



United Nations

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**OFFICE OF INTERNAL OVERSIGHT SERVICES
INVESTIGATIONS DIVISION**

*This Report is protected by paragraph 18 of
ST/SGB/273 of 7 September 1994*

**CONTINGENT REPORT ON SEXUAL EXPLOITATION AND
ASSAULT BY**

[REDACTED]

REDACTED REPORT

ID Case No. 0003-07

26 SEPTEMBER 2008

STRICTLY CONFIDENTIAL

This Investigation Report of the Investigations Division of the United Nations Office of Internal Oversight Services is provided upon your request pursuant to paragraph 1(c) of General Assembly resolution A/RES/59/272. The report has been redacted in part pursuant to paragraph 2 of this resolution to protect confidentiality and sensitive information. OIOS's transmission of this Report does not constitute its publication. OIOS does not bear any responsibility for any further dissemination of the Report.

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I. INTRODUCTION

1. On [REDACTED] the Investigations Division of the Office of Internal Oversight Services (ID/OIOS) received, from [REDACTED] a report of sexual exploitation and assault implicating [REDACTED] and [REDACTED] of the [REDACTED] in [REDACTED].

2. Specifically, it was reported that a [REDACTED] (subsequently identified as [REDACTED]) had sexual intercourse with a prostitute (hereinafter referred to as [REDACTED] in front of the [REDACTED]. It was further reported that [REDACTED] refused to pay [REDACTED] for the services rendered and that subsequently [REDACTED] was assaulted by [REDACTED] and [REDACTED]. ID/OIOS was informed that the reported misconduct was also the subject of [REDACTED] investigations.

II. APPLICABLE LAW

3. Ten Rules: Code of Personal Conduct for [REDACTED]

1. *"Dress, think, talk, act and behave in a manner befitting the dignity of a disciplined, caring, considerate, mature, respected and trusted [REDACTED] displaying the highest integrity and impartiality. Have pride in your position as a [REDACTED] and do not abuse or misuse your authority"*
2. *"Do not indulge in immoral acts of sexual, physical or psychological abuse or exploitation of the local population or United Nations staff, especially women and children."*

4. We are the United Nations [REDACTED]

"We will never:

- *Become involved in sexual liaisons which could affect our impartiality, or the well-being of others."*

Directives for Disciplinary Matters

Involving [REDACTED]

III. Definitions, Paragraph 4

"Serious Misconduct: Any act, omission or negligence, including criminal acts, that is a violation of [REDACTED] standard operating procedures, directives, or any other applicable rules, regulations or administrative instructions that results in or is likely to result in serious damage or injury to any individual or to [REDACTED]. Serious misconduct includes, but is not limited to:

- *Sexual abuse and exploitation of any individual, particularly children;*

- *Conduct prejudicial to good order and discipline;*"

IV. Standard of Conduct, paragraph 6

"[REDACTED] are required to abide by the highest standards of integrity while in service for the United Nations. They shall refrain from any conduct that would adversely reflect on the United Nations and shall not engage in any activity that is incompatible with the aims and objectives of the United Nations. They are also required to abide by [REDACTED] standard operating procedures, directives, or any other applicable rules, regulations or administrative issuances."

6. Observance by United Nations [REDACTED]

Section 7

"6.2 The following acts against [civilians] are prohibited at any time and in any place: enforced prostitution; any form of sexual assault and humiliation and degrading treatment.

6.3 Women shall be especially protected against any attack, in particular against rape, enforced prostitution or any other form of indecent assault.

6.4 Children shall be the object of special respect and shall be protected against any form of indecent assault."

7. Administrative Circular No. 2002/020, Conduct in [REDACTED] regarding the prohibition of sexual abuse and/or exploitation by members of the [REDACTED]

Section 1:

"Any act of sexual abuse and/or exploitation by members of the [REDACTED] components of [REDACTED] is strictly prohibited and constitutes an act of serious misconduct."

Section 2:

"For the purpose of this memorandum, an act of sexual abuse and/or exploitation is defined as follows:

(a) Any exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behavior...

(b) Any sexual activity with a person under the age of 18. The mistaken belief in the age of the person cannot be considered as a defense...

III. METHODOLOGY

8. The ID/OIOS investigation included, but was not limited to, the interview of [REDACTED] civilian witnesses and UN personnel, including [REDACTED] and [REDACTED]. Relevant documents, including the [REDACTED] investigation file were reviewed and analyzed.

IV. BACKGROUND

9. [REDACTED] is the [REDACTED], which is in the [REDACTED] of the [REDACTED]. [REDACTED] is the [REDACTED] and [REDACTED]. The [REDACTED] in this [REDACTED] are from [REDACTED]. The [REDACTED] is from [REDACTED].

10. Prostitution is a fact of life and a source of income for some [REDACTED] in [REDACTED] especially in its impoverished areas. While prostitution is not [REDACTED] anyone who profits from prostitution is [REDACTED]. Sexual relations with a child of less than 18 years of age constitute a [REDACTED].

A. IMPLICATED PERSONNEL

11. [REDACTED] was born on [REDACTED] was the [REDACTED] of the [REDACTED], comprising [REDACTED], reportedly involved in the incident. [REDACTED] was [REDACTED] on [REDACTED].

12. [REDACTED] was born on [REDACTED], and was a member of [REDACTED] with [REDACTED] out of the [REDACTED] on [REDACTED].

13. [REDACTED] was born on [REDACTED] and joined the [REDACTED] on [REDACTED]. [REDACTED] first served with [REDACTED] to [REDACTED] commenced [REDACTED] of [REDACTED] with [REDACTED] in [REDACTED] and [REDACTED] out of the [REDACTED].

V. INVESTIGATIVE DETAILS

A. [REDACTED] INVESTIGATION

14. The reported incident occurred on [REDACTED] however, it was not reported to ID/OIOS until [REDACTED]. During the intervening period, [REDACTED] conducted a preliminary investigation of the matter. The [REDACTED] investigation file was provided to ID/OIOS.

a. Interview with [REDACTED]

15. On [REDACTED] interviewed [REDACTED], a [REDACTED] and admitted prostitute, who stated that [REDACTED] an [REDACTED] attended at the [REDACTED] in [REDACTED] on the [REDACTED]. Whilst at the [REDACTED] a [REDACTED] arrived and [REDACTED] outside the [REDACTED]. The [REDACTED].

[REDACTED]

in the [REDACTED] exited the [REDACTED] and then attended in the [REDACTED]. After [REDACTED], the [REDACTED] returned to their [REDACTED] stated that the [REDACTED] called [REDACTED] over to their [REDACTED] at this time [REDACTED] decided to attend at the [REDACTED] however, [REDACTED] was then called over to the [REDACTED] by one of the [REDACTED] in the [REDACTED] stated that the [REDACTED] wanted to have sex with [REDACTED] as [REDACTED] had refused [REDACTED] request for sex from them.

16. [REDACTED] stated that the [REDACTED] told [REDACTED] that [REDACTED], who was apparently in the [REDACTED] with another [REDACTED] would return to the [REDACTED] at which time [REDACTED] would be able to pay for the sexual services as the [REDACTED] did not have any [REDACTED]. Upon being told of this promise to pay, [REDACTED] agreed to and did have sexual intercourse with the [REDACTED] on the [REDACTED]; during this time, a [REDACTED] remained seated in [REDACTED].

17. [REDACTED] told [REDACTED] that upon arrival of the [REDACTED] queried what was happening and subsequently assaulted [REDACTED] by striking [REDACTED] to the face causing an injury to the [REDACTED] and associated bleeding. [REDACTED] stated that the [REDACTED] with whom [REDACTED] had had sexual intercourse also joined [REDACTED] in assaulting [REDACTED] that a [REDACTED] at the scene alerted [REDACTED] who both came to [REDACTED]'s assistance but were themselves assaulted by the [REDACTED]. The [REDACTED] subsequently left the scene in their [REDACTED].

18. [REDACTED] stated that after the incident and whilst [REDACTED] and [REDACTED] were enroute home, they passed by the [REDACTED] there inquired about [REDACTED] injury. Upon advising the [REDACTED] about the incident, [REDACTED] were taken into the [REDACTED] and their personal details were recorded and they were advised that they would be contacted the [REDACTED].

19. On [REDACTED] interviewed [REDACTED] a [REDACTED] and admitted prostitute, and [REDACTED] and admitted prostitute. [REDACTED] and [REDACTED] corroborated the testimony of [REDACTED] stated that [REDACTED] and [REDACTED] stood next to the [REDACTED] whilst they watched [REDACTED] have sexual intercourse with the [REDACTED] on the [REDACTED]. [REDACTED] stated that during the subsequent altercation, the [REDACTED] who had had sexual intercourse with [REDACTED] grabbed [REDACTED] and in the process tore [REDACTED] and that [REDACTED] also kicked [REDACTED] in the [REDACTED] causing an injury to [REDACTED].

20. [REDACTED] told [REDACTED] investigators that one of the occupants of the [REDACTED] requested sexual intercourse [REDACTED] refused on the basis that [REDACTED] did not have money to pay for the service. However, [REDACTED] agreed and had sexual intercourse with the [REDACTED] in [REDACTED] whilst [REDACTED] and the others watched. Thereafter, the [REDACTED] refused to pay [REDACTED] and an altercation ensued. [REDACTED] stated that during the [REDACTED] entered the [REDACTED] and refused to exit until [REDACTED] was paid. [REDACTED] stated that the [REDACTED] arrived on the scene and, without inquiring as to the situation, grabbed [REDACTED] tearing [REDACTED] clothing and, using [REDACTED] hand, struck [REDACTED]. [REDACTED] corroborated [REDACTED]'s evidence about damage being caused to the latter's [REDACTED]. However, [REDACTED] added that one of the [REDACTED] who [REDACTED] described as [REDACTED], subsequently paid [REDACTED] to avoid any further

fighting. [REDACTED] described the [REDACTED] as being the [REDACTED], the [REDACTED] and the [REDACTED].

b. Interview with [REDACTED]

21. On [REDACTED] interviewed [REDACTED] who stated that on [REDACTED] was a member of a [REDACTED] comprising [REDACTED] (who was the [REDACTED] of the [REDACTED] and [REDACTED]. They commenced the [REDACTED] at [REDACTED] from the [REDACTED]. [REDACTED] stated that, whilst at [REDACTED] an instruction was received for [REDACTED] and [REDACTED] to return to the [REDACTED] to undertake a task, which they did leaving [REDACTED] at [REDACTED]. At the completion of the task, they returned to [REDACTED] and, upon arrival, [REDACTED] communicated with [REDACTED] via [REDACTED] and was instructed to attend at [REDACTED] and wait outside the [REDACTED] next to [REDACTED].

22. [REDACTED] stated that whilst waiting outside the [REDACTED] apparently intoxicated [REDACTED] approached the [REDACTED]. One [REDACTED] attended at the [REDACTED] and the others came alongside [REDACTED] and propositioned [REDACTED] that [REDACTED] declined to have sex with them. [REDACTED] that one of the [REDACTED] then grabbed [REDACTED] and, at the same time, the [REDACTED] and [REDACTED] stepped out. At about this time, [REDACTED] stopped next to the [REDACTED] a [REDACTED] exited the [REDACTED] but did not say anything and then subsequently [REDACTED]. Thereafter, [REDACTED] arrived, spoke with the [REDACTED] and then the [REDACTED] left. [REDACTED] that they resumed their [REDACTED] which concluded at [REDACTED].

c. Interview with [REDACTED]

23. [REDACTED] interviewed [REDACTED] who corroborated the evidence of [REDACTED]. However, in contrast to the evidence of [REDACTED] stated that [REDACTED] gave the instruction to meet [REDACTED] near the [REDACTED] at the time that they left [REDACTED] at [REDACTED] to return to [REDACTED] to attend to the instructed task.

d. Interview with [REDACTED]

24. On [REDACTED] interviewed [REDACTED] confirmed being left at the [REDACTED] whilst [REDACTED] and [REDACTED] returned to [REDACTED]. [REDACTED] stated that, after having spoken with a [REDACTED] at [REDACTED] left the [REDACTED] to attend at the [REDACTED] to seek change for a [REDACTED] so as to be able to [REDACTED] for [REDACTED]. [REDACTED] stated that [REDACTED] was at the [REDACTED] for about [REDACTED] when [REDACTED] received a [REDACTED] from [REDACTED]. [REDACTED] stated that [REDACTED] instructed [REDACTED] to wait for [REDACTED] in front of the [REDACTED].

25. [REDACTED] stated that upon exiting [REDACTED] saw a crowd of people, including a [REDACTED] and [REDACTED] gathered around the [REDACTED]. [REDACTED] stated that [REDACTED] saw [REDACTED] being grabbed by [REDACTED]. [REDACTED] stated that [REDACTED] approached the [REDACTED] noted that the [REDACTED] appeared to be intoxicated, and

threatened to call the [REDACTED] and, as a result, the [REDACTED] then left. [REDACTED] stated that [REDACTED] and [REDACTED] then left and resumed their [REDACTED]

26. When queried by [REDACTED] investigators, [REDACTED] stated that [REDACTED] did not know that the [REDACTED] was out-of-bounds to [REDACTED] [REDACTED] also admitted seeing a [REDACTED] near the [REDACTED] and that the [REDACTED] approached [REDACTED] stating that [REDACTED] had seen the [REDACTED] at the [REDACTED] surrounded by people. [REDACTED] did not further elaborate on [REDACTED] conversation with the [REDACTED]

e. Interview with witnesses

27. [REDACTED] interviewed [REDACTED], the owner of the [REDACTED] who stated that [REDACTED] saw no conflict outside [REDACTED] as reported. [REDACTED] further stated that, pursuant to inquiries by [REDACTED] no member of [REDACTED] observed any altercation, as reported, outside the [REDACTED].

28. On [REDACTED] [REDACTED] interviewed [REDACTED], a [REDACTED] who stated that, at about [REDACTED] on [REDACTED] [REDACTED] attended at the [REDACTED] to report having seen a [REDACTED] outside the [REDACTED] being surrounded by a group of [REDACTED] persons. [REDACTED] stated that the [REDACTED] requested that [REDACTED] accompany [REDACTED] to the location; however, [REDACTED] declined stating that [REDACTED] would report the matter to [REDACTED] superiors instead. Thereafter, the [REDACTED] left.

29. [REDACTED] stated that [REDACTED] was unable to contact [REDACTED] superiors and so [REDACTED] took [REDACTED] other [REDACTED] with [REDACTED] and, travelling [REDACTED], attended in the vicinity of the [REDACTED]. At the scene, [REDACTED] the [REDACTED] and a group of [REDACTED] and [REDACTED]. There was no [REDACTED] present; accordingly, [REDACTED] returned to [REDACTED]. At about [REDACTED] that same day [REDACTED] saw [REDACTED] waiting in the reception area of [REDACTED] - [REDACTED] did not, at that time, inquire into the reason for their presence. However, at about [REDACTED] that day, [REDACTED] spoke with the [REDACTED] and queried the attendance of the [REDACTED] [REDACTED] was informed that the [REDACTED] were complaining that [REDACTED] had torn the [REDACTED] [REDACTED] the previous [REDACTED] at the [REDACTED] and that the [REDACTED] were seeking compensation for the damage.

B. ID/OIOS INVESTIGATION

a. Communications with [REDACTED]

30. At the outset of its investigation, ID/OIOS communicated, on [REDACTED], with the [REDACTED] in order to facilitate interviews with [REDACTED], [REDACTED] and [REDACTED] investigators. ID/OIOS established that the request for assistance was communicated, on [REDACTED] via the [REDACTED] to [REDACTED]. However, when ID/OIOS investigators attended in [REDACTED] to conduct the investigation, [REDACTED] and [REDACTED] [REDACTED], the [REDACTED] had left the [REDACTED] on leave. Notwithstanding, ID/OIOS continued with its investigation.

b. Interview with [REDACTED]

31. On [REDACTED], ID/OIOS interviewed [REDACTED] whose evidence was ostensibly the same as that provided to [REDACTED] investigators. However, [REDACTED] elaborated that the [REDACTED] who called [REDACTED] over to the [REDACTED] [REDACTED] had offered [REDACTED] for sexual services to which [REDACTED] agreed and that after the sexual acts [REDACTED] had refused to pay. [REDACTED] affirmed that when [REDACTED] demanded payment, the [REDACTED] assaulted [REDACTED] causing an injury to [REDACTED]. [REDACTED] further stated that the "[REDACTED]" also assaulted [REDACTED] by tearing [REDACTED] after [REDACTED] had come to [REDACTED]'s aid.

32. [REDACTED] told ID/OIOS that, while the scuffle was going on, the [REDACTED] of the [REDACTED] was in [REDACTED] "enjoying [REDACTED] with an elderly [REDACTED] who [REDACTED] described as [REDACTED]. [REDACTED] stated that the [REDACTED] attention was drawn to the incident because of the uproar that had been created. When the [REDACTED] reached the scene, [REDACTED] also assaulted [REDACTED]. Subsequently [REDACTED] sustained an injury to [REDACTED] which bled profusely; however, [REDACTED] was unsure as to which [REDACTED] actually caused [REDACTED] injury. [REDACTED] stated that, eventually, the [REDACTED] gave [REDACTED] to [REDACTED] in compensation for [REDACTED] and [REDACTED] did not seek medical attention following the incident because they had no money.

33. [REDACTED] further stated that, during the altercation, a [REDACTED] in a [REDACTED] exited the [REDACTED] and recorded the [REDACTED] of the [REDACTED] and thereafter left the scene. [REDACTED] stated that the [REDACTED] returned some time later accompanied by another [REDACTED] and they questioned [REDACTED] and [REDACTED] about the incident and they were requested to attend at the [REDACTED] later that [REDACTED] for further questioning. [REDACTED] following the incident they were asked to meet with the [REDACTED] who assured them that the [REDACTED] would compensate them for what had transpired on the [REDACTED] in question.

c. Interview with [REDACTED]

34. ID/OIOS interviewed [REDACTED] whose evidence was ostensibly the same as that given to [REDACTED] investigators. However, [REDACTED] elaborated that the "[REDACTED]" had propositioned [REDACTED] initially but [REDACTED] had declined as [REDACTED] was attracted to the [REDACTED] of the [REDACTED]. [REDACTED] eventually though, the [REDACTED] propositioned and had sex with [REDACTED].

35. ID/OIOS was unable to locate and interview [REDACTED].

36. ID/OIOS interviewed [REDACTED] an admitted prostitute and a friend of [REDACTED]. [REDACTED] stated that [REDACTED] was in the [REDACTED] when an uproar started outside the [REDACTED]. On arrival outside, [REDACTED] told [REDACTED] that the [REDACTED] had sexual intercourse with [REDACTED] and refused to pay for the service.

37. [REDACTED] told ID/OIOS that the [REDACTED] gave [REDACTED] to [REDACTED] to pacify [REDACTED]. [REDACTED] added that, while the altercation was going on, [REDACTED] seized the [REDACTED] to the [REDACTED] and only returned it after the [REDACTED] [REDACTED], who had hitherto been with [REDACTED] in the [REDACTED], gave the [REDACTED] to [REDACTED].

[REDACTED] further stated that the [REDACTED] also distributed [REDACTED] to the [REDACTED] who had arrived and were becoming violent at the scene. ID/OIOS was unable to identify any [REDACTED] who admitted being at the scene at the material time.

d. Interview with [REDACTED]

38. [REDACTED] told ID/OIOS that, at about [REDACTED] on [REDACTED] [REDACTED] was returning from [REDACTED] when [REDACTED] attention was drawn to an apparently violent crowd surrounding a [REDACTED] outside the [REDACTED]. Though [REDACTED] was alone in [REDACTED] attended the scene where [REDACTED] saw [REDACTED] and a [REDACTED]. The [REDACTED] were in a [REDACTED] - one seated in the [REDACTED] and the other standing by [REDACTED]. The [REDACTED] held the latter [REDACTED] by the [REDACTED] of [REDACTED].

39. [REDACTED] noted the [REDACTED] of the [REDACTED] and then called for assistance on the [REDACTED] as [REDACTED] feared that the [REDACTED] were in danger. With no one apparently coming to assist, [REDACTED] went to [REDACTED] and related the incident to the [REDACTED] subsequently attended at the scene where they saw the crowd but the [REDACTED] already left. [REDACTED] stated that [REDACTED] inquiries at the scene suggested that the [REDACTED] was the result of [REDACTED] refusal to pay for sexual services rendered by a [REDACTED].

40. [REDACTED] stated that [REDACTED] patrolled the area looking for the subject [REDACTED] and about [REDACTED] later [REDACTED] found it [REDACTED] in front of [REDACTED]. [REDACTED] stated that [REDACTED] identified the [REDACTED] the earlier altercation but also noted that there was a [REDACTED] present who approached [REDACTED] introduced [REDACTED] as [REDACTED] and begged [REDACTED] to forget about the incident. During [REDACTED] conversation with [REDACTED] observed that [REDACTED] appeared to have been drinking, but was not drunk. [REDACTED] informed [REDACTED] that the matter could not be ignored. [REDACTED] then spoke to the other [REDACTED] that had earlier been grabbed by [REDACTED] [REDACTED] told [REDACTED] that the [REDACTED] had admitted to [REDACTED] involvement in the allegations.

41. Upon returning to [REDACTED] [REDACTED] saw [REDACTED] waiting outside the [REDACTED] of the [REDACTED] (who [REDACTED] had earlier seen holding the [REDACTED]) was bleeding profusely from the [REDACTED]. It was at this time that [REDACTED] reported that [REDACTED] had been slapped by [REDACTED] when [REDACTED] insisted on being paid for the sexual services [REDACTED] had rendered. [REDACTED] stated that [REDACTED] made arrangements for the [REDACTED] details to be recorded and, given that it was [REDACTED] requested their return to [REDACTED] the following [REDACTED] to assist in further inquiries about the matter.

42. When [REDACTED] returned to [REDACTED] on [REDACTED] met a [REDACTED] who identified [REDACTED] as [REDACTED] of the [REDACTED] on the [REDACTED] [REDACTED] asked [REDACTED] if [REDACTED] was aware of the alleged incident outside the [REDACTED], to which the latter stated that

[REDACTED] was and that [REDACTED] had asked [REDACTED] to ascertain what the [REDACTED] wanted, namely [REDACTED] informed [REDACTED] that the [REDACTED] were to return to the [REDACTED] on [REDACTED] [REDACTED] returned a [REDACTED] time during the [REDACTED] accompanied by a [REDACTED] ([REDACTED]) who was talking and laughing while asking if anyone had witnessed the incident. When [REDACTED] started laughing about how the situation was handled, [REDACTED] told [REDACTED] that the situation was not humorous as it had seriously tarnished the image of the Organization.

43. On [REDACTED] [REDACTED] reported the incident to [REDACTED] who instructed [REDACTED] to report the matter to the [REDACTED] which [REDACTED] did and that, thereafter, [REDACTED] held a grudge against [REDACTED] and refused to greet [REDACTED]

e. Interviews with subjects

[REDACTED]
44. ID/OIOS interviewed [REDACTED] whose account was generally the same as that earlier detailed by [REDACTED]. However, [REDACTED] told ID/OIOS that [REDACTED] went to [REDACTED] when [REDACTED] instructed them to go out on [REDACTED] and, as they left to do so, [REDACTED] instructed them to stop at [REDACTED] so [REDACTED] could [REDACTED] a [REDACTED] for [REDACTED]

45. Whilst [REDACTED] was in the [REDACTED] - who were allegedly in an advanced state of drunkenness - approached [REDACTED] and [REDACTED]. One of the [REDACTED] approached [REDACTED] in the [REDACTED] and another [REDACTED] approached [REDACTED]. The [REDACTED] asked [REDACTED] to have sexual intercourse with [REDACTED] but [REDACTED] declined. The [REDACTED] were apparently speaking [REDACTED] and making gestures which suggested that they wanted sexual intercourse but the [REDACTED] declined. Eventually, one of the [REDACTED] grabbed [REDACTED] by the [REDACTED] and started fighting with [REDACTED].

46. [REDACTED] stated that it was at this time that a [REDACTED] attended the scene and a [REDACTED], in [REDACTED], exited the [REDACTED] recorded [REDACTED] of the [REDACTED] and then [REDACTED]. At about this time, a [REDACTED] joined the [REDACTED], and [REDACTED] returned from the [REDACTED] and "meeting the uproar". [REDACTED] calmed the situation and the [REDACTED] agreed to forget the matter. [REDACTED] added that [REDACTED] did not give any money to pacify the [REDACTED]

47. When queried, [REDACTED] told ID/OIOS that [REDACTED] had been in the [REDACTED] for about [REDACTED] and had not obtained the [REDACTED] that [REDACTED] wanted. [REDACTED] denied any assertion that [REDACTED] had entered the [REDACTED] or that [REDACTED] may have been consuming alcohol in [REDACTED]. [REDACTED] stated that [REDACTED] did not have sexual intercourse with [REDACTED] and that to do so in [REDACTED] was impossible because of the [REDACTED] in the [REDACTED] and also because they were in a public place.

48. [REDACTED] confirmed that they later met with the [REDACTED] outside [REDACTED]; however, [REDACTED] did not know what was discussed by [REDACTED] and the [REDACTED]

49. When asked if they had been separated from [REDACTED] prior to stopping at [REDACTED] [REDACTED] stated that they had not. When confronted with the [REDACTED]

contradictory statements that [REDACTED] had provided to the [REDACTED] responded that the events occurred [REDACTED] prior and that [REDACTED] must have forgotten the facts.

[REDACTED]

50. [REDACTED] corroborated, in its entirety, the evidence given to ID/OIOS by [REDACTED]. However, in contrast to [REDACTED] stated that [REDACTED] was in the [REDACTED] for [REDACTED]

51. [REDACTED] told ID/OIOS that [REDACTED] was aware that the [REDACTED] was an off-limits area and that [REDACTED] had been sanctioned, by the [REDACTED] for having entered [REDACTED]

52. [REDACTED] denied any assertion that [REDACTED] had sexual intercourse with [REDACTED] or that any of the [REDACTED] had fought with the [REDACTED]

[REDACTED]

53. On [REDACTED], ID/OIOS interviewed [REDACTED] confirmed that [REDACTED] had been assigned [REDACTED] from [REDACTED] to [REDACTED] on [REDACTED] and that [REDACTED] was accompanied by [REDACTED]. [REDACTED] stated that [REDACTED] stayed behind at the [REDACTED] while [REDACTED] subordinates were tasked to return to the [REDACTED] to transport another [REDACTED] to another site. At approximately [REDACTED] [REDACTED] left the [REDACTED] and walked to the [REDACTED] to change the [REDACTED] in [REDACTED] so as to [REDACTED] for [REDACTED]. Whilst entering the [REDACTED] [REDACTED] informed [REDACTED] of [REDACTED] location. [REDACTED] stated that [REDACTED] was only in the [REDACTED] for [REDACTED] and that no one was able to change [REDACTED]

54. When [REDACTED] exited the [REDACTED] noticed a crowd, including [REDACTED] and [REDACTED] shouting at [REDACTED] subordinates in the [REDACTED] [REDACTED] stated that [REDACTED] got into the [REDACTED] and they continued with their [REDACTED]

55. [REDACTED] denied having consumed any intoxicating liquor at the [REDACTED] and/or having sexual relations with any person. [REDACTED] did, however, state that [REDACTED] had smelt beer on the breath of one of the [REDACTED] at the [REDACTED] and that [REDACTED] was not able to understand [REDACTED] [REDACTED] told the [REDACTED] that [REDACTED] was going to [REDACTED] [REDACTED] acknowledged [REDACTED] did not actually do so. [REDACTED] knew that [REDACTED] had done nothing wrong as they had only just arrived and also the fact that their [REDACTED] was with them.

56. [REDACTED] acknowledged that [REDACTED] met with the [REDACTED] and that [REDACTED] informed the [REDACTED] that the [REDACTED] had assailed [REDACTED]. When asked if [REDACTED] informed any of [REDACTED] of the alleged incident, [REDACTED] stated that [REDACTED] had, but that it was only a verbal account. [REDACTED] also acknowledged that [REDACTED] later provided the [REDACTED] investigators with a statement outlining the same events.

57. When asked why [REDACTED] had gone on leave prior to the ID/OIOS investigation team's attendance in [REDACTED] [REDACTED] stated that [REDACTED] had asked for the [REDACTED] about [REDACTED] earlier and that [REDACTED] was not aware of the pending visit of the investigation team. [REDACTED] stated that [REDACTED] had gone home because [REDACTED] had had [REDACTED] and was [REDACTED]

58. [REDACTED] also acknowledged that while [REDACTED] was in [REDACTED] learned that [REDACTED] had been [REDACTED] from the [REDACTED] and that [REDACTED] replacement was already in [REDACTED]

f. Interview of [REDACTED]

59. ID/OIOS interviewed [REDACTED], the [REDACTED] [REDACTED] who confirmed having knowledge of the report of misconduct against [REDACTED] stated that [REDACTED] investigation revealed that the allegations against [REDACTED] were unfounded – that [REDACTED] did not have a sexual encounter with a prostitute at [REDACTED]. However [REDACTED] acknowledged that [REDACTED] had entered off-limits premises for which [REDACTED] had been sanctioned.

60. ID/OIOS interviewed [REDACTED] who denied receiving any notification of the attendance of an ID/OIOS investigation team in [REDACTED] had been apprised of the allegation against [REDACTED] and had reported the matter to [REDACTED] in [REDACTED] before ordering an investigation by the [REDACTED]. It was [REDACTED] assessment that there was no evidence of sexual exploitation. [REDACTED] stated that [REDACTED] had been found in violation of the rules relating to entering off-limits premises and that [REDACTED] leave was subsequently declared [REDACTED] because of [REDACTED] and that it was only because of the ID/OIOS request to interview [REDACTED] that the latter was returned to [REDACTED].

61. Contrary to [REDACTED] assertions, ID/OIOS inquiries with the [REDACTED] [REDACTED] established that [REDACTED] was [REDACTED] on [REDACTED] after completion of [REDACTED] of [REDACTED]. There was no indication that [REDACTED] had been [REDACTED] on any other grounds.

VI. FINDINGS

62. ID/OIOS found that [REDACTED], all admitted prostitutes, were at and in the vicinity of the [REDACTED] on the [REDACTED] to solicit clients.

63. ID/OIOS found that, on the same [REDACTED] comprising [REDACTED] and [REDACTED], and travelling [REDACTED], attended at [REDACTED] and [REDACTED] were subsequently recalled to the [REDACTED] remained at the [REDACTED].

64. ID/OIOS found that [REDACTED] by [REDACTED] own admissions, walked to the [REDACTED] to apparently change [REDACTED] in [REDACTED] so as to [REDACTED] for [REDACTED] [REDACTED] stated that [REDACTED] was in [REDACTED] for some [REDACTED] [REDACTED] only, during which time [REDACTED] was contacted, via [REDACTED] by [REDACTED] whereupon [REDACTED] instructed them to attend outside the [REDACTED] to meet with [REDACTED] which they subsequently did. [REDACTED] corroborated [REDACTED] time spent in [REDACTED], whereas [REDACTED] put the time spent at about [REDACTED]. In any case both [REDACTED] in their evidence to ID/OIOS, corroborated the evidence of their [REDACTED]

65. However, contrary to the evidence of [REDACTED] as to [REDACTED] reasons for attending at the [REDACTED] and the time [REDACTED] spent there, [REDACTED] told ID/OIOS that [REDACTED]

[REDACTED] was in [REDACTED] in the company of an unknown [REDACTED]. ID/OIOS also takes note of the evidence of [REDACTED] who noted in [REDACTED] conversations with [REDACTED] that the [REDACTED] had apparently been drinking, though [REDACTED] was not drunk. [REDACTED] and [REDACTED] denied any assertion that [REDACTED] had been drinking or was in the company of any [REDACTED].

66. ID/OIOS does not accept the evidence of [REDACTED] and [REDACTED] as to the reasons why [REDACTED] was in the [REDACTED] and the time [REDACTED] spent there. In making this finding, ID/OIOS considers the evidence of [REDACTED] and [REDACTED] and also notes that [REDACTED] was known to [REDACTED] (though [REDACTED] denied such knowledge) and [REDACTED] to be off-limits premises for [REDACTED]. Moreover, given that [REDACTED], by [REDACTED] own admissions, did not obtain the sought after [REDACTED] to [REDACTED], [REDACTED] finds it unlikely that it would have taken [REDACTED] between [REDACTED] to establish that no [REDACTED] was available to [REDACTED] at the [REDACTED]. To further support this finding, ID/OIOS takes note of the evidence of [REDACTED], in particular that [REDACTED] a) had apparently been drinking; and b) that [REDACTED] begged [REDACTED] to forget about the incident and not report it. If the version of events provided by [REDACTED] and [REDACTED] was correct, then there would have been no reason for [REDACTED] to beseech [REDACTED] as [REDACTED] reportedly did.

67. ID/OIOS found that though there were some discrepancies between the evidence given by [REDACTED] and that given to ID/OIOS, the evidence was generally consistent and was further supported by the evidence, to [REDACTED]. Accordingly, ID/OIOS found that, upon their arrival outside the [REDACTED] solicited first [REDACTED] and then [REDACTED] for sexual services. ID/OIOS found that [REDACTED] then engaged in sexual intercourse with [REDACTED] in the [REDACTED] and thereafter refused to pay [REDACTED] for the sexual services rendered. ID/OIOS found that this refusal to pay resulted in a physical altercation between [REDACTED] and [REDACTED] and [REDACTED] – an altercation in which, upon [REDACTED] exiting the [REDACTED] also became involved. ID/OIOS found that during this altercation minor [REDACTED] injuries were sustained by [REDACTED] and possibly also by [REDACTED]. Though evidence was presented that both [REDACTED] and [REDACTED] struck [REDACTED], ID/OIOS could not establish exactly which [REDACTED] inflicted [REDACTED]s bleeding injury.

68. ID/OIOS found, on the basis of the evidence of [REDACTED] and [REDACTED], that [REDACTED] eventually paid [REDACTED] to one of the [REDACTED], most likely [REDACTED] in an effort to diffuse the situation.

69. ID/OIOS notes, with concern, the efforts of some [REDACTED] to frustrate the ID/OIOS investigation. In this regard, ID/OIOS draws attention to [REDACTED] departure from the [REDACTED] area prior to arrival of the ID/OIOS investigation team, notwithstanding that [REDACTED] had been apprised ahead of time of the need to interview [REDACTED] and others. ID/OIOS also notes [REDACTED] assertion that [REDACTED] had been [REDACTED] on disciplinary grounds, which ID/OIOS established was not the case.

VII. CONCLUSIONS

70. ID/OIOS concludes that [REDACTED] sexually exploited [REDACTED], after having attempted to sexually exploit [REDACTED]. Accordingly, [REDACTED] conduct was in violation of Rules 1 and 2 of the Code of Personal Conduct for [REDACTED] and constitutes "serious misconduct" as defined by the [REDACTED].

71. ID/OIOS concludes that [REDACTED] was complicit in [REDACTED] misconduct both by [REDACTED] failure, as the senior of the [REDACTED], to take action to prevent the sexual exploitation of [REDACTED] and attempted sexual exploitation of [REDACTED] and [REDACTED] and by [REDACTED] lack of truthfulness to both [REDACTED] and ID/OIOS investigators. Accordingly, [REDACTED] conduct was in violation of Rule 1 of the Code of Personal Conduct for [REDACTED].

72. ID/OIOS concludes that [REDACTED] conduct in: a) attending known off-limits premises and apparently fraternizing therein; b) engaging in a physical altercation with [REDACTED] in a public place; c) soliciting a [REDACTED] to conceal misconduct; d) [REDACTED] lack of truthfulness to investigators about the matter; and e) [REDACTED] failure to set an appropriate example for [REDACTED] subordinates, to be conduct unbecoming of a [REDACTED] and particularly for one in the [REDACTED]. Accordingly, [REDACTED] conduct was in violation of Rule 1 of the Code of Personal Conduct for [REDACTED].

VIII. RECOMMENDATIONS

73. In light of the findings, ID/OIOS makes the following recommendation:

Recommendation 1: It is recommended that the [REDACTED] provide a copy of this report to the [REDACTED] for appropriate action against [REDACTED] and [REDACTED] and that the results of any action taken be forwarded to [REDACTED] for onward transmission to ID/OIOS. [REDACTED]

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