



**UNIVERSITY OF NIGERIA**

**SEXUAL MISCONDUCT  
POLICY**

PREPARED BY  
GENDER AND DEVELOPMENT POLICY CENTRE  
(GEN-CENT) AND SERVICOM UNIT

## 1.1 Policy Statement

The University of Nigeria was established with a motto, "To Restore the Dignity of Man". The University upholds the core values of Integrity, Accountability, Transparency, Respect, Meritocracy, Academic Freedom, Creativity, Teamwork, Open-mindedness and Social Responsibility. To maintain these values, the University strives to provide an environment where students and staff can study and work without struggling to overcome the barriers of discrimination and any form of harassment on account of sex, age, ability, status, race, ethnicity or religious affiliation

## 1.2 Sexual Misconduct

The term "sexual misconduct" is a broad term that encompasses sexual harassment, sexual violence, and sexual exploitation.

- **Sexual Harassment:** Sexual harassment is a form of gender discrimination which is considered unlawful. It encompasses unwelcome sexual advances, unwelcome request for sexual favours, or other unwelcome behavior of sexual nature, The University Policy on Sexual Misconduct considers the following as forms of sexual harassment that shall attract disciplinary action/punishment:
  - Unwanted or unsolicited sexual attention of a persistent and abusive nature,
  - Sexually-oriented remarks and behaviors which contribute to a negative psychological or emotional trauma in a study or work environment,
  - Implied or expressed promises of reward for sexual favours.
  - Intimidation of staff or student with the intent to coerce him/her into granting promotion, favours or academic/examination result grades in return for sexual intimacy.
  - Indecent dressing of staff or students with the intent to seduce the person of the opposite sex. (Indecent dressing as defined by the University of Nigeria dress code).
  - Use of position of power or authority to coerce a fellow staff or student to submit to sexual activity against his or her will.
  - Inordinate display of affection towards the person of the opposite sex with the intent of seducing him/her to sexual activity.
  - Inappropriate physical contacts such as: touching, kissing, pecking, hugging, fondling, pinching, stroking, patting and any other behavior that is offensive to others' moral or sexual orientation.
  - Sex for marks and marks for sex.

- Persistent use of sexual comments, tales and jestings of sexual or immoral nature.
  - Sexual advances, vocal demands and use of sexually provocative words directed at the opposite sex.
  - Sending of explicit and sexually related materials via texts, emails, whatsapp and other social media platforms.
  - Luring staff or students to the office, classroom, residence, car, hotel or any other location with the intent to have sexual intercourse. .
  - Offensive gestures of sexual nature such as unwanted eye contacts and winking'
- ***Sexual Violence:*** Sexual violence includes such actions as:
    - Rape, forcefully having sexual intercourse with a woman or a man against her or his will. It includes having sexual intercourse with someone who is incapable of consenting. For example, someone who is mentally unstable, physically challenged or under the influence of alcohol or drugs.
    - Drugging someone with the intent of having sexual intercourse or drugging someone and having sexual intercourse with the person.
    - Having sexual intercourse with minors and with persons below the age of 18 years with or without their consent.
    - Inflicting bodily or psychological harm to an individual with the intent to have sexual intercourse.
- ***Sexual Exploitation:*** Sexual exploitation shall be deemed to have occurred when a staff or a student takes or attempts to take non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than one being exploited. Sexual exploitation is deemed to have occurred when:
    - A staff or student surreptitiously observes or attempts to observe another person's nudity or sexual activity or allowing another person to observe a consensual sexual activity without the knowledge and consent of all the parties involved or in which a staff or student induced to perform such act is below 18 years of age.
    - Recording or attempting to record, sharing, or streaming images, photographs, videos, or audio recording of sexual activity or nudity in social media or other similar platforms. This is without prejudice to actions of any organ, or staff or

- students of the university that is aimed at exposing a culprit with only recording of such events.
- Attempting to blackmail, extort or threaten staff or student using images, photographs, video or audio recording of sexual activity or nudity in social media or other similar platforms.
- Exposing one's genitals and other sensitive parts of the body such as breasts, vagina and penis with the intent to seduce.
- Causing harm or incapacitation for the purpose of making another staff or student vulnerable to sexual activity.

### **1.3 Complaints and Reporting procedures**

It is not uncommon for victims of sexual misconduct to be reluctant to lodge a complaint or report to appropriate authorities. This is predicated on the fact that either the staff or the student involved is afraid of stigmatization or possible victimization.

The University encourages individuals (staff and students) who experience any form of sexual misconduct to formally report to the Gender and Development Policy Centre (Gen-Cent) or the SERVICOM Unit or a trusted person who shall help forward such complaint to either Gen-Cent or SERVICOM Unit.

No staff or student shall report cases of sexual misconduct to any outside body such as print, electronic media, or post such information or any image, pictures, messages, etc. appertaining thereof on any social media platform, or give such information or materials to a third party, other than the designated offices in the University

### **1.4 Suppression of Complaints of Sexual Misconduct**

- It is a serious offence for any staff/group of staff, student/group of students to suppress any case/cases of sexual misconduct at any level of the University.
- Person/persons involved in such suppression or cover up shall be punished in line with the staff or student regulations.

### **1.5 Responsibilities of the Gender and Development Policy Centre (Gen-Cent)**

- It is the responsibility of the Gen-Cent to investigate all cases of sexual misconduct that are brought to its attention by victims.
- The Centre shall try as much as possible to establish a prima facie case of sexual misconduct reported to it.
- Upon the establishment of any case or otherwise the Centre shall forward her findings to the SERVICOM Unit for documentation or any further necessary action'

## **1.6 Responsibilities of SERVICOM Unit**

- The SERVICOM Unit shall receive and handle cases of sexual misconduct from staff and students as referred to it.
- The SERVICOM Unit shall carry out preliminary investigation on all cases of complaint of sexual misconduct referred to it.
- It is the responsibility of the SERVICOM Unit to forward their findings to the University Management for further necessary action.

## **1.7 Punishment for Sexual Misconduct**

- For cases of sexual harassment (excluding cases sex for marks or marks for sex), a person found culpable by a constituted panel shall be cautioned with a strong letter of warning if he/she is a first time offender, If the same person is found culpable again, he/she shall be suspended for 6 months and upon rectum, shall be required to undergo periodic evaluation and monitoring. If the same person is found culpable the third time, the case shall be referred to the Junior / Senior Staff Disciplinary Committee for consideration and referral to the University Management and if not resolved at the University Management level, referral to the University Governing Council for a disposal action in line with the appropriate regulations.
- Persons found culpable for rape, sexual violence, sex for marks or marks for sex, and violation of minors (whether a first time offender or not) shall be referred to Junior / Senior Staff Disciplinary Committee for consideration and referral to the University Management and if need be to the University Governing Council for a disposal action in line with junior / senior staff regulations. Cases involving student versus student shall be referred to Students Welfare and Disciplinary Board for further review and for appropriate recommendation to Management in line with Undergraduate Academic Regulations.
- For cases of sexual violence and exploitation, all persons found culpable by a constituted panel (whether a first time offender or not) shall be referred to the Junior / Senior Staff Disciplinary Committee for consideration and referral to the University Management and if need be, to the University Governing Council for a disposal action in line with the appropriate regulations.

## **1.8 Composition of Investigation Panel**

- Investigation Panel for cases of sexual misconduct shall be made up of ten members who must include Director of SERVICOM unit, Director of Gen-Cent, Director of Quality Assurance, Director of Strategic Contacts, Ethics & Publications Unit and the Director of Legal Unit or their representatives. For cases involving students, the Dean of Student Affairs or his/her representative must be part of the ten-member panel.

- Quorum shall be two third of the members which must include, Director of SERVICOM Unit, Director of Gen-Cent and Director of Legal Services or their representatives.

### **1.9 Liability of Complainants and Witnesses**

This policy shall not be used to bring frivolous or malicious complaints against students or staff. Any staff or student who makes a false complaint or raises false alarm with intent to discredit, blackmail or damage the reputation of another person shall be penalized in line with Staff Regulations or the Students' Academic Regulations. The same sirall apply to any false witness in a matter of sexual misconduct.

### **2.1 Confidentiality**

Confidentiality shall be maintained in all reported cases of sexual misconduct. The identity of persons who give useful information on cases of sexual misconduct shall be protected and information provided shall be treated with utmost confidentiality. Any person who, without authorization, reveals such information shall be subject to disciplinary action.

### **2.2 Education and Outreach**

To aid the University in preventing sexual misconduct, the Gender and Policy Development Center (Gen-Cent) and SERVICOM Unit shall continue to train, educate and sensitize members of the University Community about sexual harassment so that the University shall continue to be a safe and productive place to work and to learn.



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