



# **Sexual Abuse and Exploitation Prevention Policy**

## **Sexual abuse and exploitation prevention policy for Mahboba's Promise.**

### Purpose

Fundamental to the operation of MP is respect for the dignity and basic human rights of people within Australia, Afghanistan and throughout the world. Every person who represents MP is expected to reflect these values in their professional conduct, regardless of who they are dealing with, or where they are working.

Sexual exploitation and abuse (SEA) is a violation of basic human rights. MP aims to provide a safe and trusted environment that safeguards everyone from MP including beneficiary communities, workers, program participants and partner organisations.

MP is committed to safeguarding the people it helps and who it works alongside. We recognise that the nature of MP's work places our workers and program participants in positions of authority and trust in relation to the communities we work with, especially vulnerable adults and children. MP workers and program participants have an obligation to uphold high standards of personal and professional conduct at all times and must not abuse this position in order to exploit or abuse another person.

MP will actively prevent and respond to SEA and maintain an organisational culture that prioritises safeguarding against SEA so that it is safe for those affected to come forward and report incidents and concerns with the assurance they will be handled sensitively and appropriately. MP prohibits sexual exploitation and abuse (SEA). SEA violates universally recognized international legal norms and standards, and MP considers such acts as serious misconduct, which may constitute grounds for disciplinary measures, including summary dismissal and criminal prosecution.

### Scope:

This policy applies to all MP aid and development programs that operate within Australia and Afghanistan.

The following must comply with this Policy in the course of their work and when representing MP:

- MP workers
- All program participants

Mahboba's Promise defines:

**Worker:** employees (Australia and overseas), consultants, contractors, office volunteers, interns, the MP Board, or anyone engaged to undertake work for this organisation.

**Program Participant:** defined as any person engaged to undertake an assignment, volunteer or otherwise, on an international or domestic program managed by MP.

**Program beneficiaries:** any person who, either directly or by association, derives a benefit from an MP or MP affiliated program. Examples include, but are not limited to; Partner Organisation employees and community members who directly receive a service or engage with a program participant in the course of the participant's work with a Partner Organisation.

**Sexual exploitation and abuse (SEA)** occurs against a child or an adult and can occur between people of the same or different genders. It includes situations such as:

- Sexual exploitation and abuse;
- Sexual harassment;
- Child sexual abuse and exploitation;
- Women and men sexually exploited through sex work;
- Possessing, controlling, producing, distributing, obtaining or transmitting sexually exploitative images of adults and children; and
- Prevention of sexual abuse and exploitation (PSEA).

**Sexual Exploitation** - any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another

**Sexual Abuse** - the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual Harassment** - includes all conduct of a sexual or gender-determined nature at the workplace or connected to the workplace that is intended to violate the dignity of a person, or which has this effect.

In this policy, sexual harassment is understood as behaviour that is unwanted in the eyes of the persons directly or indirectly affected.

This includes, but is not limited to:

- Physical approaches or physical contact of a sexual nature, or sexual assault
- Gestures and other nonverbal communication with sexual undertones
- Comments of a sexual nature about individuals and/or their body, conduct, sex life or sexual identity
- Sexually discriminatory language and humiliating remarks, including sexually explicit jokes;
- Requests to perform sexual activities
- Showing or displaying pornographic or sexist images
- Repetitive questions or prying into an individual's relationship status or details of their relationship
- Invitations to inappropriate locations outside the workplace for work-related meetings
- Offers to, or the sending of gifts that are unwelcome, out of context or embarrassing to an individual
- suggestive logistics or questions around work trips, including offers to share hotel rooms and unwelcome social invitations
- Sexually motivated stalking

**Child Sexual Abuse** - the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography.

**Child Exploitation** - one or more of the following:

- Committing or coercing another person to commit an act or acts of abuse against a child
- Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material
- Committing or coercing another person to commit an act or acts of grooming or online grooming
- Using a minor for profit, labour, sexual gratification, or some other personal or financial advantage

**Online Child Sexual Exploitation** (or child pornography) - in accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means 'any

representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

#### Principles:

MP's commitment to the prevention of sexual exploitation and abuse is informed by the following principles:

- Child rights and women's rights as core values within MP: MP upholds the rights articulated in the International Bill of Human Rights, The UN Convention on the Elimination of all Forms of Discrimination Against Women and The UN Convention on the Rights of the Child and promotes the right of adults and children to be protected from all forms of violence including SEA.
- Safeguarding vulnerable adults and children: Issues of SEA are fundamentally about abuses of power. Situations of poverty, vulnerability and discrimination as well as power inequities between genders, between aid workers/volunteers and beneficiary communities, and within organisations, create unequal power dynamics resulting in environments where SEA can exist. MP acknowledges the impact of SEA on an individual's health and wellbeing, and in particular that negative physical, mental health and social outcomes that are likely to be compounded when perpetrated by a person in authority.
- Expected behaviours of those representing MP: Given differing local contexts, MP workers and program participants may be faced with a range of unfamiliar social, cultural, financial or personal settings when working or volunteering overseas. Communities trust that the people representing MP will conduct themselves in a professional manner at all times and not engage in behaviour contrary to the safety or wellbeing of the children and adults they come into contact with.
- Zero tolerance of SEA: Behaviour by MP workers or program participants that results in the sexual exploitation or abuse of a child or adult, helps facilitate SEA or where allegations of SEA are ignored by MP or partner organisation personnel, will not be tolerated and MP will immediately respond and take seriously any concerns raised.
- Take action to prevent SEA: MP aims to prevent SEA through implementation of this Policy, communication, training and working collaboratively with all personnel, country offices and partner organisations to safeguard everyone against SEA.

#### Policy:

The following list of expected behaviours applies to all of MP workers and MP program participants or other program approved adult dependents, in both their personal and professional lives. The aforementioned must, at all times:

- maintain a duty to act at all times in a manner which upholds the values and reputation of MP
- Undertake to create and maintain a safe and trusted environment that promotes the implementation of this Policy and safeguards everyone from SEA.
- Comply with all relevant Australian and local laws of the country to which he or she is placed, or in which he or she is travelling.
- Be aware that sexual behaviour is an area of particular sensitivity, where conduct may more easily be seen as offensive or be misinterpreted.
- Ensure personal conduct towards a co-worker is not exploitative or such that it reasonably leads to a perception of exploitation.
- Read and agree to abide by the expected behaviours outlined in the relevant code of conduct.
- Immediately report to MP any concern, suspicion or allegation of SEA or breach of the MP Prevention of Sexual Exploitation and Abuse Policy.

It is strictly prohibited for MP workers and program participants to:

- Sexually exploit or abuse or sexually harass a child or adult.
- Use their position of trust and authority to request any service or sexual favour from beneficiaries of MP programs, adults, children or others in the communities in which MP works, in return for protection or assistance, or coerce a person to engage in sexual intercourse or any sexual activity.
- Exchange or withhold from beneficiaries of MP programs - adults, children or others in the communities in which MP works - money, food, employment, goods, assistance or services for sex or sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Have sex with sex workers when working or volunteering overseas, even when it is legal in the country.
- Use, MP or partner organisation facilities, personnel or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to MP offices or programs.

- Engage in sexual activity with a child under any circumstance. Even in a country where the age of majority or the age of consent is lower than 18 years, MP workers, and program participants are forbidden to have sexual activity with anyone under the age of 18 years. A mistaken belief that the child is over 18 is no defence.
- Use computers, mobile phones, video cameras, cameras or other technology inappropriately, or to exploit or harass children, or access or disseminate child exploitative material through any medium, including social media
- Procure sex for others, or use a third party to do so.

Breach of Policy:

Sexual exploitation and abuse by MP workers and program participants constitute acts of gross misconduct and are therefore grounds for termination of employment or volunteer assignment.

Disciplinary actions/possible outcomes for breach of the MP Prevention of Sexual Exploitation and Abuse Policy:

- Referral to local law enforcement authorities (as per national and any mandatory reporting laws), where appropriate
- Referral to Australian Federal Police, where appropriate
- MP internal investigation
- Suspension pending investigation
- Performance management
- Formal warning and monitoring
- Termination of employment for workers or assignment for program participants.