



**UNIVERSITY OF  
LAGOS POLICY ON  
SEXUAL  
HARASSMENT.  
SEXUAL &  
ROMANTIC  
RELATIONS**

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**SEXUAL  
HARASSMENT**

# SH in universities: old or new phenomenon?

Historically, well-known but rarely discussed as a serious problem

When discussed, a high degree of tolerance was exhibited and helplessness displayed.

Today, SGBV/Sexual Harassment are major issues of concern and focus of global attention/action

Why?

Evidence of prejudicial impact on victims in terms of its diminution of self-esteem, human dignity, subjection to “terror“

Dilution of academic integrity and standards.

# Why University of Lagos has a duty to act against SH

## Moral/ethical considerations

- Schools generally thought to stand *In loco parentis* to their students
- Schools have the duty and corresponding power to make their environment safe for those that they invite to engage with their legitimate business (whether as students, staff or visitor)
- Society has an interest (social generally and economic specifically) in the well-being of citizens and residents

## Legal

- Individual's human rights to life/bodily integrity/health/privacy/equality create corresponding legal duties on others to respect the rights.
  - *Encompasses negative rights as well as positive duty to promote, protect and fulfill*
- Vicarious liability of the University for the acts of their agents
- Criminal prohibitions that create legal obligations to act
- Duty to deliver on institutional mandate

## Criminal prohibition

- Criminal Law of Lagos State 2011
- ICPC Act

Tort – builds on tort of harassment – a type of assault

Breach of labour law

Misconduct in breach of administrative law e.g. UNILAG Yellow Book

## Criminal Law of Lagos State, 2011 – s.264 – Sexual Harassment

(1) Any person who sexually harasses another commits a felony and is liable on conviction to imprisonment for **three (3) years**.

(2) Sexual harassment is unwelcome sexual advances, request for sexual favours, and other visual, verbal, or physical conduct of a sexual nature which when submitted to or rejected—

- (a) implicitly or explicitly affects a person's employment or educational opportunity or unreasonably interferes with the person's work or educational performance;
- (b) implicitly or explicitly suggests that submission to or rejection of the conduct will be a factor in academic or employment decisions; or
- (c) creates an intimidating, hostile or offensive learning or working environment.

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## **Criminal Law of Lagos State, 2011 – Rape. 258.**

(1) Any man who has unlawful sexual intercourse with a woman or girl, without her consent, is guilty of the offence of rape and liable to imprisonment for life.

(2) A woman or girl does not consent to sexual intercourse if she submits to the act by reason of force, impersonation, **threat or intimidation of any kind, fear of harm** or false or fraudulent representation as to the nature of the act.

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- **ICPC Act – Case of Professor Akindele who was sentenced to 3 years imprisonment**



# Overview of UNILAG SH Policy

INTRODUCTION

Guiding Principles

Scope of Policy

Objectives

Definitions

Consensual Romantic or Sexual Relationship Guidelines

Responsibilities of the University

Reporting Sexual Harassment

Method of Dealing with Sexual Harassment

Appeals

External Mechanisms

Other Procedural matters

# Policy Guiding Principles

• Mutual respect

- Fair hearing
- Prompt attention and response
- Respect for privacy rights
- Respect for freedom of expression including academic freedom
- Integrity of the academic system
- Confidentiality
- Neutrality and objectivity
- Protection from retaliation
- Effective sanctions for policy violation



# Scope of Policy

- **ALL** students
- **ALL** staff (academic and non-academic) whether engaged on full-time or part-time basis, anyone who acts on behalf of the University in any of its programmes and activities including those taking place on-campus and off-campus  
**ALL** contractors, sub-contractors, service providers, vendors, traders, clients
- **ALL** admission seekers, job applicants, staff of companies or firms operating on campus
- **ALL** other visitors to the University

ONE:  
Sensitize the University community  
to the evils of SH and thereby  
engender collective responsibility  
for eradicating it

TWO:  
Ensure that every member or  
visitor to the University is aware  
that the University is strongly  
opposed to SH and that such  
behaviour is prohibited,

THREE:  
Establish an institutional  
framework that encourages victims  
of SH to exercise their rights,  
maintain their dignity and resist  
submission to its pressures.

FIVE:

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**FOUR:**  
Take action to eliminate  
SH at the University

**FIVE**  
Ensure victims of SH do not  
suffer additional harm and are  
provided appropriate redress and  
support to help them to  
overcome the effects of  
victimisation speedily

# Objectives of the Policy

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SIX:

Dissuade romantic and sexual relationships among staff and students

SEVEN

Prevent the occurrence or recurrence of SH, to protect victims of SH and to provide appropriate sanctions, corrective actions and remedies.

## Definitions and Attributes



- Sexual harassment is unwelcome sexual advances, request for sexual favours and other visual, verbal or physical conduct of a sexual nature which:
- affects a person's psychological wellbeing, employment opportunity, educational opportunity, or unreasonably interferes with a person's work or educational performance; or
- Is used as a factor in academic or employment decisions or evaluation, permission to participate in any university activity or grant of any other privilege connected with the University's business: or
- Has the purpose of -or creating the effect an intimidating, hostile or offensive working or learning environment.

# Consensual Sexual or Romantic Relationship

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- A staff who is already married to or involved in a committed romantic or sexual relationship with a student as at the time this Policy comes into effect or who as at the time of his/her employment by the University is already married to or involved in a committed romantic or sexual relationship with students or who subsequent to the time this Policy comes in force commence and intends to continue a committed romantic relationship, **shall have the obligation to disclose in writing the relationship to the Vice-Chancellor or such other officer/office as the Vice-Chancellor may designate for the purpose to seeking an exemption.**





- Failure to make a disclosure of such relationship shall be deemed non-compliance with this Policy and may give rise to disciplinary action.
- Where an exemption is sought for a relationship commencing after this Policy come into effect, the exemption process may involve \*the concerned parties being interviewed and counselled as appropriate.
- In all cases where an exemption is sought, it is the University's duty to take appropriate steps to address the risk of conflict of interests inherent in such relationship.

# Responsibilities of the University

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## ONE:

Prevent sexual harassment and ensuring wide dissemination of this Policy to all levels of its activities

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## TWO:

Provide training on the contents of this Policy, introduce other measures such as gender sensitivity training for students and staff at all levels and orientation training for new students and staff on appropriate behaviour.

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## THREE:

Establishment of appropriate procedures to handle sexual harassment complaints and the specific officers responsible for dealing with complaints are specified and trained to mediate and conciliate grievances.

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## FOUR:

Ensure complaints are treated in an impartial, sensitive, fair, timely and confidential manner and that SH reporting is encouraged regardless of the status of the offender

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## FIVE:

Ensure SH victims do not suffer additional harm and are provided appropriate redress and support to help them to overcome effects of victimisation as quickly as possible.

# Reporting Sexual Harassment

- **Who may report sexual harassment?**
  - a) Any person, whether or not a member of the University community, may report sexual harassment which took place in breach of this Policy and whether or not such breach occurred on or off campus.
  - b) Any person to whom a report of sexual harassment has been officially made must forward the report to appropriate organs of the University listed in Paragraph 26.

# To whom reports may be made

- a) Academic Tutors (Course Advisers)
- b) Head of Departments
- c) Deans of Faculties. Provosts of Colleges and Dean of Student Affairs
- d) University Counsellors in the Counselling Unit/Centres
- e) Doctors in the University Medical Centre
- f) Deputy-Vice-chancellors
- g) Vice Chancellor
- h) The Ombudsperson
- i) Servicom Officers
- j) Chaplains of the Chapel of Christ, Our Light (Protestant) and St. Thomas More Catholic Chaplaincy and Imams of the University of Lagos Mosque

# Methods of dealing with sexual harassment

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## Consultation

Consultation about SH to be made available from the Deans of Faculties and Provosts of Colleges, Dean of Student Affairs, Heads of Academic Departments and Academic Tutors, Counsellors in the Counselling Centres. Hall Wardens/Mistresses/Masters, Chaplains in the University Chapels and Imams of the University Mosque, the Medical Centre and the University's Ombudsperson.

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- **Direct Communication**

An individual may act on sexual harassment concerns personally by addressing the other party directly in person or by writing a letter describing the unwelcome behaviour, its effect and asking that it be stopped.

Reprisal against any individual who in good faith initiates such a communication violates this policy. Third Party Intervention

- **Formal mediation sessions may be explored in appropriate cases.**
- Possible outcomes of third-party interventions include explicit agreements about future conduct, changes in classes or other reliefs as may be appropriate e.g., apologies and a commitment not to engage in such behaviour again. The third-party intervener will establish a follow-up programme to ensure the behaviour does not reoccur.
- **Even if the case is being resolved informally, so long as it is handled by any of the specified officers, it is the responsibility of the third-party intervener to prepare a detailed report on the proceedings and outcome and submit it in confidence to the Vice Chancellor and although these proceedings may be deemed informal, depending on the seriousness of the case, incidents of sexual harassment which constitute serious misconduct will be subject to disciplinary action.**

# Procedural Matters Relating To The Grievance Processes

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Internal Grievance, Appeal and Disciplinary Processes will be explored where all other processes fail or is not preferred by the complainant

- Investigation
- Confidentiality
- Retaliation
- Intentional False Reports



# Disciplinary Action and Sanctions

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- a) Verbal or Written Warning,
- b) Counselling or Therapy
- c) Campus Access Restriction
- d) No contact directive
- e) Loss of privileges

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f) Loss of oversight, teaching and supervisory responsibilities

g) Probation, Demotion, Loss of pay increase

h) Revocation of Offer of Admission or Employment or Licence to trade (in the case of vendors on Campus)

i) Rustication

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j) Nullification or Revocation of Degree

k) Termination of Contract for Contractors

i) Termination of Employment

m) Referral by the University to law Enforcement Agents for Prosecution

# External mechanisms

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- In addition to the internal processes, an individual may pursue complaints directly with any appropriate formal agency authorised to receive such complaints by law.
- **The university will offer appropriate support to lawful external processes.**
- **However, a violation of this policy may exist even when the conduct in question does not violate the law,**

# APPEALS



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- A complainant or the alleged harasser who is dissatisfied with the outcome of a proceeding may appeal to the University Ombudsperson within one week of notification of the outcome.
- Outcome of a proceeding in this paragraph includes the decision to grant or refuse an appeal for an extension of time to lodge a complaint

# OTHER MATTERS

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- Education and Training
- Whistle-Blowing
- Records and Statistics
- Review and Evaluation
- Authority

# Existing and proposed structures

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- SH TASK FORCE COMMITTEE
- SAGEGUARDING OFFICER
- COUNSELLING UNITS
- SECURITY UNITS
- UNILAG CLINIC

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**Thank  
You**