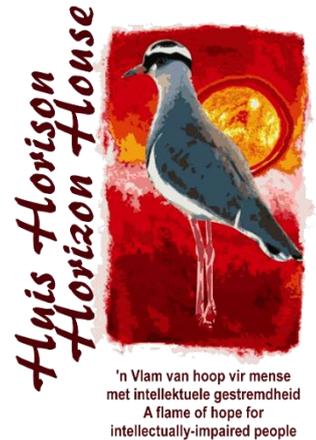


# HORIZON HOUSE

## POLICY: SEXUALLY-RELATED ISSUES



### 1. WORD DEFINITIONS AND ASSUMPTIONS

- 1.1 Under the term "residents" is understood permanent residents as well as the day-care persons connected with Horizon House.
- 1.2 The residents are all primary intellectually disabled.
- 1.3 Persons that are primary intellectually disabled have a desire for relationships, love, caressing and giving expression to their sexual instincts. See attached Values and Vision.
- 1.4 Information may never be withheld from people on the ground that they are intellectually disabled.
- 1.5 Decisions regarding sexuality will be made taking into account the accepted view of the people, the mission and shared values of Horizon House.

### 2. SEXUALITY

- 2.1 The residents have the right to receive sexual education.
- 2.2 The responsibility for sexual education, is shared by the parents/guardians and the management of Horizon House.
- 2.3 The staff of Horizon House must be informed about the sexual policy and must act according to it. Parents/guardians are informed about the sexual education programme of Horizon House. If they object to it they have to do so in writing and accept that the resident must still adhere to the rules of Horizon House.
- 2.4 The Director, or a person appointed by management, will accept the responsibility for the sexual education programme of the residents at Horizon House.
- 2.5 Such an education programme includes the handling of:
  - 2.5.1 Relationships
  - 2.5.2 Consent
  - 2.5.3 Touching/caressing
  - 2.5.4 Birth control
  - 2.5.5 Sexual practices
  - 2.5.6 Hygiene
  - 2.5.7 Sexual abuse and the consequences for offenders
  - 2.5.8 Sexual orientation
  - 2.5.9 Sexual harassment
  - 2.5.10 Marriage counselling
  - 2.5.11 Complaint procedure
- 2.6 The sexual education method used in Horizon House will be adjusted according to the intellectual level of residents and to the individual.

- 2.7 Sexual education must take place continuously with special counselling for individuals where necessary.
- 2.8 No resident may be excluded from such education.
- 2.9 Preventative pro-active behaviour is recommended.
- 2.10 It is advisable that a second staff member is present when sexual counselling takes place.

### **3. CONSENT INVOLVES THE CONCEPT THAT:**

- 3.1 The knowledge of sex and sexual advances, the aim thereof, as well as the risks attached thereto. The information pertaining to the nature of consent must be communicated simply, understandably, continuously and comprehensively.
- 3.2 The resident must indicate that he/she understands the information.
- 3.3 The person realises that consent must be given voluntarily and may not be forced.
- 3.4 The person may exercise the choice to withdraw consent.
- 3.5 Nobody may be forced to exercise an activity against his/her will and that he/she has the right to refuse consent.
- 3.6 Judging the level of informed consent will take into account the grade of intellectual impairment of the resident.
- 3.7 If a resident still decides to be sexually active despite knowledge of the dangers and negative aspects of extra-marital sexual intercourse, the Board and staff cannot be held responsible for the resident's choices or for the negative consequences thereof.

### **4. TOUCHING AND CARRESSING**

- 4.1 Holding hands and kissing are acceptable by mutual consent.
- 4.2 Residents must understand and respect the rights of others who do not want to be touched.
- 4.3 Greeting by hugging among friends is acceptable, but then also by mutual consent.
- 4.4 Unacceptable touching includes any form of sexual behaviour without consent.

### **5. MASTURBATION**

- 5.1 Masturbation is accepted.
- 5.2 Masturbation must be done in private. Privacy in Horizon House means a room with a closed door where the resident is not disturbed (for instance a bedroom, bathroom or toilet).
- 5.3 Masturbation in public will not be allowed.
- 5.4 The important aspect of hygiene before and after masturbation will be explained during the education programme.

### **6. EXTRA-MARITAL SEXUAL INTERCOURSE**

The principles of chastity, self-control and the sanctity of the body are accepted by Horizon House. Immorality and sexual dissipation are unacceptable. Although Horizon House wants to propagate a morally acceptable way of living, we have to foresee that these principles may be transgressed by some residents. The continuous supplying of

information in this regard is the responsibility of Horizon House. Should there be a deviation from these guidelines; the situation must be handled in the same way that it would have been handled in a loving family environment. The following could occur:

- 6.1 Sexual intercourse with mutual consent without a relationship between the residents concerned. Counselling must be administered in such a case and the concerned residents must be informed about the implications.
- 6.2 Intercourse between residents for their mutual sexual satisfaction only, must be addressed through counselling, education and discipline in collaboration with other relevant role players.

## **7. SEXUAL ACTIVITY BETWEEN RESIDENTS OF THE SAME SEX**

- 7.1 The same principles as set out above for heterosexual behaviour apply to homosexual behaviour.

## **8. SEXUAL OFFENCES**

*Sexual abuse occurs when the perpetrator exposes his/her genitals or looks at or touches certain parts of the victim's body or requires the victim to perform sexual acts and when one or more of the following apply: the second person. 1) withholds their consent; 2) is unable to give their consent because the severity or nature of their learning disability (mental retardation) severely affects their understanding of the basic elements of sexual behaviour; 3) some other barrier to consent is present for the victim which means that they are unduly pressured in this specific situation, such as:*

- 1. *The presence of a parental, familial, caretaking or other authoritative presence between the persons involved;*
  - 2. *The use of force, a weapon or the threat of injury or punishment by the first person;*
  - 3. *The abuse of a power relationship which precludes consent by the weaker person.*
- (Mental Retardation Gust et al.; Vol 41, Number 5: 365-373 Oct 2003)

### **8.1 Sexual abuse or molestation**

- 8.1.1 Residents who are victims of sexual molestation and/or abuse must be informed about their rights, restrictions, consequences and responsibility with regard to reporting such incidents.
- 8.1.2 Residents who present with problematic behaviour with regard to sexual abuse and molesting must be treated taking into account the intellectual functioning and understanding of the resident.
- 8.1.3 When such problematic behaviour persists despite counselling the parents/guardians will be consulted. If necessary, the help of an expert must be called in.
- 8.1.4 Termination of stay in Horizon House must be considered when the rights of the affected resident have been violated to an unacceptable degree.

### **8.2 Rape**

- 8.2.1 It is unacceptable of any resident to force another to take part in sexual activity.
- 8.2.2 A complaint of rape must be seen as serious and thoroughly investigated.
- 8.2.3 The rights of the complainant/victim/resident are considered the highest priority. The parents/ guardians must be fully informed.

- 8.2.4 The seriousness of the violation must be explained to the rapist and the family/guardians.
  - 8.2.5 Where a strong suspicion of rape exists, the case must be reported to the police as rape is a criminal offence.
  - 8.2.6 Proven rape is an indication for immediate termination of stay in Horizon House.
  - 8.2.7 Where the parents/guardians/residents do not lay a charge, or where such complaint had already been investigated by the court/director, the director may act according to his/her own discretion and point out that the occurrence of such an incident may lead to the termination of stay at Horizon House.
- 8.3 Sexual intercourse for monetary reward
- 8.3.1 Sexual intercourse for monetary reward is unacceptable and is disapproved of in the strongest terms.
- 8.4 A relationship or sexual intercourse between a member of the staff and a resident.
- 8.4.1 No inappropriate relationship between a resident and a staff member is allowed.
  - 8.4.2 Any sexual contact between a member of staff and a resident is prohibited and is treated as an offence.
  - 8.4.3 When any sexual advances of a staff member or sexual activity with a resident come to the attention of the director the incident will be reported to the chairman of the Board immediately.
  - 8.4.4 The member of staff will be expelled immediately until a disciplinary hearing takes place.

## 9. MARRIAGES

- 9.1 A marriage between two residents in Horizon House is acceptable.
- 9.2 Residents may ask the director to get married and to continue to stay in Horizon House.
- 9.3 Such a request will be considered if they can prove that a long-term, loving, responsible relationship between them exists and that it will make for a successful marriage.
- 9.4 The director must communicate with the parents/guardians of both residents and obtain their consent to the marriage, subject to the following conditions for their continued stay in Horizon House:
  - 9.4.1 Each parent/guardian maintains his/her responsibility and duty towards his/her own child.
  - 9.4.2 A written contract/agreement pertaining to the marital conditions is drawn up.
  - 9.4.3 The residents must have been in a monogamous relationship with each other for at least two years.
  - 9.4.4 They must receive marriage counselling by a psychologist or marriage councillor for six months.
  - 9.4.5 They must consent to birth control. No children born out of the marriage will be cared for in Horizon House.
  - 9.4.6 There must be suitable accommodation for the couple to ensure their privacy.

- 9.4.7 Continued support for the couple by a dedicated staff member is recommended.

## **10. BIRTH CONTROL**

- 10.1 Appropriate birth control is recommended.

## **11. DISEASES AND SEXUALLY TRANSMITTED DISEASES**

- 11.1 Policy pertaining to sexually transmitted diseases and other infectious diseases:
- 11.1.1 Sexually transmitted diseases are also a risk in Horizon House.
  - 11.1.2 The correct procedures for precaution and treatment must be followed.
  - 11.1.3 Measures to protect other residents are a priority.
  - 11.1.4 Equal rights of all residents, in other words those with and those without a transmitted disease, is of utmost importance.
- 11.2 All issues relating to transmitted diseases, including sexual diseases, will be managed by a committee called the Infectious Disease Committee (The Committee).
- 11.2.1 The Committee is appointed by the Board.
  - 11.2.2 The Committee will consist of three or four members:
    - a) A person from the Board.
    - b) A parent.
    - c) A medical practitioner if a or b does not include such a person.
    - d) The director of Horizon House.
  - 11.2.3 11.2.3 The Committee can act autonomously, but the chairman of the Board must be informed about all the matters, decisions or recommendations.
  - 11.2.4 Responsibilities of the Infectious Diseases Committee:
    - a) Convene when required.
    - b) Handle matters related to transmitted diseases according to the conditions of 11 above.
    - c) Make recommendations to the Board regarding suggestions for changes/ improvements to the policy document pertaining to sexually related matters.
    - d) Assist management during information meetings with parents/guardians or staff.
- 11.3 Modus operandi of The Committee:
- 11.3.1 Diagnostic tests on residents may be requested with the consent of these persons or their parents/ guardians. An indication for such a test is where a resident behaves in a sexually risky manner.
  - 11.3.2 If a resident is diagnosed with a sexually transmitted disease The Committee and in particular the director, must be informed on a continuous basis and inform the person about his/her test results.
  - 11.3.3 The Committee can arrange for the applicable medical treatment of a resident with a sexually transmitted disease and refer him/her to the relevant medical staff.

- 11.3.4 When a resident with a sexually transmitted disease reaches a stage where hospitalisation or admittance to a suitable institution becomes inevitable, The Committee, in collaboration with the parents/guardians, must take the necessary steps to carry out the decision.
- 11.3.5 If a resident with a sexually transmitted disease refuses or is not fit to give his/her full cooperation to protect the rest of the residents against the transmission of his/her condition, The Committee can recommend the expulsion of the concerned person from Horizon House. The parents/guardians with the support of the director then arrange for the further care of the person.
- 11.3.6 If a resident has had exposure to HIV, it has to be handled according to acceptable guidelines.
- 11.3.7 In the case of sexual contact between residents where one did not agree to intercourse or is unfit to agree to intercourse and it is still within the given window of time, a Stat-Pack must be administered immediately to the concerned residents for tests and further treatment. The parents/guardians are informed immediately. Any HIV exposure must receive prophylaxis.
- 11.3.8 If an infected person exposes other residents to risk of HIV or sexually transmitted disease, his/her stay at Horizon House must be terminated.

## PARENT/GUARDIAN

Name \_\_\_\_\_

Signed at \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

---

**SIGNATURE**