



STANDARD OPERATING PROCEDURES (SOP)

for Handling and Investigation of Cases of Sexual Gender Based
Violence by the Zimbabwe Gender Commission



Spotlight
Initiative



Zimbabwe
Gender
Commission



Compiled by WLSA on
behalf of ZGC



Women and Law in Southern Africa
Research and Education Trust

Contents

Foreword	6
Acknowledgements	6
List of Acronyms	7
Definition of Terms	8
1. Purpose of the Standard Operating Procedures	9
2. Constitutional Mandate of the ZGC	9
3. Scope of the Standard Operating Procedures	11
4. Guiding principles for handling and investigating cases with reference to rights of victims and alleged perpetrators	11
5. Complainants and witnesses with special needs	14
6. Emergency Cases	14
7. Procedure	14
7.1 Intake & Registration of case report	14
7.2 Investigating Officer's initial contact with the complainant	16
7.2.1 Complaints lodged in person	16
7.2.2 Complaints lodged in writing	16
7.3. Publication of notice in the Government gazette and in the local press	17
7.3.1 GBV deemed to amount to Systemic barrier to gender equality (section 5 of the ZGC Act)	17
7.3.2 GBV which is not deemed a systemic barrier to gender equality	17
7.4 Engagement with the media	17
7.5 Investigation	17
7.5.1 Process for investigations without a complaint	18
7.6 Case investigation review	18
7.7 Referral to police for criminal investigation and prosecution	18
7.8 Case closure	19
8. Witness Protection	19
8.1 Measures for witnesses protection	19
8.2 Factors to be considered in deciding whether or not to protect a witness	20
8.3 ZGC to give parties opportunity to make representations	20
8.4 ZGC may rescind measure taken to protect a witness	20
8.5 Persons who may be appointed as intermediaries or support persons	20
8.6 Functions of intermediary or support person	21
8.7 Weight to be given to evidence of witness for whom intermediary or support person appointed	21
9. Measures to safeguard confidentiality	21
9.1 Non-disclosure of the identity of survivors and informants	21
9.2 Custody of confidential documents	22
10. Training	22
11. Disclaimer	22
12. Annexes:	22
Annex 1: Acts of GBV	22
Annex 3: Directory of service providers	25

Foreword

It is my pleasure to present to you the Standard Operating Procedures (SOPs) for the investigation of complaints of Sexual Gender Based Violence. The product is a culmination of deliberate efforts to give effect to our mandate as provided for by the Constitution of Zimbabwe amendment (No. 20) 2013 and the Zimbabwe Gender Commission Act Chapter (10:31) and guided by various international Normative Frameworks. Zimbabwe is part to the Convention on the Elimination of all forms of Discrimination against Women and the protocol to the African Charter on Human and People's Rights on Rights of Women in Africa. The above categorically state that violence against women is a violation of women's rights and constitute structural violence which is embedded in structures of society whose deep roots can be traced to acute gender inequalities.

The Constitution affords the Commission a wide mandate to investigate possible violations of rights relating to gender and to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate . The Act further provides for sector wide investigations in reaction to perceived systemic barriers prejudicial to Gender Equality, Gender Equity, and Gender Mainstreaming. Sexual Gender Based Violence in all its facets constitute a systemic barrier to the realisation of gender equality which is a key objective of our new Constitutional order.

The purpose of these Standard Operating Procedures is to provide the Zimbabwe Gender Commission with a clear systematic procedure to be followed in undertaking its investigative and complaints handling function as provided for in Section 245 (b) and (c) of the Constitution and Part III of the Zimbabwe Gender Commission Act. They are meant to provide a procedural framework within which the Commission can effectively carry out this mandate in a manner that protects the rights and dignity of potential survivors of GBV.

Central to achieve the aforementioned is our strong belief and emphasis on survivor centred approaches and the 'do no further harm' principle.

We would like to thank all stakeholders and individuals who contributed to the development of these SOPs. We are particularly grateful to UNWOMEN and Women and Law in Southern Africa (WLSA) for providing financial and technical support towards the development of the Standard Operating Procedures.

Margret Mukahanana-Sangarwe:
Chairperson Zimbabwe Gender Commission

Acknowledgements

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List of Acronyms

EC	Emergency contraception
GBV	Gender based violence
IPV	Intimate Partner Violence
PEP	post exposure prophylaxis (against HIV infection)
SGBV	Sexual gender based violence
STI	Sexually transmitted infection
VFU	Victim Friendly Unit
ZGC	Zimbabwe Gender Commission
ZRP	Zimbabwe Republic Police

Definition of Terms

Child	Any person below the age of 18
Gender based violence	Gender The social differences between males and females that are learned. Though deeply rooted in every culture, social differences are changeable over time, and have wide variations both within and between cultures. “Gender” determines the roles, responsibilities, opportunities, privileges, expectations, and limitations for males and for females in any culture.
Intermediary	A person assigned by the ZGC to assist a witness.
Intimate partner violence	<p>Pattern of abusive behaviour in an intimate relationship, including marriage that is used by one person to gain or maintain power and control over the other person. It often involves several different types of violence, including ongoing emotional/psychological violence, physical and sexual abuse.</p> <p>Intimate partner violence includes domestic violence. Acts of domestic violence are described in section 3 of the Domestic Violence Act [Chapter 5:16]</p>
Perpetrator	The person who is alleged to have carried out the acts of GBV.
Stakeholder	An individual or group that has an interest in any decision or activity of the ZGC.
Traditional leader	A Chief, Headman, village head or other person that is recognised by the community as a leader.
Victim / Survivor	The person who has suffered acts of GBV.
Witness	A person who gives evidence to the Commission in the course of its investigations, including a complainant.

List of Acronyms

1. Purpose of the Standard Operating Procedures

The purpose of the Standard Operating Procedures (SOPs) is to provide the Zimbabwe Gender Commission with a clear systematic procedure to be followed in undertaking its investigative and complaints handling function as provided for in Section 245 (b) and (c) of the Constitution and Part III of the Act. These SOPs focus on the investigative mandate of the ZGC provided for in paragraphs (b) and (c) of section 46. They are meant to provide a procedural framework within which the Commission can effectively carry out this mandate in a manner that protects the rights and dignity of potential survivors of GBV, while at the same time adhering to the principles of due process and administrative justice provided for in the Constitution. The SOPs are based on a survivor-centered approach that places the needs of the survivor at the center of any reporting and investigation mechanism and focuses on the short-term and long-term best interest of the survivor.

The SOPs are also cognizant of the need to protect the rights of alleged perpetrators and witnesses in the handling of cases of GBV. These rights are protected in the Constitution and in key international Human rights instruments that Zimbabwe is party to.

2. Constitutional Mandate of the ZGC

The Zimbabwe Gender Commission is one of the independent commissions supporting democracy set up under Chapter 12 of the Constitution. The functions of the gender commission as spelt out in section 246 of the Constitution are:

to monitor issues concerning gender equality to ensure gender equality as provided in this Constitution;

- (a) to investigate possible violations of rights relating to gender;
- (b) to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;
- (c) to conduct research into issues relating to gender and social justice, and to recommend changes to laws and practices which lead to discrimination based on gender;

- (d) to advise public and private institutions on steps to be taken to ensure gender equality;
- (e) to recommend affirmative action programmes to achieve gender equality;
- (f) to recommend prosecution for criminal violations of rights relating to gender;
- (g) to secure appropriate redress where rights relating to gender have been violated; and
- (h) to do everything necessary to promote gender equality.

Section 246 (1) (a) provides that the ZGC has the power to monitor issues concerning gender equality **to ensure gender equality as provided in this Constitution**. Key provisions of the Constitution on gender related rights which guide the work of the ZGC include the following:

Section of the Constitution	Provision	Possible violations involving GBV
48	Right to life	GBV leading to loss of life
51	Right to human dignity	IPV violence GBV in public places Sexual harassment Witch hunts that target women Harmful cultural practices Negative social norms
52	Right to personal security	IPV Sexual harassment GBV in public places Ritual practices that target men women boys and girls
53	Freedom from torture or cruel, inhuman or degrading treatment or punishment.	IPV Torture and ill treatment by agents of government and law enforcement Interrogation techniques that involve Withholding medical treatment Withholding sanitary services Threats directed at family members and loved ones

Section of the Constitution	Provision	Possible violations involving GBV
54	Freedom from slavery and servitude	forced prostitution Human trafficking
55	Freedom from forced or compulsory labour	Ill-treatment of domestic employees
56	Equality and non-discrimination	Discriminatory practices on gender related grounds leading to GBV
57	Right to privacy	Revenge pornography Stalking

3. Scope of the Standard Operating Procedures

These SOPs apply to complaints and reports received by the Zimbabwe Gender Commission (ZGC) from the public through walk in complainants, social media platforms, telephone, registered/ couriered/ ordinary mail, emails, facsimile, the Commission's online reporting form and through any other form that facilitates easy lodgement of complaints and reports with the Commission.

The complaints to which these SOPs apply are limited to gender related violations that are enshrined in the Constitution as well as international and regional treaties to which Zimbabwe is a party to. The ZGC has a duty to raise public awareness on its mandate to handle and investigate cases of gender-based violence so that survivors can utilize its services.

4. Guiding principles for handling and investigating cases with reference to rights of victims and alleged perpetrators

While investigating, seeking for information, collecting evidence, documenting or referring cases the principles below should be observed. All of the principles presented below should also be applied to children, including their right to participate in decisions that will affect them. The United Nations Convention for the Rights of the Child (UNCRC) highlights four principles of non-discrimination, best interests of the child, right to life, survival, and development and child participation.

Safety and Security	Ensure the safety of complainants and alleged perpetrators at all times. The complainants or alleged perpetrators may be frightened, and need assurance that they are safe. Ensure that the complainant is not placed at risk of further harm by the alleged perpetrator. If necessary, ask for assistance from the police or others who can provide security.
Do No Harm	The actions to investigate or handle a complaint or report must not further increase safety risks for the complainant. Complainants must be protected from re-victimisation e.g. the manner in which they are made to provide evidence should be considerate of their traumatic experiences.
Confidentiality	Respect the confidentiality of the complainant at all times. All interviews with complainants should be conducted in a private room. Investigators should never disclose information about the complainant to outsiders such as friends, family members, neighbours, etc. If the complainant gives their informed consent, only relevant information can be shared with others for the purpose of helping the complainant, such as referring for services. Investigators should keep all records on complaints/cases confidential in a secure area, ideally a locked cabinet.
Informed Consent	The investigating officer must receive informed consent from the complainant, or legal guardian if working with a minor, prior to any response service. If the complainant cannot read and write an informed consent statement will be read out to them and a verbal consent will be obtained. The complainant should have the option to provide limited consent where they can choose which information is released and which is kept confidential. The objective of informed consent is that the complainant understands what s/he is consenting and agreeing to. Children must be consulted and given all the information needed to make an informed decision using child-friendly techniques that encourage them to express themselves. Their ability to provide consent on the use of the information and the credibility of the information will depend on their age, maturity and ability to express themselves freely. While sharing information about a case with other agencies or service providers obtain the consent of the complainant and follow procedures that protect the confidentiality of the complainant.

Non-discrimination and impartiality	Ensure non-discrimination and impartiality in all interactions with all complainants and alleged perpetrators. All complainants and alleged perpetrators must be handled and treated without discrimination based on age, sex, religion, disability, clan, ethnicity, wealth, language, nationality, status, political opinion, culture, etc.
Information	All complainants and alleged perpetrators have the right to honest and complete information about the investigations. Make sure information is given to children in a manner they understand and is child friendly.
Privacy and survivor's comfort	All interviews with complainants or alleged perpetrators should be held in private settings to ensure it does not threaten their safety. Avoid requiring complainants to repeat their report or complaint in multiple interviews. Only ask complainants or alleged perpetrators relevant questions. Be empathetic. Do not show any disrespect for the individual or their culture or family or situation.
Best interest of the child	In all cases concerning a child, the best interest of the child should be the primary consideration. This means that when a course of action affecting a child is taken, that course of action should reflect what is best for that child. A child should be listened to and believed in, and their concerns should be taken seriously. If a decision is taken on behalf of the child, the best interests of the child shall be the overriding guide and the appropriate procedures should be followed. Apply all the guiding principles related to children, including their right to participate (commensurate with their ages) in decisions that will affect them such as referrals and the services they can access.
Child participation	Children should be assured of the right to express their views freely and their views should be given "due weight" in accordance with the child's age and level of maturity.
Right to life, survival, and development	Each child has a fundamental right to life, survival, and development to the maximum extent possible.
Maintaining professional boundaries	Investigating Officers should act with integrity by not abusing the power or the trust of the complainant or the vulnerability of the alleged perpetrator.

5. Complainants and witnesses with special needs

The Commission may get complainants with special needs including children, the elderly and persons with disabilities. The Commission must therefore put in place an enabling environment for complainants with special needs to access services in a manner sensitive to their special needs. The Commission's premises must be easily accessible to complainants with physical disabilities and use wheelchairs. Complainants with hearing and speech impairments must be attended to by qualified staff proficient in sign language. In instances where the Commission does not have the requisite capacity to attend to complainants with other special needs such as child survivors of sexual abuse it should refer accordingly to specialist service providers.

In determining the needs of complainants with special needs in any particular case, the ZGC may consult relevant stakeholders including the associations that represent the interests of people with disabilities, psychologists and healthcare practitioners.

6. Emergency Cases

Survivors of rape and other forms of sexual assault require emergency medical treatment including Post Exposure Prophylaxis (PEP), Emergency Contraception (EC) and preventive Sexually Transmitted Infections (STIs) treatment. These services have the best chance of effectiveness if administered within 72 hours of the incidence.

In any case involving a complaint of rape or sexual assault which has taken place within a period of 90 days before lodging the complaint, the investigation officer must treat the case as an emergency and immediately refer the complainant to the nearest healthcare service provider for treatment.

In some cases complainants may advise the investigation officer or the investigation officer may make an assessment that the complainant are at risk of further violence from the alleged perpetrator or feel that their lives are at risk for lodging a report with the ZGC. In such cases it is necessary for the investigation officer to refer the complainant to partner organisations that provide emergency shelter facilities for survivors of GBV.

7. Procedure

7.1 Intake & Registration of case report

All reports and complaints received shall be logged in by the Officer receiving the complaint or report and be allocated a case tracking number. Where a report or complaint is received verbally or through telephone, the Officer receiving such a report or complaint

shall reduce it to writing. Thereafter the report or complaint shall be directed to the legal manager who shall, either in person or through a delegated official immediately assign the report or complaint to an Investigating Officer for further processing.

The investigation Officer allocated the case undertakes a preliminary assessment in respect of the complaint or report received by the Commission. During the preliminary assessment the Investigation Officer categorises the nature of GBV presented in the complaint and assesses whether the Commission has jurisdiction to investigate the case. They proceed to compile a case summary that they submit to the Legal Investigations Manager for consideration. In the case summary the Investigation Officer may do any of the following:

- Recommend to the Commission a rejection of the report or complaint stating the reasons for the rejection and the advice that should be given to the complainant if any. Where an Investigating Officer makes a recommendation to the Commission for the rejection of a report or complaint, the Commission may: Adopt the recommendation of the Investigating Officer; or Reject the recommendation of the Investigating Officer and order the Investigating Officer to undertake further investigations on the report or complaint.

Where a complainant is aggrieved by the decision of the Commission to reject the report or complaint at the preliminary investigation stage, he or she may take the decision on review to the High Court

- Recommend to the Commission that the report or complaint be referred to another Commission, body or institution established in terms of the Constitution or an Act of Parliament, a governmental or quasi-governmental institution, a private sector institution, a non-governmental organisation, an academic institution or any other institution that in his or her opinion is better placed to deal with the matter. The ZGC can at any stage if deemed necessary refer complainants to other specialist institutions or agencies to access other services that they may need e.g. psycho social support. The ZGC should have Memoranda of Understanding (MOUs) with the institutions and organisations that it will refer complaints to, to ensure that complainants are provided with the services that they need and for the ZGC to track and follow up on the referrals.
- Recommend acceptance of the report or complaint for further investigations

7.2 Investigating Officer's initial contact with the complainant

7.2.1 Complaints lodged in person

Where a complainant lodges a complaint personally by presenting herself or himself to the Commission at its offices, the Legal Manager shall assign the case to a competent officer. All complainants should be afforded an opportunity to make a choice on the gender of the investigation officer that they are comfortable with. As far as possible the choice of the complainant should be respected and where it is not feasible it should be clearly explained to them and accompanied by possible alternatives for the complainant to consider.

The officer seized with the case shall forthwith interview the survivor and take notes. In the event that it is not possible to conduct the interview forthwith, the interview may be held at a later day agreed upon with the survivor.

Interviews should be held in private. The survivor may be accompanied by another person of her or his choice.

The investigation officer shall request the survivor to complete a report using form **ZG A**.

7.2.2 Complaints lodged in writing

The allocated Investigating Officer shall contact the complainant immediately and in any case, within 2 days and acknowledge receipt of the complaint or report

In every case, the Investigating Officer shall, where this is not provided at the initial reporting or complaint lodging stage request the complainant to provide further details of the case in writing by completing form **ZG A**.

Where the complainant is unable to read or write, a third party, trusted by the complainant may complete form **ZG A** on behalf of the complainant

Where no other person is able to complete form **ZG A** on behalf of the complainant, the Investigating Officer shall complete the form, read the contents to the complainant and thereafter request the complainant to sign the form.

If the complainant is unable to sign, he or she shall submit his or her fingerprint or other mark to the Investigating Officer. Where the submission of a fingerprint or other mark is not possible, the Investigating Officer shall attach to form **ZG A**, a sworn statement (affidavit) confirming that the contents were read to the complainant, who understood the contents and agreed that the information supplied is correct.

7.3. Publication of notice in the Government gazette and in the local press

7.3.1 GBV deemed to amount to Systemic barrier to gender equality (section 5 of the ZGC Act)

If it appears to the Commission that the complaints of GBV it has received may be part of a wider problem affecting a particular, institution, organisation or sector of society, and the commission has resolved to carry out investigations in that institution, organisation or sector of society, then the commission shall, in terms of section 5 of the ZGC Act, publish a notice in the gazette and in any one or more national newspapers informing the public that, no earlier than fourteen days or later than thirty days after the publication of the notice in the Gazette, it intends to investigate possible cases of GBV affecting that particular institution, organisation or sector of society and calling upon members of the public to come forward with information that might help the commission in its investigations.

7.3.2 GBV which is not deemed a systemic barrier to gender equality

If the Commission has resolved to investigate any matter involving GBV which is not deemed to amount to a systemic barrier to gender equality, the Commission may if it deems necessary, initiate the investigation by a publication in the gazette and in the national press, but the publication should not cite section 5 of the Act.

7.4 Engagement with the media

If the Commission deems it necessary to engage with the media on any of the cases that it is investigating or has investigated, then all communication with the media shall be done through the Chairperson of the Commission or the Chief Executive Officer or any other officer specifically designated for that task.

All written communication with the media including press statements and advertisements must be approved by the Chairperson of the Commission or the Chief Executive Officer

7.5 Investigation

Where the ZGC has resolved to carry out an investigation into a complaint of GBV, whether or not the GBV amounts to a systematic barrier against gender equality, the provisions of section 6 of the Gender Commission Act shall apply mutatis mutandis.

The Commission may during the course of its investigations call upon the assistance of an external expert or consultant, provided that the external expert or consultant shall not vote on any question before the Commission and deposes an affidavit of confidentiality.

The ZGC may also conduct fact finding missions triggered by stakeholders including government ministries or civil society organisations. The aim of fact finding missions is to look for baseline information through participatory research into harmful practices. During fact finding missions the Commission should take steps to engage community members both women and men, people with special needs e.g. children, the elderly and people with disabilities as well as religious, traditional and political leaders.

7.5.1 Process for investigations without a complaint

The Commission may initiate an investigation on its own accord and without receiving a report or complaint from any person. An investigation by the Commission on its own accord may be initiated in any of the following situations:

- If there are media reports indicating or suggesting the existence of a practice, custom, law or other impediment amounting to or giving rise to GBV.
- If in their interactions with communities or segments of society, Commissioners or staff of the Commission receive reports or suggestions of the existence of a practice, custom, law or other impediment amounting to giving rise to GBV.
- If aggregation of the reports or complaints received by the Commission indicate or suggest the existence of a systemic barrier prejudicial to gender equality, gender equity or gender mainstreaming involving GBV.

7.6 Case investigation review

In instances where a complainant becomes unresponsive before completion of investigations and the Commission needs clarification on whether they should close the file or continue; the Commission will write to the complainant providing them with a 2 week notice period to respond and clarify whether they still want the investigations to continue or be discontinued. Any communication to complainants regarding the case should be done by the CEO or by the Chairperson of the Commission.

7.7 Referral to police for criminal investigation and prosecution

If at the conclusion of its investigations the Commission finds that any person was responsible for perpetrating acts of GBV against any adult person, amounting to a criminal offence, the Commission may, with the consent of the survivor, refer the matter to the police using form **ZGB**.

If at any stage during its investigations, the commission reasonably suspects that any person was responsible for perpetrating acts of GBV against any child, the Commission shall refer the matter to the police and shall inform the Department of Social Services of the referral

7.8 Case closure

Any case under investigation by the ZGC shall be deemed closed upon publication of the report of the investigation by the ZGC. In some instances a case shall be deemed closed before the publication of the report of the investigation if a complainant withdraws the case in writing or the conduct of the complainant leads the ZGC to reasonably conclude that the complainant is no longer interested in pursuing the case. The ZGC is encouraged to compile reports detailing the reasons for withdrawal of cases for analysis and filing. Cases may also be closed if parties reach an amicable resolution and there is no need for investigations to continue. After the closure of any investigation into any case involving GBV in any institution or organisation, the ZGC may require the head of the institution or organisation to submit periodic reports on implementation of any recommendations made by the ZGC.

At the closure of each investigation, the Commission submits a report to Parliament and a comprehensive report to the Minister of Women Affairs, Community Development, Small and Medium Enterprises Development. The report to the latter must narrate the process of the investigation, the findings of the investigation and recommendations for policy review if any. The Commission may resolve that the report shall be confidential.

8. Witness Protection

(This section is adopted from Part XIV of the Criminal Procedure and Evidence Act [CAP 09:07])

8.1 Measures for witnesses protection

If it appears to the ZGC in any investigations involving GBV that a person who is giving or will give evidence in the proceedings is likely—

- (a) to suffer substantial emotional stress from giving evidence or
- (b) to be intimidated, whether by the alleged perpetrator or any other person or by the nature of the proceedings or by the place where they are being conducted, so as not to be able to give evidence fully and truthfully; the ZGC may, subject to this Part, do any one or more of the following, either mero motu or on the request of a party to the proceedings—
 - (i) appoint an intermediary for the person;
 - (ii) appoint a support person for the person;
 - (iii) direct that the person shall give evidence in a position or place, whether in or out of the alleged perpetrator's presence, that the ZGC considers will reduce

the likelihood of the person suffering stress or being intimidated:

Provided that, where the person is to give evidence out of the alleged perpetrator's presence, the ZGC shall ensure that the alleged perpetrator and his legal representative are able to see and hear the person giving evidence, whether through a screen or by means of closed-circuit television or by some other appropriate means; (iv) adjourn the proceedings to some other place, where the ZGC considers the person will be less likely to be subjected to stress or intimidation;

8.2 Factors to be considered in deciding whether or not to protect a witness

- (1) When deciding whether or not to take any measure under this Part, the ZGC shall pay due regard to the following considerations—
 - (a) the witness's age, mental and physical condition and cultural background; and
 - (b) the relationship, if any, between the witness and any other party to the proceedings; and
 - (c) the nature of the proceedings; and
 - (d) the feasibility of taking the measure concerned; and (e) any views expressed by the parties to the proceedings; and (f) the interests of justice.
- (2) To assist the ZGC in deciding whether or not to take any measures under this part, the ZGC may interview the witness concerned out of the sight and hearing of the parties to the proceedings:

Provided that at such an interview the merits of the case shall not be canvassed or discussed.

8.3 ZGC to give parties opportunity to make representations

Before taking a measure under this part, the ZGC shall afford the parties to the proceedings an opportunity to make representations in the matter.

8.4 ZGC may rescind measure taken to protect a witness

Without derogation from any other law, ZGC may at any time rescind a measure taken by it under this section, and shall do so if the ZGC is satisfied that it is in the interests of justice to do so.

8.5 Persons who may be appointed as intermediaries or support persons

- (1) Except in special circumstances, which the ZGC shall record, ZGC shall not appoint a person as an intermediary unless that person—
 - (a) is or has been employed by the State as an interpreter in criminal cases; and (b) has undergone such training in the functions of an intermediary as the Minister of Justice legal and Parliamentary Affairs has approved.

(2) In appointing a support person for a witness, the ZGC shall select a parent, guardian or other relative of the witness, or any other person who the ZGC considers may provide the witness with moral support whilst the witness gives evidence.

8.6 Functions of intermediary or support person

(1) Where an intermediary has been appointed for a witness, no party to the investigations concerned shall put any question to that witness except through the intermediary:

Provided that the ZGC may put any question to the witness directly or through the intermediary.

(2) Subject to any directions given by the ZGC, an intermediary—

(a) shall be obliged to convey to the witness concerned only the substance and effect of any question put to the witness;

(b) may relay to the ZGC the witness's answer to any question put to the witness:

Provided that when doing so the intermediary shall, so far as possible, repeat to the ZGC the witness's precise words.

(3) Where a support person has been appointed for a witness, the support person shall be entitled to sit or stand near the witness whilst the witness is giving evidence in order to provide moral support for the witness, and shall perform such other functions for that purpose as the ZGC may direct.

8.7 Weight to be given to evidence of witness for whom intermediary or support person appointed

When determining what weight, if any, should be given to the evidence of a witness for whom an intermediary or a support person has been appointed, the ZGC shall pay due regard to the effect of the appointment on the witness's evidence and on any cross-examination of the witness.

9. Measures to safeguard confidentiality

In the course of investigating cases involving GBV, the ZGC shall take the following measures to safeguard the confidentiality of its information:

9.1 Non-disclosure of the identity of survivors and informants

The ZGC shall not disclose the names and other identity particulars any survivors or other informant who requests non-disclosure of this information.

Where the names and identity particulars of a survivor or informant is withheld, any report or other document or communication generated by the ZGC shall refer to the survivor or informant by pseudonym.

9.2 Custody of confidential documents

If the ZGC deems that any document that has come into its custody should be kept confidential in the interest of safe guarding the safety, confidentiality or dignity of any person, the ZGC may, by resolution, classify that document as confidential. All documents that have been classified as confidential shall be stored securely under lock and key, with a clearly defined chain of custody

10. Training

The Commission shall make all effort to transform itself into a survivor centred institution by ensuring that all its members and employees undergo mandatory training and other forms of capacity building to keep them up to date with the latest developments of best practices in dealing with victims and survivors of GBV.

Investigations officers and Commissioners in the Legal and Investigations Committee must undergo mandatory training in victim friendly approaches to investigations, which should include psycho-social support and appropriate modes of communication in order to prevent secondary traumatisation.

11. Disclaimer

These SOPs serve as a guide and the Zimbabwe Gender Commission can deviate from the SOPs if the circumstances of a case so demand.

12. Annexes:

Annex 1: Acts of GBV

Gender based violence (GBV) is defined as violence that is directed at an individual based on his or her biological sex or gender identity. It includes physical, sexual, verbal, emotional, and psychological abuse, threats, coercion, and economic or educational deprivation, whether occurring in public or private life.

Violence against women and Girls (VAWG)

Global statistics show that women and girls all over the world are disproportionately affected by GBV than men. The United Nations defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

This is due to institutional and structural discrimination against women and girls. Different forms of violence are not mutually exclusive and multiple incidences of violence

can be happening at once and reinforcing each other. Inequalities experienced by a person related to their race, disability, age, social class, religion, sexuality can also drive acts of violence. This means that while women face violence and discrimination based on gender, some women experience multiple and interlocking forms of violence.

This appendix seeks to provide some definitions of types of violence which the ZGC may be called upon to investigate

Sexual harassment

Unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

Physical conduct

Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching

- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favours

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Technology facilitated GBV

An action by one or more people that harms others based on their sexual or gender identity or by enforcing harmful gender norms. This action is carried out using the internet and or mobile technology and includes, stalking, bullying sexual harassment defamation hate speech and exploitation.

Economic GBV

Any act or behaviour which causes economic harm to an individual. Economic violence can take the form of for example property damage, restricting access to financial resources, education or labour market or not complying with economic responsibility such as court orders on spousal and child maintenance.

Sexual abuse

Any sexual act performed on an individual without their consent. Sexual violence can take the form of rape sexual assault indecent assault and unwanted touching. Non-consensual exposure to pornographic material.

Intimate partner violence also known as domestic violence

Behaviour by an intimate partner or ex-partner that causes physical, sexual or psychological harm, including physical aggression, sexual coercion, psychological abuse and controlling behaviours.

Acts of domestic violence are set out in section 3 of the Domestic Violence Act

Annex 2: Directory of service providers

Organisation	Services Offered	Contact Details
ZRP Victim Friendly Unit	Victim friendly services to survivors: reporting and compilation of dockets	Harare Central Police Station
Ministry of Health & Child Care	Medical services to survivors of GBV	One stop centres
Ministry of Women Affairs, Community Development, Small and Medium Enterprises Development	Counselling and management of the Domestic Violence Act	District offices
Department of Social Services	Child protection and welfare services to child survivors of GBV	Makombe Building
Women and Law in Southern Africa (WLSA)	Legal assistance to women	16 Lawson Avenue, Milton Park, Harare
Zimbabwe Women Lawyers Association	Legal assistance to women Emergency Relief Fund	17 Fife Avenue
Justice for Children	Children's legal assistance	66 Blakeway Drive, Belvedere,
Childline	Counselling and psychosocial support for child survivors of GBV and sexual abuse	31 Frank Johnson Avenue, Eastlea, Harare.
Family Support Trust	Medical services and counselling support for child survivors of sexual abuse.	Child Rehabilitation Clinic, First Floor, Harare Central Hospital
Adult Rape Clinic	Medical services and counselling support for adult survivors of sexual assault and rape.	Parirenyatwa Hospital
Leonard Cheshire Disability Zimbabwe Trust	Services for survivors of GBV with disabilities	188 Westwood Drive, Kambuzuma
Musasa Project	Counselling services and emergency shelter for female survivors of GBV	4 Selous Avenue and 7 th Street
Padare/Enkundleni Men's Forum	Support to male survivors of GBV	6 Winchester Road, Belvedere
Rozaria Memorial Trust	Women & girls empowerment, counselling & entrepreneurship	Stand 164 Murewa

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