**NATIONAL ASSEMBLY**

Question No. 731

For Written Reply

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**Parliamentary Question: 731**

**Mr TW Mhlongo (DA) to ask the Minister of State Security**

1. Whether her department has a sexual harassment and assault policy in place, if not, (a) why not and (b) by what date will her department have such a policy in place; if so, (i) how are reports investigated and (ii) what are the details of the consequence management and sanctions stipulated by the policy;
2. (a) what is the total number of incidents of sexual harassment and assault that have been reported in her department (i) in each of the past three financial years and (ii) since 1 April 2017, (b) what number of cases were (i) opened and concluded, (ii) withdrawn and (iii) remain open based on the incidents and (c) what sanctions were issued for each person who was found to have been guilty?

**RESPONSE:**

1. Yes, the State Security Agency has a sexual harassment policy called the “Human Resource Directive: Sexual Harassment and Promotion of Racial Tolerance: HRD: 19.” Assault is dealt with in terms of Chapter XVIII (Disciplinary Procedure) of the Intelligence Service’s Regulations, 2014.
2. Reports of sexual harassment and assault are investigated by conducting interviews and obtaining statements from the relevant parties, witnesses and gathering supporting evidence (video footage, SMSes, etc). HRD: 19 also provides mediation between the complainant and the transgressor on sexual harassment cases. The policy provides for due regard to sensitivity of the matter.
3. The Disciplinary Procedure makes provision for various sanctions (counselling, warning, fine, suspended discharge, discharge) where a disciplinary hearing takes place in respect of a sexual harassment or assault case.
4. (a) (i) Number of cases 2014/2015: 2

Number of cases 2015/2016: 2

Number of cases 2016/2017: 2

(ii) There is no case since 1 April 2017 which is still in

progress.

1. (i) 6 cases were opened and concluded.

(ii) One case was withdrawn

(iii) One case is still open.

1. Sanctions for the sexual harassment and assault

cases:

* Final written warning and fine
* Verbal warning
* Warning and suspended fine
* Final written warning
* Warning