



New Apostolic Church
Southern Africa

Safeguarding Policy



APRIL 2024

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1. PREAMBLE

- 1.1. The New Apostolic Church South Africa (hereafter referred to as “The Church”) has decided to adopt a framework which will detail the applicable procedures in handling any form of sexual misconduct within The Church.
- 1.2. In keeping with The Church's moral and legal duty, The Church has elected to adopt a policy document to:
 - 1.2.1. Create an atmosphere of trust and safety in each congregation and the church community in general.
 - 1.2.2. Prevent sexual misconduct and to protect members and individuals from inappropriate sexual behaviours.
 - 1.2.3. Provide spiritual and emotional support to victims and perpetrators of sexual misconduct.
 - 1.2.4. Strongly advise and support individuals to report if they have reason to believe that sexual misconduct has occurred or may be occurring.
 - 1.2.5. 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.
 - 1.2.6. Provide a procedural framework in which allegations of sexual misconduct are handled in a fair and non-judgmental manner.
 - 1.2.7. The policy is a means for The Church to gather information, and to assess complaints of sexual misconduct.
 - 1.2.8. The aim is to gather as much information as possible and to take disciplinary action when this is warranted.
 - 1.2.9. Foster a culture of open disclosure, encouraging individuals to report any observed or suspected incidents of sexual misconduct.

2. **DEFINITIONS**

- 2.1. **Child:** A child is a person under the age of 18 years.
- 2.2. **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.
- 2.3. **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.
- 2.4. **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.
- 2.5. **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.
- 2.6. **Guest:** A person who visits the church services and or participates in activities of the New Apostolic Church.
- 2.7. **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.
- 2.8. **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.

- 2.9. **Investigator:** The Investigator is a person who is appointed as an investigator in accordance with this policy.
- 2.10. **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.
- 2.11. **Leave of absence (LOA):** 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.
- 2.12. **Member:** A person who has been received into full membership of The Church through Holy Sealing.
- 2.13. **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.
- 2.14. **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.
- 2.15. **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.
- 2.16. **Sexual exploitation:** Sexual exploitation involves taking non-consensual, unjust, or abusive sexual advantage of another person.
- 2.17. **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.
- 2.18. **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.

- 2.19. **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.
- 2.20. **Safeguarding Committee:** The Safeguarding Committee is established by, and reports to, the District Apostle of the Church. The Safeguarding Committee will report to and advise the District Apostle in line with the Sexual Misconduct Policy.
- 2.21. **Regional Committee:** Regional committees will be established and mandated by the District Apostle as the needs arise. The function of the regional committee is to assist the Safeguarding Committee in dealing with matters related to sexual misconduct within their geographical area.
- 2.22. **Safeguarding Facilitator:** A safeguarding facilitator is a trained individual who provides support and assistance to individuals and families affected by sexual abuse.
- 2.23. **Suspension from duty:** When an allegation of misconduct is made against an individual that person may be placed on suspension from duty. In the case of an employee of The Church, this is a temporary leave from a job assignment. The suspension will be enforced while the complaint is investigated and to determine an appropriate course of action.
- 2.24. **Release:** When a minister or leader is released from their ministry or responsibility in the church.
- 2.25. **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.
- 2.26. **Victim:** Means a person against whom an act of sexual misconduct has allegedly been perpetrated.
- 2.27. **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.

2.28. **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.

3. INTRODUCTION

- 3.1. 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.
- 3.2. 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.
- 3.3. 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.
- 3.4. 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.
- 3.5. 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

- 4.1. 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.
- 4.2. 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.
- 4.3. This policy focuses on The Church's commitment to preventing sexual misconduct by responding effectively where 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.
- 4.4. 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.

5. PURPOSE

- 5.1. 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.
- 5.2. The Church strives to:
 - Treat reported complaints fairly and impartially.
 - Treat reported cases 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

6.1. 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.
- Protect the rights and dignity of all individuals, members, employees, and volunteers.
- Ensure impartiality, fairness, and due processes in handling sexual misconduct cases.

7. SCOPE OF APPLICATION

7.1. This policy document forms part of the overall management of sexual misconduct and must be considered in conjunction with all relevant legislation.

7.2. 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.

7.3. 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 New Apostolic Church Southern Africa

8. LEGAL FRAMEWORK

8.1. 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.

8.2. 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.

8.3. 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

9.1. 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

9.2. 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.

9.3. 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.

9.4. 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.
- 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.

9.5. 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.

9.6. Examples of sexual assault under this policy include, but are not limited to, the following behaviours, however slight, when consent is not present:

- i. 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);
- ii. attempted sexual intercourse (anal, oral, or vaginal);
- iii. 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;
- iv. any other intentional unwanted bodily contact of a sexual nature;
- v. use of coercion, manipulation, or force to make someone else engage in sexual touching, including breasts, chest, and buttocks.

9.7. 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.

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

10. OBLIGATION TO CONFIDENTIALITY

- 10.1. The trust instilled and maintained by members in leadership positions with brothers and sisters in their care, is a fundamental condition for pastoral care.
- 10.2. 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.
- 10.3. The safeguarding committee 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
- 10.4. 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.
- 10.5. During the proceedings of the safeguarding committee, 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.
- 10.6. Information can also be passed on to a higher minister without the consent of the person affected if an indisputable requirement 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).

11. RESPONSIBILITIES

- 11.1. 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.
- 11.2. The ordained, appointed, or assigned brothers and sisters should guard against making themselves guilty of sexual misconduct during the execution of their spiritual or organisations responsibilities.
- 11.3. It is the responsibility of the ordained, appointed or assigned brothers and sisters 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 ordained, appointed or assigned brothers and sisters 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.
- 11.4. 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.

11.5. The principle of pastoral care:

11.5.1. The principle of pastoral care is violated if:

- 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.

11.6. **Preventive measures:**

11.6.1. Ordained, appointed or assigned brothers and sisters:

- 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.
- Where applicable their spouses must be informed of the contents of this policy document. This includes making them aware of the consequences for the victim and the offender. Reference should also be made to the long-term consequences as well as the burden placed on families and society.
- 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.
- 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 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.
- In church gatherings, parents will be informed of the danger of sexual harassment and possible acts of sexual misconduct in a church environment. Parents should be advised to take the warning signs and the dangers of such inappropriate behaviours seriously and should take the responsibility to appropriately inform their children.

12. EDUCATION

- 12.1. The Church will assist its ministers and congregants to identify and care for victims of sexual misconduct within The Church and beyond, provide regular opportunities for its ministers and their assistants to be advised of developments in the field of psychosocial and psychosexual education on matters relevant to this document including sexual misconduct and sexual harassment and other additional topics as and when required.
- 12.2. Suitable candidates who are qualified in the field/s applicable to psychosocial and psychosexual education will be deployed to render educational, psychosocial awareness events in support of regular and appropriate training for ministers, congregants and other individuals deemed in need of said support.
- 12.3. 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.
- 12.4. 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.
- 12.5. All volunteer ministers, leaders and remunerated staff should familiarise themselves with the policy and their responsibility for compliance and implementation.

13. APPLICABLE PROCEDURES

- 13.1. Allegations of sexual misconduct are to be reported by victims or complainants to the office of the District Apostle. Complaints are expected to be submitted in a written format, utilizing the dedicated email address, reportsm@nac-sa.org.za.
- 13.2. Additionally, individuals have the option to bring the matter to their Rector or any other minister or person who may then, with the consent of the individual, proceed to submit the complaint in writing on their behalf to the aforementioned email address.
- 13.3. The Church acknowledges the rights of both parties to be heard during the investigation of any complaint of sexual misconduct.

- 13.4. 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.
- 13.5. 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 Services) outside of the church 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 relevant procedures set out in this policy.
- 13.6. It is crucial that no one obstructs or discourages the process of filing a complaint. Ministers must handle these situations with sensitivity and refrain from influencing individuals against reporting an incident, regardless of their personal beliefs on the matter.
- 13.7. The office of the District Apostle retains the authority to institute a Leave of Absence for a minister or temporarily suspend all leadership activities of the accused individual during the investigation. This measure is implemented not to imply guilt, but to shield the individual from potential further suspicion and provide them with the necessary time to address the complaint.
- 13.8. 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.
- 13.9. 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 Safeguarding Committee that will include a recommendation.
 - Depending on the complexity of the allegations and findings, the investigator may recommend the appointment of a mediator to facilitate the resolution process. If deemed appropriate the office of the DA will appoint a mediator.

13.10. The report must be:

- compiled and presented to the Safeguarding Committee within 30 (thirty) business days after being appointed by the District Apostle.
- the investigator and the Safeguarding Committee will ensure that all records concerning the matter are kept confidential and that a record is kept of actions taken and the proceedings.
- Safeguarding Committee will review of the findings and prepares a conclusive report based on the investigation's results, subsequently submitting it to the office of the District Apostle.
- The office of the District Apostle, following a comprehensive assessment of the submitted reports and recommendations, renders the final decision in accordance with established legal protocols and internal policies.

14. DEALING WITH FALSE ALLEGATIONS

14.1. The legal concept of a false allegation is defamation in South African law, and is a civil wrong that occurs when a person communicated false and damaging statements to another person. Defamation can have severe consequences for both the victim and the person responsible.

14.2. To establish defamation or sue someone for defamation of character, certain elements must be present:

14.2.1. The statement made must be false, untrue, misleading or deceptive and truth therefore forms a solid defence against defamation claims.

14.2.2. The statement must be published to a third party, i.e., shared or communicated to someone other than the victim.

14.2.3. The false statement must have caused harm to the reputation of the person, resulting in tangible damages like loss of employment, business, or personal distress.

14.2.4. The person making the false statement must have acted negligently or with malicious intent.

14.3. Lodging false allegations can therefore constitute a criminal offense under the relevant legislation and is liable to prosecution in accordance with the applicable laws of the country. False accusations can also lead to a civil claim from the accused against the accuser for damages due to malicious prosecution and/or defamation.

14.4. If upon investigation, it is ascertained that an individual has levied a false accusation of sexual misconduct, the church will undertake measures to address the situation in a fair and unbiased manner.

14.5. These measures may encompass, but are not restricted to:

- Notifying the falsely accused individual of the investigative findings.
- Determine the appropriate response to the false accuser, which may include temporary or permanent suspension from the ministry and/or leadership roles in the church. Additionally, it may include the issuance of an official warning and mandatory participation in training and education programmes focused on preventing and addressing false accusations.
- If an individual, who is not in a leadership role, makes a false accusation, the allegation will be duly noted and taken into account when considering their eligibility for future leadership roles within the church.
- Initiating steps to reinstate the falsely accused individual's status within the church and any affected roles or responsibilities and implement strategies to mitigate harm to the falsely accused individual's reputation.
- Mediating reconciliation between the parties involved, provided mutual willingness.
- Ensuring continuous support and monitoring for the well-being of both parties.

15. PENALTY FOR MISCONDUCT

- 15.1. If found guilty of a sexual misconduct offence, the church reserves the right to revoke the member's ministry if he or she was an office bearer and/or any leadership role in the church. This includes a minister in retirement.
- 15.2. The matter may also be referred to the relevant authorities for legal action.

16. DUTY TO REPORT CHILD ABUSE

- 16.1. 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.
- 16.2. Any type of abuse against children must be reported, a 'child' is a person under the age of 18 years.
- 16.3. 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.
- 16.4. No individual is permitted to obstruct the reporting of child abuse to the authorities.

17. SAFEGUARDING COMMITTEE

- 17.1. The Safeguarding Committee, appointed by the District Apostle, must consist of one Apostle and at least 2 (two) other individuals who collectively have at least the following expertise:
 - Knowledge of sexual misconduct and gender- based violence
 - Knowledge of the law.
- 17.2. Upon appointment, the Safeguarding Committee will choose a secretary who will be responsible for convening all relevant meetings of the committee and writing the report of the Safeguarding Committee.

- 17.3. Upon receipt of the investigator's report, the Safeguarding Committee can request further information or direct the investigator to do further investigation on identified issues.
- 17.4. Should the Safeguarding Committee deem it necessary, they can request further interviews with the victim, complainant, respondent and any other witnesses. The Safeguarding Committee can obtain a specific investigation and report from a specialist in the field of law and/or gender-based violence and/or sexual misconduct.
- 17.5. The Safeguarding Committee will conclude any further investigations and reports within 30 (thirty) days after receipt of the final report.
- 17.6. Within 14 (fourteen) days after concluding any further investigation, the Safeguarding Committee 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 Safeguarding Committee's findings and recommendations.
- 17.7. The District Apostle will implement the recommendations of the Safeguarding Committee within 14 (fourteen) days of the receipt of the report from the Safeguarding Committee or deal with the report in a manner that he deems fit.
- 17.8. **Regional committees:**
- a) Regional committees will be established and mandated by the District Apostle as the needs arise.
 - b) The function of the regional committee is to assist the Safeguarding Committee in dealing with matters related to sexual misconduct within their geographical area.
 - c) All members of the regional committees will be appointed by the District Apostle in consultation with the Apostle of the area.
 - d) The District Apostle in consultation with the Apostle will appoint a Chairperson for the Regional Committee who will be responsible for the overall functioning of the regional committee. The chairperson of the regional committee will report and/or communicate with the chairperson of the Safeguarding Committee concerning all matters related to sexual misconduct in their area of responsibility.

18. SAFEGUARDING FACILITATORS

- 18.1. Safeguarding facilitators will be appointed by the Apostle of the area in consultation with the Chairperson of the Safeguarding Committee.
- 18.2. The role of the Safeguarding Facilitator is to provide support to victims of, and their families affected by sexual misconduct in the church.
- 18.3. Safeguarding facilitators must have a clear criminal record and experience in dealing with sexual misconduct or related matters.
- 18.4. The task of the Safeguarding Facilitator is to respond appropriately to victims of sexual misconduct to reduce levels of trauma and refer victims of sexual misconduct to community resources for additional assistance and counselling.
- 18.5. Safeguarding Facilitators must continuously conduct awareness raising sessions on the sexual misconduct policy and related content

19. MULTIDISCIPLINARY SUPPORT ORGANISATIONS

- 19.1. 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.
- 19.2. The New Apostolic Church South Africa 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
 - Legal Practitioners etc.

19.3. The victim or in the instance of a minor, the legal guardians must decide whether legal proceedings should be instituted.

19.4. 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.

20. SUPPORT FOR VICTIM & OFFENDER

20.1. Pastoral support will be offered to both victim, perpetrator and close relatives, as organised by the relevant Apostle.

20.2. 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 also to be present in the further discussions if and when appropriate.

20.3. 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.

20.4. The offender must be made aware of the seriousness of his /her misdemeanour in order 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.

21. MONITORING & EVALUATION OF THE POLICY

21.1. 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.

22. DEVIATION

- 22.1. Any deviations and/or changes to this policy must always be approved by the relevant Safeguarding Committee and all changes be reduced to writing and communicated appropriately.

23. POLICY REVIEW

- 23.1. This policy will be reviewed every 3 years by the review committee as established by the District Apostle.

CONFIDENTIAL REPORT: SEXUAL MISCONDUCT INCIDENT

CASE NO.:

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Date:

Time:

Type of Contact: Telephone ☐ Email ☐ SMS ☐ WhatsApp ☐ Face to Face ☐

INFORMANT/REPORTER

NAME SURNAME	
CONTACT NUMBER	
PHYSICAL ADDRESS	
EMAIL ADDRESS	
CONGREGATION	
RECTOR	
APOSTLE	
Relationship to Victim	

VICTIM (THIS COULD BE 'AS ABOVE')

NAME SURNAME	
CONTACT NUMBER	
PHYSICAL ADDRESS	
EMAIL ADDRESS	
CONGREGATION	
RECTOR	
APOSTLE	

ALLEGED PERPETRATOR:

NAME SURNAME	
CONTACT NUMBER	
PHYSICAL ADDRESS	
EMAIL ADDRESS	
CONGREGATION	
RECTOR	
APOSTLE	
Relationship to Victim	

REASON FOR CONTACT

[illegible]

WISHES/ EXPECTATIONS OF THE INFORMANT:

WISHES/ EXPECTATIONS OF THE VICTIM: (THIS COULD BE AS ABOVE)

		MANDATORY STEPS	
1. REGISTER INCIDENT	YES	NO	Outcome:
2. INFORM PANEL MEMBER	YES	NO	Outcome:
3. INFORM OFFICE OF THE DA	YES	NO	Outcome:
4.	YES	NO	Outcome:
5.	YES	NO	Outcome:
6.	YES	NO	Outcome:

[illegible]

AUTHORISED SIGNATORIES	
AUTHOR INFORMATION	QA by Chairperson / Member of Safeguarding Committee:
Name:	Name:
Signature:	Signature:
Date:	Date:

CONFIDENTIAL
SECTION B: CONCLUDING REPORT

REF NO.:

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Date:

Time:

Venue:

(if face to face)

Type of Contact: Telephone ☐ Email ☐ SMS ☐ WhatsApp ☐ Face to Face ☐

1. IDENTIFYING DETAILS

REPORTER	
RELATIONSHIP TO VICTIM: (this could be 'Self')	
VICTIM: (this could be 'As above')	
ALLEGED PERPETRATOR:	

2. NATURE OF THE INCIDENT

3. OUTCOME OF INVESTIGATION

4. EXPECTATIONS

4.1 What are the wishes and expectations of the reporter? Are these still the same?
4.2 Were the wishes of the reporter adequately met?
4.3 What are the wishes and expectations of the victim? Are these still the same?
4.4 Were the wishes of the victim adequately met?

5. SUPPORT AND RESOURCES

5.1 What kind of support was offered to the victim and his/ her family?

5.2 Have external agencies been consulted? If so, please specify and inform what the outcomes were.

5.3 Has this matter been referred to external agencies for continued/ follow-up support? If so, please specify which agencies and identify type of support requested.

6. CLOSURE

6.1 Motivation for closure:

6.2 Victim's comments on the above decision (depending on level of maturity)

6.3 Reporter's comments on the above decision:

6.4 Representative of safeguarding committee's comments on decision to close:

7. SIGNATORIES

7.1 Victim (depending on level of maturity) Date:

7.2 Reporter: Date:

7.3 Safeguarding Committee Representative: Date:

AUTHORISED SIGNATORIES

AUTHOR INFORMATION

Name:.....

Signature:.....

Date:.....

QA by Chairperson / Member of Safeguarding Committee:

Name:.....

Signature:.....

Date:.....

