

NATIONAL UNIVERSITY OF SINGAPORE

REGULATION 10A

DISCIPLINE WITH RESPECT TO STUDENTS FOR SEXUAL MISCONDUCT OFFENCES

(A) APPLICATION TO SEXUAL MISCONDUCT OFFENCES

1. These Regulations 10A shall apply to offences involving sexual misconduct (“Sexual Misconduct Offences”).
2. Sexual Misconduct Offences refer to any acts of a sexual nature committed against a victim through force, intimidation, manipulation, coercion or without the victim’s consent. Sexual Misconduct Offences include, but are not limited to the following examples:
 - (a) voyeurism;
 - (b) taking up skirt photographs or videos;
 - (c) indecent exposure;
 - (d) disseminating sexual/intimate information about another individual;
 - (e) verbal or physical contact of a sexual nature;
 - (f) making unwanted sexual advances or requests for sexual favours;
 - (g) sexually-related verbal or physical abuse;
 - (h) sexual assault;
 - (i) rape;
 - (j) intentionally inducing incapacitation in another individual with the objective of engaging in sexual conduct with that individual (regardless of whether such sexual conduct eventually transpires); and
 - (k) involvement with any form of prostitution.
3. These Regulations are intended to add to and supplement Regulation 10, and shall be read together with Regulation 10. In the event of any inconsistency or conflict with Regulation 10, these Regulations shall prevail.

(B) REPORTING AND CLASSIFICATION OF SEXUAL MISCONDUCT OFFENCES

4. Any complaints or allegations that a student has committed a Sexual Misconduct Offence shall be considered a possible Serious Offence. The case shall be referred to and dealt with by the Provost under Clause 5 of Regulation 10.
5. When a suspected Sexual Misconduct Offence is reported to the Office of Campus Security, the Office of Campus Security:
 - (a) shall immediately notify the Victim Care Unit.¹ The Victim Care Unit shall offer counselling and support services to the victim of the suspected Sexual Misconduct Offence; and

¹ The Victim Care Unit will commence operations on or about 19 August 2019. In the meantime, hostels, faculties and schools, Office of Student Affairs and University Counselling Services will continue to provide counselling and support services for victims.

(b) shall immediately notify the Office of Student Conduct. The Office of Student Conduct may issue a No-Contact Order on behalf of and under the authority of the Provost pursuant to Clause 19 of Statute 6 on Discipline With Respect To Students, if the Office of Student Conduct is of the view that a No-Contact Order would be an appropriate measure in the circumstances.

6. Where a No-Contact Order is issued pursuant to Clause 5(b) above, the No-Contact Order must be strictly complied with. Any breach of the No-Contact Order may be grounds for separate disciplinary action being taken against the person in breach.

7. Persons who are subject to a No-Contact Order issued pursuant to Clause 5(b) above and/or involved in disciplinary investigations or proceedings for a Sexual Misconduct Offence must not be subjected to any acts of retaliation, harassment, threats, intimidation and coercion. A breach of this Clause may be grounds for separate disciplinary action being taken against the person in breach.

(C) ADDITIONAL PROCEDURES FOR DISCIPLINARY PROCEEDINGS FOR SEXUAL MISCONDUCT OFFENCES BEFORE THE BOARD OF DISCIPLINE

8. Where disciplinary proceedings are to be adjudicated by the Board of Discipline, the Secretary to the Board of Discipline shall ensure that the victim of the alleged Sexual Misconduct Offence is given:

(a) timely updates about the status of the proceedings;

(b) a reasonable opportunity to provide a statement of facts to raise any matters regarding the alleged Sexual Misconduct Offence which the victim wishes the Board of Discipline to take into consideration;

(c) a reasonable opportunity to provide a victim impact statement;

(d) an invitation to attend an oral hearing to address the Board of Discipline on any matters in 8(b) and/or 8(c). The invitation shall also inform the victim that the victim may be accompanied by an officer from the Victim Care Unit at the hearing;

(e) reasonable notice of the date of the oral hearing; and

(f) information on the outcome of the proceedings.

9. The Board of Discipline shall not reach any decision in respect of the disciplinary proceedings against the student, or exercise any of the disciplinary powers set out in Clause 11 of Statute 6 on Discipline With Respect To Students, unless the Board of Discipline is satisfied that Clauses 8(b) to 8(e) of these Regulations have been complied with.

(D) ADDITIONAL PROCEDURES FOR DISCIPLINARY PROCEEDINGS FOR SEXUAL MISCONDUCT OFFENCES BEFORE THE DISCIPLINARY APPEALS BOARD

10. Where an appeal is made to the Disciplinary Appeals Board by a student who is sanctioned by the Board of Discipline for committing a Sexual Misconduct Offence, the Secretary to the Disciplinary Appeals Board shall ensure that the victim of the alleged Sexual Misconduct Offence is given:

(a) timely updates about the status of the proceedings;

- (b) a reasonable opportunity to provide a statement of facts to raise any additional matters regarding the alleged Sexual Misconduct Offence which the victim wishes the Disciplinary Appeals Board to take into consideration, provided that such additional evidence was not reasonably available to the victim prior to the hearing before the Board of Discipline;
- (c) a reasonable opportunity to provide a victim impact statement to raise any new matters which were not reasonably available prior to the hearing before the Board of Discipline;
- (d) an invitation to attend an oral hearing to address the Disciplinary Appeals Board on any matters in 10(b) and/or 10(c). The invitation shall also inform the victim that the victim may be accompanied by an officer from the Victim Care Unit at the hearing;
- (e) reasonable notice of the date of the oral hearing; and
- (f) information on the outcome of the proceedings.

11. The Disciplinary Appeals Board shall not reach any decision in respect of the disciplinary proceedings against the student, or exercise any of the disciplinary powers set out in Clause 11 of Statute 6 on Discipline With Respect To Students, unless the Disciplinary Appeals Board is satisfied that Clauses 10(b) to 10(e) of these Regulations have been complied with.