being trivial or ignoring them can bring The Church into disrepute. The Church commits to investigate all reported cases of sexual misconduct with sincerity and honesty. No reports will be condoned, concealed, or omitted by those in The Church entrusted to lead.

4. POLICY STATEMENT

The Church commits itself to providing a safe institutional environment where all members may worship, learn, work, and go about their duties and activities free from sexual misconduct. Sexual misconduct undermines the dignity and autonomy of those victimised and erodes mutual trust and respect, which are essential to personal wellbeing.

The Church opposes any form of sexual misconduct by ministers, teachers, leaders, employees, volunteers, visitors, and members.

This policy focuses on The Church's commitment to preventing sexual misconduct by responding effectively where formal or informal allegations of sexual misconduct are made. Such allegations will be investigated and dealt with in a manner that seeks to ensure that the identities of the persons involved in a complaint are kept confidential.

The Church will deal with all matters confidentially, except when the law or a court order requires disclosure. However, confidentiality can become a complex matter in cases where victims will require support. The principles of informed consent will then apply.

Confidentiality will include the safeguarding of victims first, as well as of confidential information obtained during a report or disclosure of information.

5. PURPOSE

The purpose of this policy document is to provide a systematic approach and framework for the consistent management of reports of sexual misconduct within The Church, when applicable.

The Church strives to:

- Treat reported complaints fairly and impartially.
- Encourage all individuals, members, employees to treat reported cases sexual misconduct confidentially
- Assist victims and perpetrators of sexual misconduct to heal from the encounter and to gain the necessary support, where possible.
- Maintain a healthy church community and work environment for all individuals, members, and employees of The Church, free from any sexual misconduct
- To enhance the rights and values, dignity, privacy, respect, fairness and equality for all individuals, members, or employees of The Church.

6. OBJECTIVES

This policy document is intended to:

- Ensure that The Church's community is free of sexual misconduct.
- Provide guidelines for handling cases or situations of sexual misconduct within The Church.
- Ensure that all individuals, members, employees, or volunteers are treated with respect.
- Inform and educate individuals, members, employees, and volunteers on unacceptable behaviour.
- Protect the rights and dignity of all individuals, members, employees, and volunteers.
- Ensure impartiality, fairness, and due processes in handling sexual misconduct cases.
- Provide information on the means of redress available for victims of sexual misconduct.
- Prevent the victimization and protect the complainants and witnesses from any retaliation.
- Create an enabling and barrier-free church community that strives to prevent the occurrence of sexual misconduct.

7. SCOPE OF APPLICATION

This policy document forms part of the overall management of sexual misconduct and must be considered in conjunction with all relevant legislation. The policy further applies to all senior managers, managers, supervisors, employees, contract workers, clients, suppliers, individuals, members, and volunteers as well as any person who has dealings with The Church.

In the case of employees - If the victim or complainant is an employee of The Church, such allegations of sexual misconduct should be reported to the Administration Manager of The Church who will deal with such complaints in terms of the disciplinary procedures of The Church administration office in conjunction with the relevant Labour Relations legislation.

Record will be kept of all complaints. However, anonymous complaints will not be investigated but will be kept on record.

In the event of an anonymous complainant involving a minor or a vulnerable adult, the complaint will be referred to the sexual misconduct panel for investigation.

8. LEGAL FRAMEWORK

This policy outlines what The Church aims to achieve in preventing and eradicating sexual misconduct in its communities and this legal framework provides the legal parameters it will use to achieve the objectives of this policy. Although this policy is not a law it does, however, align with the relevant laws of the Republic of South Africa to achieve the objectives of this policy. Thus, this policy sets out the goals and planned activities of The Church and church community.

In its application, the legislation below, as well as any amendments thereto (from time to time), and any other relevant legislation will be considered:

- Constitution of the Republic of South Africa
- Labour Relations Act, No 66 of 1995
- Employment Equity Act, No 55 of 1998
- Gender Equality Strategic Framework, 2008

- Protection from Harassment Act, No 17 of 2011
- The Children's Act, No 38 of 2005
- Children's Amendment Act, No 41 of 2007
- Child Justice Act, No 75 of 2008
- Domestic Violence Act, No. 116 of 1998
- Sexual Offences and Related Matters Act, No 32 of 2007

9. SEXUAL MISCONDUCT

The term 'sexual misconduct' constitutes any unacceptable or improper behaviour or conduct of a sexual nature. The term is broadly used to include any unwelcome behaviour of a sexual nature that is committed without consent, or even by force, intimidation, coercion, or manipulation. Sexual misconduct can be committed by a person of any gender, and it can occur between people of the same or different gender. Examples of sexual misconduct may vary in its severity and consists of a range of behaviour or attempted behaviour. It can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct includes, but is not limited to, the following examples of prohibited conduct: sexual harassment, sexual assault, sexual exploitation, and sexual intimidation

Sexual harassment is a form of discrimination that includes verbal, written, or physical behaviour of a sexual nature, directed at an individual, or against a particular group. Determination of whether alleged conduct constitutes sexual harassment requires consideration of all the circumstances, including the context in which the alleged incidents occurred.

Examples of sexual harassment include:

- Offensive, suggestive, and degrading remarks and gestures.
- Exposing others to sexual documents, pictures, or corresponding audio products.
- Intentionally initiated touching of a sexual nature.

- An approach with ulterior sexual motives and corresponding invitations, associated with promises of advantages or the withdrawal of respect and support if rejected, or the threatening of disadvantages.
- Exhibitionism.
- Pressuring a student/ minor/ adult to engage in sexual behaviour for some educational or employment benefit; or
- Making a real or perceived threat that rejecting sexual behaviour will carry a negative consequence for the student in education, on-campus residence, or University program or activity.

The behaviour has the effect of limiting or denying another person's work or educational performance or creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a University program or activity. Examples of this type of sexual harassment can include comments or communications which could be verbal, written, or electronic. Behaviour does not need to be directed at or to a specific person, but rather may be generalized unwelcome and unnecessary comments based on sex or gender stereotypes. Sexual harassment includes:

- persistent unwelcome efforts to develop a romantic or sexual relationship.
- unwelcome commentary about an individual's body or sexual activities.
- repeated unwanted sexual attention.
- repeated and unwelcome sexually oriented teasing, joking, or flirting.
- verbal abuse of a sexual nature.

Sexual assault is a form of sexual misconduct and represents a continuum of conduct from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. Examples of sexual assault under this policy include, but are not limited to, the following behaviours, however slight, when consent is not present:

1. sexual intercourse (anal, oral, or vaginal). Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; or oral copulation (mouth to genital contact or genital to mouth contact);

2. attempted sexual intercourse (anal, oral, or vaginal);
3. intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts;
4. any other intentional unwanted bodily contact of a sexual nature;
5. use of coercion, manipulation, or force to make someone else engage in sexual touching, including breasts, chest, and buttocks.

Sexual exploitation involves taking non-consensual, unjust, or abusive sexual advantage of another person. Examples can include, but are not limited to the following behaviours:

- electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without the knowledge and consent of all parties involved;
- voyeurism (spying on others who are in intimate or sexual situations);
- distributing intimate or sexual information about another person without that person's consent;
- prostituting or trafficking another person.

Sexual intimidation involves threatening another person that you will commit a sex act against them; or engaging in indecent exposure

10. OBLIGATION TO CONFIDENTIALITY

The trust instilled and maintained by members in leadership positions with brothers and sisters in their care, is a fundamental condition for pastoral care. The obligation to confidentiality is broadly understood to be the commitment of individuals, members, volunteers, and employees to treat all information obtained with discretion.

Furthermore, all complaints of sexual misconduct will be investigated with confidentiality. The panel (of a pastoral care area i.e. congregation, district, apostle area) who is appointed by the District Apostle, will determine what information and

documentation, obtained through the investigation process, will be shared with the parties involved.

Throughout the process, the panel will ensure that the complainant and the respondent receive timely updates about the progress of the investigation when appropriate.

Information sharing will be done with prudence and discretion, balancing the desire for open communication with the importance of maintaining the safety of all parties. In instances where the safety of a party is jeopardised, a summarised form of the information may be given.

During the proceedings of the panel, no party should make any public comment. No information shall be passed on if the express consent of the person affected had not been granted. Information can also be passed on to a higher minister without the consent of the person affected if an indisputable requirement (legal prescript) exists.

This is particularly the case if:

- Extensive damage to The Church could be expected.
- Fulfilment of tasks carried out by leaders are grossly in conflict with the fundamentals of The Church or its doctrine.
- Such behaviour could seriously affect The Church's reputation.
- The intention exists to carry out a serious, punishable act; or
- Imminent danger to an individual becomes known (e.g. intention to commit suicide).

All legal provisions in terms of the legal framework set out herein shall be upheld.

11. RESPONSIBILITIES

Everyone is responsible for what he/she does or refrains from doing. In general, The Church is not responsible for the inappropriate behaviour of individuals. However, those entrusted to lead have a great responsibility when selecting brothers and sisters to occupy leadership positions. They have a supervisory function concerning the type and way those appointed fulfil their commission.

The leaders should guard against making themselves guilty of sexual misconduct during the execution of their spiritual or organisational responsibilities

It is the responsibility of leaders to take preventive actions if the possibility of sexual misconduct in pastoral care arises. Care should also be taken that sexual misconduct does not originate from the actions of leaders or from the person seeking advice or being cared for. If necessary, a solution should be found in conjunction with those entrusted to lead to help prevent inappropriate behaviour. For some activities It is highly recommended that one-on-one activities should be avoided, i.e. that those in leadership positions should always ensure that someone accompanies them when embarking on activities or responsibilities which could potentially present as a one-on-one.

11.1 The principle of pastoral care

Each member in The Church is assigned to a Priest, assisted by a Deacon. Following the example of Jesus, these primary caregivers, Priest and Deacon, have the task of shepherding the flock of Christ and of preparing them for the return of Jesus Christ. The objective of this pastoral care is to support members, as well as guests, on the path that leads to redemption from sin and death, and into the image of Jesus Christ. Pastoral care is therefore the spiritual, emotional, and social support that is provided by The Church. The term is focussed specifically on religious aspects, but does not exclude distinctly non-religious forms of support.

The principle of pastoral care is violated if appointed leaders are guilty of sexual misconduct.

In such cases, the well-being of members is no longer in the foreground, but the needs of the leaders, appointed by the Church have taken precedence.

If a person becomes a victim or witness of sexual misconduct in the Church environment, it is expected that the responsible Apostle be informed.

Sexual misconduct must not be concealed or accepted in silence. The Apostle should be informed of all cases of a sexual misconduct.

11.2 Measures to support Pastoral care

Preventative measures

Appointed leaders:

- 11.2.1 Should be carefully selected with respect to their suitability for dealing with children, youth, and members. They must not exhibit any signs of inappropriate sexual behaviour. Leaders must inform proposed members for leadership positions of The Church's sexual misconduct policy, and its zero tolerance for inappropriate sexual behaviour.
- 11.2.2 Where applicable their spouses must be informed of the contents of this policy document. This includes making them aware of the consequences for the victims and offenders. Reference should also be made to the long-term consequences as well as the burden placed on families and society.
- 11.2.3 Should ensure that private church lessons are not carried out by a person/teacher alone with a student. If possible, combined lessons for several congregants or the presence of a further person should be arranged.
- 11.2.4 Should act and/or behave in an appropriate and acceptable manner. Special attention should be paid to behaviour outside of what is deemed to be generally acceptable social behaviour/manners, since this may be the advance warnings of sexual misconduct in the future. Although certain inappropriate behaviours may lead to acts of sexual misconduct, it should be noted that such behaviour may only be diagnosed by a trained professional.

Inappropriate sexual behaviour usually commences as a grooming process, which leads from apparently harmless violation of limits up to grave abuse. It is important to trust one's own perception and feelings.

All members will be informed about the contents of this policy. Parents will be advised of the indicators of sexually harmful behaviours and patterns and will be advised to their responsibility should they observe warning signs.

12. EDUCATION

The Church will provide regular opportunities for its ministers, teachers and leaders to be advised on developments in the field of psychosocial and psychosexual education, and on matters relevant to this document. This will assist ministers and congregants

to identify and care for victims of sexual misconduct within The Church and the wider community.

Suitable candidates who are qualified in the field/s applicable to psychosocial and psychosexual education will be recruited and deployed to create awareness and present appropriate training to ministers, congregants and other individuals deemed in need of said support.

A copy of this policy document and the procedures for its implementation will be distributed to all rectors so that all existing ministers, new ministers and volunteers can have access to it. A copy will also be placed on the MIS (Membership Information System) for access to all members and published on The Church's web site.

All volunteer ministers and remunerated staff should familiarise themselves with the policy and their responsibility for compliance and implementation.

13. APPLICABLE PROCEDURES

- Victims and complainants have two options to resolve a complaint relating to sexual misconduct. An attempt can be made to resolve the complaint in an informal way, or a formal procedure can be embarked upon.
- A victim or complainant should be under no duress to accept one or the other option.
- The Church acknowledges the rights of both parties to be heard during the investigation of any complaint of sexual misconduct.
- If the victim or complainant is an employee of The Church, the allegation(s) of sexual misconduct should be reported to the Administration Manager of The Church who will deal with such complaint in terms of the relevant disciplinary procedures of the employer.
- A victim or complainant may also lodge a complaint of sexual misconduct to an independent person (a social worker, psychologist, medical practitioner, or the South African Police Service) outside of The Church's structure. Such independent person should be advised to immediately inform the District Apostle of such a complaint, where after the District Apostle will follow the formal complaint procedure as set out in this policy.

- Should the victim not be satisfied with the informal procedure, he/she can at any stage lodge a formal complaint in terms of the procedures set out in this policy.

13.1 Informal procedure

Any victim or complainant may report allegations of sexual misconduct to their Rector or responsible Apostle.

13.1.1 The Rector will immediately inform the responsible Apostle.

13.1.2 The responsible Apostle will appoint a mediator within 7 days who will bring the parties together and attempt to resolve the complaint in a way that is acceptable to both the victim and the respondent.

13.1.3 The mediator can be a minister, member or independent person who, preferably has knowledge of mediation, dispute resolution, sexual misconduct and/or gender- based violence.

13.1.4 The person appointed to act as mediator has a duty to:

- promote, protect and give effect to the integrity, fairness and efficacy of the mediation procedure;
- act independently and impartially;
- conduct himself or herself with honesty, integrity and with courtesy to both parties;
- act in good faith; and
- attempt to resolve the complaint in a way that is acceptable to both parties.

13.1.5 The mediator must at the conclusion of the mediation procedure deliver a report that records:

- the issues which were resolved;
- the issues upon which agreement could not be reached, and
- any other point which the mediator considers necessary.

13.1.6 The mediator must deliver the report to the Sexual Misconduct Panel within 10 days of the closure of the mediation procedure.

13.2 Formal procedure

13.2.1 A victim or a complainant who wishes to lodge a formal complaint of sexual misconduct against a respondent shall, as far as practically possible, lodge a complaint in writing and direct the complaint to the District Apostle.

13.2.2 Within 7 (seven) days or as soon as possible after receiving the formal complaint, the District Apostle in conjunction with the responsible Apostle will appoint an investigator to investigate the complaint. The District Apostle could also, depending on the nature of offence, appoint a subgroup, with representation from, and in consultation with the Sexual Misconduct Panel, on a case-by-case basis.

13.3 Investigation

13.3.1 The investigator shall be a person of knowledge in investigations and the obtaining of evidence, writing of reports and should preferably also have either knowledge of the law or knowledge of sexual misconduct and gender-based violence.

13.3.2 To conduct the investigation, the investigator shall:

- Meet with the complainant, victim, respondent and any witnesses or any other relevant person(s)
- Prepare a written report for submission to the Sexual Misconduct Panel that will include a recommendation.

13.3.3 The report must be completed on form SMP001 (appended hereto) and

- be compiled and presented to the Sexual Misconduct Panel within 30 (thirty) business days after being appointed by the District Apostle.
- the investigator and the Sexual Misconduct Panel will ensure that all records concerning the matter are kept confidential and that a record is kept of actions taken and the proceedings.

14 DUTY TO REPORT CHILD ABUSE

It is important to note that there is generally a duty on every person to report child abuse if he or she has a suspicion, based on reasonable grounds, of a child being abused. Any type of abuse must be reported. A 'child' is a person under the age of 18 years.

The child abuse must be reported to the police, where criminal charges can be brought, a designated child protection organisation or to a social worker at the Department of Social Development.

15 SEXUAL MISCONDUCT PANEL

The Sexual Misconduct Panel, appointed by the District Apostle, must consist of at least 2 (two) Apostles and at least 3 (three) other individuals who collectively have at least the following expertise:

- Knowledge of sexual misconduct and gender- based violence.
- Knowledge of the law.

Upon appointment, the Sexual Misconduct Panel will choose a secretary who will be responsible for convening all relevant meetings of the Panel and writing the report of the Sexual Misconduct Panel.

Upon receipt of the investigator's report, the Sexual Misconduct Panel can request further information or direct the investigator to do further investigation on identified issues.

Should the Sexual Misconduct Panel deem it necessary, the panel can request further interviews with the victim, complainant, respondent, and any other witnesses.

The Sexual Misconduct Panel can obtain a specific investigation and report from a specialist in the field of law and/or gender-based violence and/or sexual misconduct.

The Sexual Misconduct Panel will conclude any further investigations and reports within 30 (thirty) days after receipt of the final report.

Within 14 (fourteen) days after concluding any further investigation, the Sexual Misconduct Panel will provide a report to the District Apostle which report will set out all the evidence obtained, an evaluation of such evidence as well as the Sexual Misconduct Panel's findings and recommendations.

The District Apostle will implement the recommendations of the Sexual Misconduct Panel within 14 (fourteen) days of the receipt of the report from the Sexual Misconduct Panel or deal with the report in a manner that he deems fit.

16 MULTIDISCIPLINARY SUPPORT ORGANISATIONS

Contact with multidisciplinary support organisations and legal bodies is beneficial and The Church will recommend this to all parties concerned, i.e. victims and offenders.

The Church works closely with the following organisations, that are operative in the relevant local area, and which deal with these matters on an ongoing basis:

- ChildLine
- Lifeline and Safeline
- FAMSA
- Social workers
- Psychologists
- Counsellors
- Medical Practitioners
- South African Police Services
- Rape Crisis
- NICRO
- Legal Practitioners
- SADAG

The victim or in the instance of a minor, the legal guardians must decide whether legal proceedings should be instituted. A helping organisation can also provide qualified and competent advice, however all cases of sexual misconduct involving a minor will be reported to the South African Police Service, in accordance with The Children's Act 38 of 2005, with the support of a qualified professional.

17 SUPPORT FOR VICTIM & OFFENDER

Pastoral support will be offered to both the victim and offender as well as their close relatives, as organised by the relevant Apostle.

External therapeutic support and interventions are also available. If desired by the victim (or legal guardian), The Church representative is available to establish contact

with multidisciplinary support organizations or therapists and could also be present in the further discussions if, and when appropriate.

Church leaders are advised to sincerely empathise with victims and handle all matters with care and understanding. The same understanding should be conveyed when dealing with the close relatives of the victim. To protect the victim, appropriate restraint should be exercised.

The offender must be made aware of the seriousness of his /her actions or behaviour to assist him/her in showing remorse, seeking atonement, and changing his/her behaviour. Therapeutic support interventions will be recommended for both the offender and his/her family. Irrespective of the seriousness of the offence, he/she will be offered pastoral support from the Church.

18 MONITORING & EVALUATION OF THE POLICY

The implementation of this policy document must be monitored and evaluated by a review committee which will be established by the District Apostle in coordination with relevant professionals and organisations.

19 POLICY REVIEW

This policy will be reviewed every two years by the review committee as established by the District Apostle.

20 DEVIATION

Any deviations and/or changes to this policy must always be approved by the relevant Sexual Misconduct panel and all changes be recorded in writing and communicated appropriately.

OFFICIAL SANCTIONING/APPROVAL OF THE SEXUAL MISCONDUCT POLICY

This policy will be subject to approval by the District Apostle, who will also determine the date of implementation.

21 BIBLIOGRAPHY

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Sexual Misconduct / Harassment Complaint

Report date:	
Full names of complainant: (as appears in ID document)	
Date of birth:	
Congregation name and code:	

Details of person(s) accompanying the complainant	
Full names and phone number	Relationship to complainant

Details of person(s) alleged to have committed the act	
Full names	Position / Title

Details of incident	
Date of incident:	
Time of incident:	
Where did incident occur	
Please give a detailed description of the incident and your response to the incident below. (Where possible the Complainant is to complete this section in person)	

Type of incident (please tick below) For examples please refer to Sections 2 & 9 of the Sexual Harassment Policy	
Child Sexual Abuse	
Sexual Harassment	
Sexual Abuse	
Sexual Misconduct	

Signature of complainant or legal guardian	
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To be completed by the person receiving the complaint	
Contact details of the complainant	
Tel:	Address:
Cell:	
Email	

Confirmation of consent	YES	NO
The complainant has voluntarily laid this complaint		
The complainant has been informed about the confidential nature of this complaint		
The complainant has been informed of their options regarding an informal and formal procedure for reporting		
The complainant has been informed about the process that may follow this report has been submitted for investigation		
The complainant has been informed of the time frames applicable to the reporting of this complaint and time frames applicable to investigation and feedback		
The complainant has been informed about available psychosocial support		

Signature of person receiving the complaint	
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Date of submission to Apostle	
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Contact details of person receiving the complaint	
Full names	
Tel	
Cell	
Email	

Any other Notes
