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**CENTER FOR THE ADVANCEMENT AND PROTECTION
OF THE RIGHTS OF VULNERABLE PEOPLE**

CURBING SEXUAL VIOLENCE IN SECONDARY SCHOOLS:

Guideline for Teachers, School Authorities, Students, & Care Givers

**An Initiative of Centre for the Advancement and Protection
of the Rights of Vulnerable People (CAPRIGHTS-VP)**

WITH SUPPORT FROM



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Thank you

FOR CAPRIGHTS-VP

Mrs Clara Kanu

SEXUAL VIOLENCE

OVERVIEW

This Guideline will discuss sexual violence in schools, what it means for the rights of Students, and how to respond if you or someone you know has been a victim of sexual violence by a teacher, fellow student or any adult.

Sexual violence affects not only those who are physically hurt, but also people around them, and those who feel that they are at risk of being hurt because they belong to a vulnerable group.

Victims of sexual violence sometimes find that their physical and mental health has been compromised, and that it is difficult for them to function properly in day-to-day life. If the person is of a school age, then it may be difficult to participate in and do well at school.

INTRODUCTION

Sexual violence has been defined in different contexts. Generally, it is regarded as any violence- physical or psychological, that is carried out against a person through a sexual means or by targeting the person's sexuality, and this will include: rape, sexual abuse, sexual assault, sexual harassment, stalking, indecent exposure, unwanted comments or jokes etc. In Nigeria, the most comprehensive law on this issue is the Violence Against Persons Prohibition Act of 2015 (many States including Lagos State has an equivalent Law) and it has taken turn to define some of these key forms of sexual violence.

According to the Act:

- * Rape can be summarized as the intentional penetration of the vagina, anus, or mouth of a victim with any part of the body of the perpetrator, without the consent of the victim or where such consent was obtained by force or means of intimidation, fear or by means of false or fraudulent misrepresentation as to the nature of the act.
- * Sexual Abuse means any conduct which violates, humiliates or degrades the sexual integrity of another person.
- * Sexual assault means the intentional and unlawful touching, striking or causing of bodily harm to an individual in a sexual manner without his or her consent.
- * Sexual harassment means unwanted conduct of a sexual nature or other conduct based on sex or gender which is persistent or serious and which demeans, humiliates or creates a hostile or intimidating environment; and this could involve physical, verbal or non-verbal conduct.
- * Stalking means repeatedly watching or loitering outside of or near the building or place where a person (the victim) resides, carries on business, studies or happens to be.

Sexual violence is usually committed as a show of power by one person over another person where there is already an unequal power relationship between the perpetrator and the victim. Violent crimes affect some groups of people more than others. Groups that are vulnerable to sexual violence include women, children, poor people, and people with disabilities. This does not mean that men or boys, and rich people cannot be victims of sexual violence; but it does mean that special measures should be taken to protect and promote the rights of women, children, poor people, and people with disabilities.

Some people still believe that sexual violence is committed because something about the victim makes the perpetrator unable to control their sexual urges. For example, a girl wearing a short skirt or lipstick is sometimes seen as provoking sexual urges in men that make them rape or sexually assault the girl. This is problematic on many levels:

1. Firstly, it implies that a victim is to blame for something they did not consent to, could not control, and which hurt them.
2. Secondly, it implies that men cannot control their actions if they feel sexually stimulated.
3. Thirdly, it links sexual violence with sexual drive in a false way. It has been widely researched and agreed on that even though the violation is of a sexual nature, the crime is about the need to exert power, and not about sexual drive.

Thus it is wrong to blame a victim for the offence of the perpetrator. THERE IS NO EXCUSE FOR RAPE OR ANY FORM OF SEXUAL VIOLENCE. We are higher human beings and should be able to control our desires.

SEXUAL VIOLENCE IN SCHOOLS

As we discussed above, sexual violence is usually committed by people with power against those without it, as a way of asserting that power. Schools must actively work to break this pattern of violence through educational programmes and be a safe haven for Students.

EVERYONE RESPONDS TO SEXUAL VIOLENCE DIFFERENTLY

There is no 'right' way for a victim of sexual violence to respond. Many people respond very emotionally, and may be hysterical, agitated and uncertain of the details of what happened to them. Other people may be quiet, serious and matter-of-fact, and remember very clearly what happened.

Some people will want to tell everyone what happened, but others might prefer to tell no-one for a long time.

Perpetrators often make victims believe that they somehow provoked or 'asked for' a sexual act. This can make a victim feel guilty and ashamed when they have done nothing wrong. There is usually nothing that a victim of sexual violence could have done to stop the incident from happening, and any person assisting a victim of sexual violence should be careful not to suggest that there was.

Victims may even feel sorry for the perpetrator, or suggest that they be forgiven. This has nothing to do with the truth of their claim.

WHO CAN BE A VICTIM OF SEXUAL VIOLENCE?

A victim is a person or group of persons who have suffered harm or injury as a result of sexual violence; targets will include:

1. Students/Girls in poor schools are more likely to be victims of sexual violence
2. Students/Girls feel particularly vulnerable when they go to the toilets at school, particularly schools with poor infrastructure where toilets are more likely to be far away from classrooms and less likely to have secure doors
3. Poor Students/Girls are more vulnerable to sexual advances by teachers, because teachers have status and money.
4. Families of young girls will sometimes negotiate payment from the teacher who sexually abused the girl, in exchange for not reporting the teacher to the authorities
5. Students/Girls who have bodies that have matured early are often targeted.
6. Students/Girls that mingle with opposite sex at inappropriate times and places
7. Students/Girls that talk immorally or carelessly to the opposite sex
8. Students/Girls that like to show off to the opposite sex or being rude to them.
9. Students/Girls who walk alone
10. Students/Girls who beg for things, who are not contented with what they have can often be lured into illicit arrangements that involve sexual abuse.
11. In conclusion, all Students are at risk according to the sexual preferences of predators/perpetrators, therefore, both boys and girls must always be vigilant.

WHO COULD BE A PERPETRATOR?

A perpetrator(s) is the person(s) who commits the sexual violence or subjects/exposes another to sexual violence. In most cases, it is a person known to the victim in a personal space, such as their home or school. We will not be able to stop this kind of violence in our society altogether but we can help by holding perpetrators of violence to account.

Many perpetrators of sexual violence are in a position of trust or responsible for the person's care, such as a family member, teacher, clergy, person in position of authority in school - principal, head teacher,

proprietor, coach, house masters, older students, younger students, drivers, security men, etc. In school setting, there could also be random victimization.

YOU MUST BE AWARE OF THE FACT THAT SEXUAL VIOLENCE IS A CRIME:

And it includes these acts:

- * For any person to force you to have sex with them
- * For any person to force you to have sex with someone else
- * For any person to force you to touch their body with any part of your body, including your hands and mouth
- * For any person to force you to touch your body in a sexual manner
- * For any person to force you to watch them touch themselves or someone else in a sexual manner.
- * For any person to scratch your palm with their finger
- * For any person to complement you sexually or in an unusual way

RESPONSIBILITIES OF TEACHERS OR ADULTS IN THE SCHOOL

- Teachers must respect the dignity and constitutional rights of Students.
- Teachers must not abuse student physically or psychologically
- Teachers must not have improper physical contact with Students.
- Teachers must promote gender equality.
- Teachers must not sexually harass Students in any way.
- Teachers must take reasonable steps to ensure the safety of Students
- Teachers must not abuse their position of power.
- Teachers must enhance the dignity and status of the teaching profession, and not bring the profession into disrepute.
- Teachers have the responsibility to protect Students from being hurt by each other.

WHAT CAN YOU DO WHEN THERE IS AN INSTANCE OF SEXUAL ABUSE BY A TEACHER, SCHOOL AUTHORITY AND STUDENT?

The more time the processes takes, the more the student will be traumatized by what has happened. Principals can help by reporting to the DESIGNATED AGENCIES and the police as soon as they find out about the sexual violence. Call *6820# or send sms /text to 6820.

They can use the mechanisms described in this Guideline to suspend the teacher for the course of the investigation, and to assist the student to move schools if necessary. Teachers and principals should also speak regularly to Students about their rights over their bodies (such as the right to live free from rape and sexual violence) and the remedies if those rights are violated and ensure that sexual education in their school is given in an open and honest manner.

1. REPORT

The Child's Rights Act defines abuse as 'sexually abusing a child or allowing a child to be sexually abused' and places a duty to report both a sexual assault by a teacher and the rape of a minor. This means that a teacher who knows that a colleague is sexually abusing a student can be held criminally liable for sexual abuse, because their failure to report means that they are implicated in allowing it to happen.

The student must report the offence to the School authority, Law Enforcement Agencies (there is a special unit that takes care of violence against women in the Police Force-Gender Unit) and NGOs like CAPRIGHTS, Office of Public Defense (OPD), Domestic and Sexual Violence Response Team (DSVRT), etc.

The Safeguarding & Child Protection Law passed in January 2017 establishes the National Child Protection Act and enforcement units with Register. These different units including school must keep a record of abuse and pinpoint people who are unsuitable to work with children. The National Policy on Education formulated by the Federal Ministry of Education gives the Federal Education Quality Assurance Service the obligation to create a secure environment for learning.

There should be Guidelines for the Prevention and Management of Sexual Violence and Harassment in Schools, as stipulated in the SAFE GUARDING and CHILD PROTECTION POLICY OF LAGOS STATE MINISTRY OF EDUCATION which requires schools to comply and enforce the guidelines for responding to sexual violence.

RESPONSE WHERE THE SEXUAL VIOLENCE IS:

A. CAUSED BY SCHOOL AUTHORITY:

REPORT TO:

Parent

Respected adult

Police

Agencies – NGOS/Human Rights Organizations like CAPRIGHTS

B. CAUSED BY TEACHER:

TALK TO:

TRUSTED ADULT

SCHOOL AUTHORITY

PARENT

POLICE

AGENCIES – NGOs, Human Right Organizations

C. CAUSED BY FELLOW STUDENT:

TALK TO:

TEACHERS

SCHOOL AUTHORITY

PARENT

RESPONSIBLE ADULT

POLICE

AGENCIES – NGOs, Human Right Organizations

D. CAUSED OUTSIDE THE SCHOOL- HOME, CHURCH, STREET, etc:

TALK TO:

TEACHERS

SCHOOL AUTHORITY

PARENT

RESPONSIBLE ADULT

POLICE

AGENCIES – NGOs, Human Right Organizations

If the violence was perpetrated by a student, the school should set up a committee to investigate and discipline the student. If necessary, they must contact the local police station to report the crime.

If the violence was perpetrated by a teacher, the teacher must also be disciplined by their employer, who is the head of the school. The matter must be investigated, and such teacher should be suspended and reported to the police and relevant agencies. A person who has been abused by a teacher should report to the school principal.

If the principal is the perpetrator of the abuse, or if the principal does not report the abuse to the appropriate units, you or your family should write directly to the police and relevant agencies.

Once an incidence of sexual violence by school authority has been reported to the police, NGOs and Education Quality Assurance Department (OEQA), such a student can change school if it's a private school. This can help sometimes if you are finding it difficult to learn in the place where you were sexually violated. You or your parents should write to the OEQA if it is a public school requesting a transfer and setting out the reasons why you need to change schools.

If the violence is perpetrated outside the school- Homes, religious organizations (Churches & Mosques), Street, etc. the incident should be reported by the victim immediately to a trusted adult around, then also to the police and relevant agencies without covering it up.

2. INVESTIGATION

The school management team should investigate any allegation of sexual violence or harassment. The management team will also manage the disciplinary proceedings.

Sexual Violence is a serious offence that must be investigated internally in the school. It may not require reporting to the Ministry of Education, Education Quality Assurance Department yet but should be reported to the police. This means that three different processes may all start at different times.

When cases are reported by the students, the processes involved in the findings may make it difficult for the student to get justice early enough. This makes it difficult for Students to trust that the system will protect them, and makes it even less likely that Students will report a teacher or student who hurts them.

This can only be properly fixed with better alignment between bodies like NGOs and the criminal justice system; but it helps when Students know their rights, and know the process that should be followed after sexual violence is committed.

The accused teacher can apply for a protection order until investigation is concluded. This may be used for protection against family members, because of the loco parentis relationship between teacher and student which has been found to apply to teachers too.

MEASURES TO BE TAKEN AGAINST PERPETRATORS- TEACHERS, SCHOOL AUTHORITY, STUDENT OR THOSE OUTSIDE SCHOOL

If you have been harassed, sexually assaulted or raped, try to find a reliable person who you can be honest with to help you through the process.

3. IF YOU HAVE BEEN RAPED

A. KEEP THE EVIDENCE

If you have been raped or sexually assaulted, you should try not to change your clothes, bath or shower before you have been to the hospital. Take a change of clothes with you to the hospital if you can. Whatever you do, do not put your clothes into a plastic bag, because the plastic can ruin the evidence. The evidence is very important in prosecuting the person who hurt you, especially when there is no-one who witnessed what happened.

B. GO TO THE HOSPITAL

If you have been physically hurt by sexual violence in any way, you should go to a hospital as soon as you can. A doctor should give you all of the medical care you need to make sure you heal quickly. If you have been raped, you should do everything you can to get to a hospital within 72 hours (three days). If you go within three days, a doctor can give you the morning-after pill to prevent possible pregnancy, antibiotics to prevent possible STIs and anti retro viral treatment for 28 days to prevent contracting HIV (called post-exposure prophylaxis-PEP).

It is also important to have the doctor inspect wounds that have been inflicted on you, for collecting evidence if you decide to file a case against the perpetrator.

The doctor may ask some uncomfortable questions and may need to examine your vagina or anus. You should be honest with the doctor, and the doctor should make you feel comfortable.

The doctor cannot perform any tests or examination on you in any way without your explicit permission.

C. GO TO THE POLICE

Victims feel uncomfortable speaking even to people that they know and trust about sexual violence, and usually feel very uncomfortable reporting cases to the police. Take your trusted person with you to speak to the police if you can. If you would feel more comfortable speaking with a female police officer, you have the right to do so. The police should take you to a separate room so that you can tell them what happened privately, but your person can stay with you while you speak to the police.

You can attend any police station that you choose. The police must open a file and take your statement. Your statement should include everything you remember about the person who abused you, and the events leading up to the abuse. The police will help you to write down your statement, and must read it back to you. You must be completely happy with the contents of your statement before you sign it. If there is something that you are not completely sure about, you can ask the police to remove it or change it. You should ask the police officer assisting you for the following information:

The file number for your case

A copy of the statement you made

The phone number of the police station

The name and phone number of the police officer in charge of investigating your case.

D. GO TO THE COUNSELOR

As earlier mentioned, sexual violence affects different people in different ways. It will often make people unable to concentrate, sleep, or function normally in the ways they used to. Any person who has been sexually violated should try to get counseling. This is sometimes available in schools and relevant agencies.

E. GO TO THE COURT

If the student has opened a criminal case with the police, the police will investigate the case and give all the information to a prosecutor. This can some times take a long time, and the student has the right to call the investigating officer to get updates on their case during the course of the investigation. A child should always give their evidence through an intermediary, in a separate room away from the court. Even if the victim is over 18, the prosecutor can request for an intermediary if the victim is too traumatized to give evidence in court.

3. GETTING A LEGAL FRAMEWORK:-

Policies and Laws that seeks to protect children/young students are:-

1. Convention on the Rights of the Child 1989
2. African Charter on the Rights and Welfare of the Child, 1999
3. Child's Rights Act, 2003
4. Lagos State Child Rights Law, 2007
5. Prevention Against Domestic Violence Law, 2007
6. Criminal Law of Lagos State 2011
7. The Family Court of Lagos State (Civil Procedure) Rules 2012
8. EO/BRF/005OF2014, Lagos State Sex Offenders Monitoring Programme And Mandated Reporting, 2014
9. Safeguarding and Child Protection Policy: Governor's order. December 2016.
10. Violence against Persons Prohibition Act of 2015 and its equivalent version at State levels

F. GET A PROTECTION ORDER

If a student is being harassed or abused by their teacher or another student, they should report to the school authority or a trusted adult. Remember that harassment is when a person persistently makes you feel uncomfortable, when they know (or should know) that they are making you uncomfortable. Sexual harassment is when the attention the person is giving you is of a sexual nature, for example when a person makes jokes about your breasts or bottom.

The Safeguarding and Child Protection Policy gives the school authority and court powers to make orders saying that a person has to stop harassing you. If the person continues to harass you after the order has been made, you must notify the police and they will arrest that person. Sometimes a student will need stronger protection than is offered in the policy. If a student is sexually violated by their teacher, they can apply for a protection order and report to related agencies for help.

APPROACHES TO HELPING VICTIMS OF SEXUAL VIOLENCE

Under this section, the adverb 'she' has been used for convenience. It must be noted that male students can also be victims of violence

1. Encourage your loved ones to express themselves.

Victims of sexual assault are three times more likely to suffer from depression. Psychologist Dana C. Jack calls depression “the silencing of the self.” Consider finding a counselor who integrates expressive arts therapies (such as art, music or dance therapy). Creative expression helps teens connect with and process the truth of their experience.

2. Help her explore thoughtful practices.

A thoughtful practice quiets the mind in order to cultivate a personal capacity for deep concentration and insight. Examples include meditation and prayer. This is particularly helpful in healing dissociation, a way that trauma victims disconnect from their experience in order to survive. If your loved one has been abused by a religious figure or someone affiliated with your spiritual community, don't push religion as a source of healing. Give her space to discover her own spiritual path.

3. Visit the website for Rape, Abuse, and Incest National Network(RAINN)

Through this site you can learn more about sexual assault. You can go to read more about rape victims and how they are supported and helped. You need to know that you are not alone. Hearing the stories of other survivors helps to heal self-blame and shame.

4. Engage her in discussions about the media.

Help her dismantle messages that reinforce sexual objectification. Verbal abuse expert, Patricia Evans, says that verbal abuse occurs when someone “tells lies about who you are.” Mainstream media constantly tells lies about who girls are. Girls need to learn to differentiate between sexuality and sexualization.

5. Talk about healthy relationships.

Surviving sexual assault is a difficult process. Be pro-active in discussing the difference between an abusive and a respectful relationship. Model this in your own life and refer her to www.loveisrespect.org as well as the sex-positive teen site Scarleteen.com.

6. Honour her boundaries.

Ask for permission before touching or hugging the survivor. It is important that she feels in control of her body at all times. You can discuss safety planning, but make sure that you do not take away her freedoms out of your own fear.

7. Never blame the survivor/victim.
Remind her that it is not her fault. She did whatever she needed to in order to survive. Ultimately, the greatest gift you can give is to be a patient, empathetic listener.
8. React to Their Reactions
As we're learning, reactions to sexual assault are varying and complex, and one of the most subtly supportive ways to help a survivor of sexual assault is to understand that fact. How do you put that into practice? By reacting to their own reactions, rather than what you assume about how they're feeling.
9. Put Them at Ease
If you're going to discuss anything with a survivor that might touch on their assault, it's a kind and supportive idea to make their environment as comfortable and soothing as possible, and warn them ahead of time. Don't just spring it on them because you assume they're in a mental state where they might like to talk about, and avoid discussing it in public places unless they do.
10. Correct Others' Misconceptions When You Hear Them
Being a sexual assault survivor in public can be an extremely upsetting, traumatic experience. Also, horrific misconceptions about sexual assault and "blame" are widespread, and it can be infuriating at best to deal with them.
11. Choose Your Phrases
Language is important. The particular ways in which you address a survivor and what happened to them can be crucially significant for indicating how you're supporting them in this situation. Use phrases like "I'm so sorry" and "you are not alone," and stay well away from anything that might indicate judgement of them: "why did you XYZ," "why couldn't you have XYZ", and anything that might cause sensations of shame or blame is off the table.

TIPS FOR TALKING WITH SURVIVORS OF SEXUAL ASSAULT

It's not always easy to know what to say when someone tells you they've been sexually assaulted, especially if they are a friend or family member. For a survivor, disclosing to someone they care about can be very difficult, so we encourage you to be as supportive and non-judgmental as possible.

Sometimes support means providing resources, such as how to reach the Legal Counsels, Agencies, seek medical attention, or report the crime to the police. But, often, listening is the best way to support a survivor.

Here are some specific phrases recommended to be supportive through a survivor's healing process.

“I believe you. / It took a lot of courage to tell me about this.”

It can be extremely difficult for survivors to come forward and share their story. They may feel ashamed, concerned that they won't be believed, or worried they'll be blamed. Leave any “why” questions or investigations to the experts—your job is to support this person. Be careful not to interpret calmness as a sign that the event did not occur—everyone responds to traumatic events differently. The best thing you can do is to believe them.

“It's not your fault. / You didn't do anything to deserve this.”

Survivors may blame themselves, especially if they know the perpetrator personally. Remind the survivor, maybe even more than once, that they are not to blame.

“You are not alone. / I care about you and am here to listen or help in any way I can.” Let the survivor know that you are there for them and willing to listen to their story if they are comfortable sharing it. Assess if there are people in their life they feel comfortable going to, and remind them that there are service providers who will be able to support them as they heal from the experience.

“I'm sorry this happened. / This shouldn't have happened to you.”

Acknowledge that the experience has affected their life. Phrases like “This must be really tough for you,” and, “I'm so glad you are sharing this with me,” help to communicate empathy.

CONTINUED SUPPORT

There's no timetable when it comes to recovering from sexual violence. If someone trusted you enough to disclose the experience to you, consider the following ways to show your continued support.

Avoid judgment. It can be difficult to watch a survivor struggle with the effects of sexual assault for an extended period of time. Avoid phrases that suggest they're taking too long to recover such as, “You've been acting like this for a while now,” or “How much longer will you feel this way?”

Check in periodically. The event may have happened a long time ago, but that doesn't mean the pain is gone. Check in with the survivor to remind them you still care about their well-being and believe their story.

Know your resources. You're a strong supporter, but that doesn't mean you're equipped to manage someone else's health. Become familiar with resources you can recommend to a survivor.

It's often helpful to contact your local sexual assault service provider for advice on medical care and laws surrounding sexual assault. If the survivor seeks medical attention or plans to report, offer to be there. Your presence can offer the support they need.

- * If someone you care about is considering suicide, learn the warning signs, and offer help and support.
- * Encourage them to practice good self-care during this difficult time.
- * If you or someone you know has been affected by sexual violence, it's not your fault. You are not alone.

CONCLUSION

Be gentle with yourself and your teen during this time of recovery. Self-care is essential for both of you. Do not hesitate to reach out to a counselor or rape crisis center for support as you process what has happened. Sexual violence is devastating, but there is hope for those who choose a healing path.

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