



**MINISTRY OF WOMEN, FAMILY AND COMMUNITY
DEVELOPMENT**

**GUIDELINE ON THE IMPLEMENTATION OF THE ANTI-
SEXUAL HARASSMENT ADVOCACY PROGRAMME**

OBJECTIVE

1. This guideline aims to guide the implementation of advocacy programmes related to preventive measures against sexual harassment and increase awareness of sexual harassment among all levels of society.

BACKGROUND

2. According to section 2 of the Anti-Sexual Harassment Act 2022 [Act 840], sexual harassment is defined as any unwanted conduct of a sexual nature in any form, whether verbal, non-verbal, visual, gestural or physical, directed at a person who is reasonably offensive or insulting or constitutes a threat to his or her well-being.

3. Sexual harassment can happen anywhere, such as in the workplace, any public or private educational institution and a public place. It can also happen through any form, including online, and to any individual regardless of sex, age, race or religion.

4. The issue of sexual harassment needs to be given special attention because it can lead to more serious sexual crimes, such as assault or sexual violence including threats and rape. The act of sexual harassment should not be inappropriately considered small, trivial and unimportant because it causes negative effects, especially on the victim's psychology, such as trauma, phobia and fear, and further affects the daily routine, productivity, well-being and life of the victim as a whole.

5. At present, several existing laws address issues involving sexual harassment. The Penal Code [Act 574] is one such law that protects victims of sexual harassment under criminal law. However, it does not provide a specific definition of sexual harassment. Behaviours that can be considered an act of sexual harassment under the criminal act require proof of a person's mens rea or malicious intent, which is often challenging to prove in cases of sexual harassment. It involves a higher standard of proof, necessitating evidence beyond a reasonable doubt.

The evidentiary processes and proceedings under criminal law also take a long time and there is no specific redress or remedy for the victims.

6. In addition, the Sexual Offences Against Children Act 2017 [Act 792] was also enacted to protect and provide more comprehensive

protection to children who are victims of sexual offences. Offences under this act are criminal offences and involve criminal procedures as stipulated under Act 574.

7. Next, sexual harassment that occurs in the workplace is currently dealt with through the Employment Act 1955 [Act 265] for the private sector, while for the public sector, it is through the Public Officers (Conduct and Discipline) Regulations 1993 [P.U.(A) 395/1993] and the Human Resources Service Circular (MyPPSM) Subsection PO.3.1.2 – Guidelines for Handling Cases of Sexual Harassment in the Workplace. Amendment of the Employment Act 1955 (Amendment) 2022 [Act A1651], which comes into force on 1 January 2023, adds section 81H that requires employers to always display notices about sexual harassment in the workplace to raise awareness about sexual harassment.

8. However, the application of Act 265 is limited to Peninsular Malaysia and the Federal Territory of Labuan only and does not include Sabah and Sarawak. Moreover, the decision to continue the investigation on the case of sexual harassment depends on the judgment and discretion of the employer.

9. In addition, section 14 of the Minor Offences Act 1955 [Act 336] provides for a fine to anyone who uses indecent, threatening, insulting or humiliating words or behaves in a threatening or insulting manner or puts up or affixes or displays any written paper or drawing that is indecent,

insulting or humiliating.

10. Section 233 of the Communications and Multimedia Act 1998 [Act 588] also provides for fines and prison sentences for the offence of using a network service or application service maliciously or with the intention of offending, persecuting, threatening or harassing others.

11. Act 840 was enacted as an alternative to addressing sexual harassment in addition to existing legislation and policies covering all levels of society. The establishment of a dedicated Tribunal under this act, which is an alternative avenue of a civil nature, is expected to help handle sexual harassment complaints more quickly and involve minimal costs. In addition, complaints are also handled based on civil legislation, in which the burden of proof of the complaint is based on the balance of probabilities and the award that can be given is in the form of redress or civil compensation for victims of sexual harassment.

EFFECTS AND IMPACTS OF SEXUAL HARASSMENT

12. Sexual harassment causes long-lasting negative effects and traumas, including psychological, physical and competency aspects, as well as productivity. The increase in cases of sexual harassment also affects the achievement of the level of equality between men and women as society is considered to normalize sexual harassment. Furthermore, this behaviour will have a negative impact on the development of the country and the well-being of the community as a whole. The effects and impacts on every party involved are as follows:

A. Emotion

- (i) emotional instability, including feeling threatened and humiliated;
- (ii) lack of motivation, loss of self-esteem and confidence and loss of trust;
- (iii) behavioural changes, including isolating oneself and hiding feelings; and
- (iv) ashamed and embarrassed to face other people.

B. Physical

- (i) impact on health because victims may have difficulty sleeping or engage in drug and alcohol abuse;
- (ii) persistent anxiety and restlessness; and
- (iii) loss of concentration and lifelessness.

C. Financial

- (i) cost of rehabilitation of the victim for a lengthy period;
- (ii) welfare of the victim who no longer works;
- (iii) legal costs if it involves a trial; and
- (iv) costs imposed on employers to train new employees.

D. Career

- (i) affect productivity and work attendance;
- (ii) give up career opportunities and quit work; and
- (iii) cause a bad image/impression of the employer involved.

MYTHS AND FACTS ABOUT SEXUAL HARASSMENT

13. Most people have inaccurate knowledge and understanding regarding sexual harassment. Accordingly, examples of the facts that need to be disclosed to all are listed in **Table 1**.

Table 1 Myths and Facts About Sexual Harassment

No.	Myth	Fact
1.	Dressing and behaving sexily prompt sexual harassment to occur.	Victims of sexual harassment are not attributed to physical appearance, type of clothing, age and behaviour.
2.	Sexual harassment is a small matter and fun, especially for women, even if they pretend not to like it.	Sexual harassment has nothing to do with sexual relations or sexual or social interests between the victim and the perpetrator. Perpetrators with power also use sexual harassment to humiliate their victims.
3.	Sexual harassment only happens to young women.	Sexual harassment can happen to women and men regardless of age, physical appearance or marital status.
4.	The perpetrator will stop the sexual harassment if the victim ignores or pays no attention to the harassment.	Sexual harassment will continue if the victim does not take any action or ignores it and may be considered as consent or encouragement for the perpetrator to continue doing it.

5.	Sexual harassment rarely happens.	Cases of sexual harassment occur frequently, and it affects the victim's life.
6.	Sexual harassment is only committed by individuals of the opposite sex.	Sexual harassment can also occur among the same sex.
7.	The victim has no issue making a report.	Victims prefer to remain silent and not submit a report because they are worried about the impact and negative views of the people around them.
8.	The perpetrator did not do it on purpose.	Sexual harassment is an intentional act, and the perpetrator has the intention to do it.

SOURCE OF AUTHORITY

14. The establishment of the Guideline on the Implementation of the Anti-Sexual Harassment Advocacy Programme is based on the provisions of section 25 of the Anti-Sexual Harassment Act 2022 [Act 840].

IMPLEMENTATION

15. This guideline explains in more detail the roles and responsibilities of the Anti-Sexual Harassment Administrator. It also contains further details regarding the implementation of an advocacy programme that focuses on preventive measures against sexual harassment and raising

awareness about sexual harassment at all levels of society. This information and guide aim to educate and provide knowledge to all parties in an effort to preserve and improve understanding of social norms and mutual respect and increase the value of courtesy and integrity among the community.

ADMINISTRATOR

Governance

16. Section 24 of the Anti-Sexual Harassment Act 2022 [Act 840] has established that the Secretary-General of the Ministry of Women, Family and Community Development is the Anti-Sexual Harassment Administrator. Accordingly, the Department of Women's Development (JPW) is responsible for assisting and coordinating the functions and roles of the Chief Secretary as Administrator.

Functions and Roles

17. The functions and roles of the Administrator are as follows:

- (i) formulate policies or issue guidelines related to the prevention and awareness of sexual harassment;

- (ii) promote activities related to the prevention or awareness of sexual harassment;
- (iii) oversee any matter related to the prevention or awareness of sexual harassment; and
- (iv) perform any other function for the proper adjustment and implementation of Act 840.

ACTION PLAN OF ADVOCACY PROGRAMME FOR PREVENTION AND AWARENESS

18. This action plan includes appropriate recommendations and measures to increase prevention and awareness of sexual harassment by targeting the interests of society as a whole. It includes proposals for new programmes/activities and improvements to existing programmes or regulations to ensure effectiveness in the implementation of sexual harassment prevention and awareness measures.

Prevention

19. Examples of preventive measures that can be implemented by all related parties are listed in **Table 2**.

Table 2 Action Plan for the Prevention of Sexual Harassment

No.	Facility	Prevention Programme	Strategic Partner
1.	Workplace	<p>(i) Establish a special committee to evaluate the effectiveness and suggest improvements related to prevention programmes that have been implemented in each organisation;</p> <p>(ii) Develop a code of ethics by setting certain conditions/clauses in the appointment of new employees and the provision of services to contractors/service providers;</p> <p>(iii) Improve existing organisational codes of practice/rules;</p> <p>(iv) Establish a complaint hotline or any suitable platform;</p> <p>(v) Conduct courses related to the prevention of sexual harassment based on modules developed by the Ministry of Women, Family and Community Development;</p>	<p>(i) Ministry of Human Resources</p> <p>(ii) Public Service Department</p> <p>(iii) Appointing Authority</p>

		<p>(vi) Put up warning notices in appropriate spaces;</p> <p>(vii) Improve complaint procedures and action protocols; and</p> <p>(viii) Organise or make campaigns/promotions/reminders/announcements periodically.</p>	
2.	Transportation and public facilities	<p>(i) Increase the number of CCTVs, especially in high-risk areas, around toilets and parking areas, and determine how to manage CCTV data for the purpose of proving cases;</p> <p>(ii) Improve lighting in risky areas;</p> <p>(iii) Put up warning notices in strategic areas, especially in the form of easy-to-understand infographics;</p> <p>(iv) Provide a dedicated room/parking lot for the more at-risk groups and enforce its implementation;</p> <p>(v) Improve existing organisational codes of practice/rules;</p>	<p>(i) Ministry of Transport</p> <p>(ii) Ministry of Local Government Development</p> <p>(iii) Ministry of Tourism, Arts, and Culture</p> <p>(iv) Local Authority</p> <p>(v) Malaysian Communications and Multimedia Commission</p> <p>(vi) Non-Governmental Organisations (NGOs)</p>

		<p>(vi) Create separate carriages/seats for vulnerable groups and ensure their enforcement;</p> <p>(vii) Organise or make campaigns/promotions/reminders/announcements periodically;</p> <p>(viii) Encourage gender-specific cleaning workers for corresponding toilets;</p> <p>(ix) Provide alarm devices in strategic places;</p> <p>(x) Create an assistance application through smart devices;</p> <p>(xi) Create a complaint hotline or any appropriate platform; and</p> <p>(xii) Improve complaint procedures and action protocols.</p>	
3.	Health facilities	<p>(i) Improve complaint procedures and action protocols;</p> <p>(ii) Put up warning notices in appropriate spaces;</p> <p>(iii) Improve existing organisational codes of practice/rules;</p>	<p>(i) Ministry of Health</p> <p>(ii) Ministry of Higher Education</p> <p>(iii) Ministry of Defence</p>

		<p>(iv) Conduct regular surveys among treatment recipients and health workers concerning sexual harassment;</p> <p>(v) Encourage gender-specific health workers according to the patient's gender for certain and scheduled treatment;</p> <p>(vi) Organise or make campaigns/promotions/reminders/announcements periodically; and</p> <p>(vi) Increase the number of CCTVs, especially in high-risk areas, around toilets and parking areas, and determine how to manage CCTV data for the purpose of proving cases.</p>	
4.	Educational facilities	<p>(i) Improve complaint procedures and action protocols;</p> <p>(ii) Provide a platform to learn the basics of self-defence;</p> <p>(iii) Put up warning notices in appropriate spaces;</p> <p>(iv) Implement an intervention programme for students found to have been sexually harassing others;</p>	<p>(i) Ministry of Education</p> <p>(ii) Ministry of Higher Education</p> <p>(iii) Ministry of Youth and Sports</p> <p>(iv) Ministry of Human Resources</p>

		<p>(v) Conduct periodic surveys related to sexual harassment;</p> <p>(vi) Improve existing organisational codes of practice/rules;</p> <p>(vii) Appoint security guards of both genders to be on duty throughout school hours;</p> <p>(viii) Provide dedicated rooms for students who stay back late and also install CCTVs in the relevant rooms (in schools);</p> <p>(ix) Carry out regular patrols;</p> <p>(x) Organise or make campaigns/promotions/reminders/announcements periodically; and</p> <p>(xi) Develop a standard operating procedure in handling and managing cases of sexual harassment to be adopted by the school.</p>	
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5.	Child/elderly/ disability care centre	<ul style="list-style-type: none"> (i) Develop a code of ethics by setting certain conditions/clauses in matters of appointment of or offering services to contractors/service providers; (ii) Install CCTVs and determine how to manage CCTV data for the purpose of proving cases; (iii) Put up warning notices in appropriate spaces; (iv) Appoint officers to look after the welfare of children/elderly and disabled persons; (v) Provide gender-specific caregivers according to the gender of elderly and disabled persons; (vi) Organise or make campaigns/promotions/reminders/announcements periodically; and (vii) Improve complaint procedures and action protocols. 	<ul style="list-style-type: none"> (i) Ministry of National Unity (ii) Ministry of Rural and Regional Development (iii) Department of Social Welfare (iv) Non-Governmental Organisations (NGOs)
6.	Rehabilitation Centre/Prison/ Shelter	<ul style="list-style-type: none"> (i) Improve complaint procedures and action protocols; and (ii) Put up warning notices in appropriate spaces. 	<ul style="list-style-type: none"> (i) Ministry of Home Affairs (ii) Department of Social Welfare

7.	Sports Training Centre	<ul style="list-style-type: none"> (i) Improve complaint procedures and action protocols; (ii) Provide a detailed job description for trainers; (iii) Develop a code of ethics by setting certain conditions/clauses in matters of appointment of or offering services to contractors/service providers; (iv) Improve existing organisational codes of practice/rules; (v) Appoint trained officers for each sports organisation to protect the interests and well-being of athletes; (vi) Conduct regular surveys among athletes concerning sexual harassment issues; (vii) Increase the number of CCTVs, especially in high-risk areas, around toilets and parking areas, and determine how to manage CCTV data for the purpose of proving cases; 	<ul style="list-style-type: none"> (i) Ministry of Youth and Sports (ii) National Sports Council (iii) State Sports Council (iv) Local Authority
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		<p>(viii) Organise or make campaigns/promotions/reminders/announcements periodically; and</p> <p>(ix) Put up warning notices in appropriate spaces.</p>	
8.	Entertainment/Arts/Culture Centre	<p>(i) Put up warning notices in appropriate spaces;</p> <p>(ii) Improve existing organisational codes of practice/rules;</p> <p>(iii) Organise or make campaigns/promotions/reminders/announcements periodically;</p> <p>(iv) Increase the number of CCTVs, especially in high-risk areas, around toilets and parking areas, and determine how to manage CCTV data for the purpose of proving cases; and</p> <p>(v) Improve complaint procedures and action protocols.</p>	<p>(i) Ministry of Communications and Digital</p> <p>(ii) Ministry of Tourism, Arts and Culture</p> <p>(iii) FINAS</p> <p>(iv) Local Authority</p>
9.	Business area/centre	<p>(i) Put up warning notices in risky places;</p> <p>(ii) Improve existing organisational codes of practice/rules;</p>	<p>(i) Ministry of Domestic Trade and Costs of Living</p>

		<p>(iii) Increase the number of CCTVs and determine how to manage CCTV data for the purpose of proving cases;</p> <p>(iv) Organise or make campaigns/promotions/reminders/announcements periodically; and</p> <p>(v) Improve complaint procedures and action protocols.</p>	(ii) Local Authority
10.	Tourism/ Recreation Centre	<p>(i) Placing warning notices in risky places in various languages;</p> <p>(ii) Improve existing organisational codes of practice/rules;</p> <p>(iii) Organise or make campaigns/promotions/reminders/announcements periodically;</p> <p>(iv) Increase the number of CCTVs and determine how to manage CCTV data for the purpose of proving cases;</p> <p>(v) Conduct regular monitoring and patrolling; and</p> <p>(vi) Improve complaint procedures and action protocols.</p>	<p>(i) Ministry of Tourism, Arts and Culture</p> <p>(ii) Ministry of Local Government Development</p> <p>(iii) Local Authority</p>

Awareness

20. The most effective measure and action to deal with and reduce cases of sexual harassment is to increase awareness among the community. Examples of behaviours that lead to sexual harassment are as follows:

- (i) requests to perform sexual activities under duress, obscene jokes, making detailed sexually explicit statements and discussions about a person's sexual activities or experiences;
- (ii) staring, glaring, winking, whistling, rubbing the body and giving indecent comments that cause discomfort to someone;
- (iii) comments that are offensive and concerning a person's sexual matters, clothing and appearance;
- (iv) insulting or offensive statements regarding a person's gender;
- (v) displaying or distributing sexual images or objects in detail;
and

- (vi) jokes, comments that concern one's sexuality and threaten to reveal one's sexual activities to others.

21. Intentional sexual communication between adults is also part of sexual harassment. This communication includes content or images of a sexual nature, including pornography, sexual comments, gestures/signals or situations that lead to sexual behaviour.

22. In order to prevent individuals from becoming victims or perpetrators of sexual harassment, the community needs to be exposed to actions that can be taken, which are presented in **Table 3**.

Table 3 Actions taken by victims, perpetrators, authorities and third parties

Measures to prevent sexual harassment (victims and perpetrators)	
No.	Action
1.	Take any form of harassment seriously.
2.	Be proactive by taking appropriate initiatives or steps to avoid being exposed to sexual harassment.
3.	Find out and be aware of your rights as a victim (do not feel guilty).
4.	Do not treat sexual harassment as just a prank or a joke, as it may lead to normalization.

5.	Do not get used to inappropriate behaviour with anyone.
6.	Do not initiate any behaviour that leads to sexual harassment.
7.	Do not make fun of or make comments concerning someone's physique or body shape.
8.	Do not make comments, insults, sarcasm, metaphors or body language regarding sexual matters.
9.	Do not use obscene words or those that carry obscene meanings.
10.	Do not give a look that makes someone uncomfortable.
11.	Do not make physical contact without prior permission or appropriate reason.
12.	Do not share any photo, message or material that is sexually suggestive.
13.	Be aware of behaviours related to sexual harassment and avoid doing them.

Actions in case of sexual harassment

No.	Action
1.	Act promptly and do not hide the fact that you are harassed.

2.	Reprimand the perpetrator and ask them to stop the behaviour in question.
3.	Record details of the harassment (time, place, location, witnesses to the incident, what has happened, clothing, digital/printed evidence and so on).
4.	Report to the authorities immediately, or the parents/guardians if children are involved.
5.	Say no to any situation that is uncomfortable.
6.	Say no to offensive behaviour.
7.	Share the situation with a trusted individual.
8.	Ask for the help of a friend or a person around you who can be trusted to be a witness to every sexual harassment that occurs.

Actions after reporting perpetrators of sexual harassment (victims and relevant authorities)

No.	Action
1.	The authority needs to keep the information of the informant confidential.
2.	Be honest when reporting harassment without any other intention.
3.	Initiate an early investigation without waiting for a formal complaint.
4.	Conduct the investigation transparently without making any assumptions.

5.	Protect the victim from victimization, such as isolation, humiliation and insult, as well as compromise of career path.
6.	The party conducting the investigation must consist of both sexes and have no ulterior interest in the victim and the perpetrator.
Actions by a third party in the event of a victim's complaint (for example: friends, colleagues and family)	
No.	Action
1.	Advise the victim to lodge a formal complaint.
2.	Maintain confidentiality and do not make speculations that may affect the credibility of the victim and the case.
3.	Do not spread the story in any medium, whether print, electronic or social media, because it can cause shame and misunderstanding.
4.	Help the victim to channel the complaint according to the rules and procedures currently in force.
5.	Help the victim to overcome trauma by seeking psychological advice and counselling.
6.	Help the victim by providing a safer place/environment.
7.	Be bold to come forward as a witness if they happen to see/notice the sexual harassment incident.

8.	Act to stop or reprimand the perpetrator from continuing to sexually harass the victim.
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23. All parties including government ministries and agencies, private parties, authorities at the community level, non-governmental organisations (NGOs) and identified Agents of Change need to work together in promoting awareness among the community. Examples of initiatives that can be implemented to increase awareness about sexual harassment are listed in **Table 4**.

Table 4 Action Plan for Sexual Harassment Awareness

No.	Action	Awareness Programme
1.	Increase community awareness	(i) Implement campaigns to encourage individuals to help and engage in a safe and effective way; (ii) Create a support group to educate the community; (iii) Implement an awareness campaign and inform about the rights of a victim; (iv) Carry out community advocacy; (v) Establish collaboration between the community, Government agencies and authorities; (vi) Educate the community about the importance of setting and communicating clear boundaries to reject sexual harassment, using both verbal communication and body language;

		<p>(vii) Provide understanding to the community that stereotype of behaviours that is often associated with the victim's condition if sexually harassed, such as fight, flight and freeze, does not necessarily occur in every situation;</p> <p>(viii) Provide a rehabilitation platform for the offender;</p> <p>(ix) Provide awareness to the community regarding various methods and platforms that are misused to promote sexual activities; and</p> <p>(x) Provide awareness to the community about the effects and implications of sexual harassment on all parties involved.</p>
2.	Provide a training platform to develop a community of practice	<p>(i) Train volunteers/social workers who are able to detect and act against sexual harassment;</p> <p>(ii) Train employees from service providers, such as security guards, auxiliary police, bus conductors, shop assistants and flight attendants, to possess knowledge regarding actions to be taken after receiving a complaint; and</p>

		(iii) Create a Peer Support Network that is skilled in sexual harassment issues. This group will act as a listener and address the issue of sexual harassment from the perspective of the victim, help to make a report and assist in overcoming their trauma.
3.	Exposure regarding safe and unsafe touches to children	<p>(i) Implement an exposure programme regarding the root cause of sexual harassment;</p> <p>(ii) Emphasize the importance of the syllabus on Reproductive and Social Health Education;</p> <p>(iii) Implement advocacy programmes;</p> <p>(iv) Utilize various mediums to expose children to the lesson of safe and unsafe touches; and</p> <p>(v) Provide exposure to how sexual harassment is carried out, including through applications/online games, YouTube and social media.</p>
4.	Promotions and announcements	(i) Carry out continuous announcements/promotions through print, electronic and social media.

EFFECTIVE DATE

24. This guideline comes into effect on 28 March 2023.

25. It is subject to its acceptance by the respective authorities. This guideline is generally extended to all parties, including the State Civil Service, Statutory Authorities and Local Authorities.

SECRETARY-GENERAL

MINISTRY OF WOMEN, FAMILY AND COMMUNITY DEVELOPMENT

28 MARCH 2023

APPENDIX

LIST OF ACTS/REGULATIONS THAT PROTECT THE RIGHTS OF SEXUAL HARASSMENT VICTIMS

A. Protect the rights of the community, including children

- (i) Anti-Sexual Harassment Act 2022 [*Act 840*]
- (ii) Sexual Offences Against Children Act 2017 [*Act 792*]
- (iii) Penal Code [*Act 574*]
- (iv) Communications and Multimedia Act 1998 [*Act 588*]
- (v) Minor Offences Act 1955 [*Act 336*]

B. Protect the rights of workers

- (i) Public Officers (Conduct and Discipline) Regulations 1993 [*P.U.(A) 395/1993*]
- (ii) Human Resources Service Circular (MyPPSM), Subsection PO.3.1.2 – Guidelines for Handling Cases of Sexual Harassment in the Workplace
- (iii) Statutory Bodies (Discipline and Surcharge) Act 2000 [*Act 605*]
- (iv) Employment Act 1955 [*Act 265*]
- (v) Industrial Relations Act 1967 [*Act 177*]
- (vi) Occupational Safety and Health Act 1994 [*Act 514*]
- (vii) Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace 1999

APPENDIX

A. ANTI-SEXUAL HARASSMENT LOGO



B. ANTI-SEXUAL HARASSMENT TAGLINE

StopSexualHarassment

FREQUENTLY ASKED QUESTIONS

1. What is sexual harassment?

Sexual harassment can be defined as any unwanted conduct of a sexual nature in any form, whether verbal, non-verbal, visual, gestural or physical, directed at a person that is reasonably offensive or insulting or constitutes a threat to his or her well-being.

2. What are examples of sexual harassment?

- (i) Verbally, such as words, comments, jokes, teasing, sounds and questions in the form of threats or sexual suggestions;
- (ii) Non-verbally, such as a look or glance that gives a hint of sexual intention or desire;
- (iii) Visually, such as sending or showing sexual messages through electronic media, online or face-to-face;
- (iv) Gesturally, such as using gestures that imply sexual or other related behaviour; and
- (v) Physically, such as all forms of physical activity at a distance which is too close and leads to a feeling of discomfort.

3. What are the effects on individuals who are victims of sexual harassment?

Sexual harassment has long-lasting negative impacts and traumas on the victim, which include psychological, physical and competency aspects, as well as productivity.

4. What are the facts that need to be known regarding sexual harassment?

- (i) Victims of sexual harassment are not associated with physical appearance, type of clothing, age and behaviour;
 - (ii) Sexual harassment can happen to women and men regardless of age, physical appearance or marital status;
 - (iii) Sexual harassment will continue to occur if the victim does not take any action or ignores it and may be considered as consent or encouragement for the perpetrator to continue doing it;
 - (iv) Sexual harassment can occur among the same sex; and
 - (v) Sexual harassment is a deliberate act, and the perpetrator has the intention to do it.
5. What should be done to avoid becoming a perpetrator of sexual harassment?
- (i) Do not give comments, insults, sarcasm, metaphors or body language regarding sexual matters;
 - (ii) Do not give a look that may cause discomfort to someone;
 - (iii) Do not share any picture, message or material that may lead to sexual behaviour;
 - (iv) Do not initiate any behaviour that may lead to sexual harassment; and
 - (v) Do not make physical contact without prior permission or appropriate reason.
6. What are things that can be done to avoid sexual harassment?
- (i) Be proactive by taking appropriate initiatives or steps to avoid being exposed to sexual harassment;

- (ii) Take this issue seriously and do not normalize sexual harassment by just thinking it is a prank or a joke; and
- (iii) Aware and know the rights of a victim.

7. What actions should be taken if you are a victim of sexual harassment?

- (i) Act promptly and report the incident to the authorities;
- (ii) Reprimand the perpetrator and ask them to stop the behaviour in question;
- (iii) Record details of the harassment and retain relevant evidence;
- (iv) Say no to any situation that is uncomfortable or any offensive behaviour; and
- (v) Confide in trusted persons.

8. What actions should be taken by the victim and the authorities after receiving the report?

- (i) Keep the information of the complainant/victim confidential;
- (ii) File the report honestly without any other intention;
- (iii) Initiate the investigation and make sure it is conducted transparently without any assumptions;
- (iv) Protect the victim from victimization, such as isolation, humiliation and insult; and
- (v) Involve both genders in the investigation team to ensure impartiality.

9. What steps should be taken by third parties, such as the victim's friends and family, if they find out about the victim's harassment?

- (i) Advise the victim to file a complaint;
- (ii) Maintain confidentiality and do not speculate;

- (iii) Do not spread stories that may affect the credibility and cause shame of the victim;
 - (iv) Help the victim submit a complaint through the right channels and procedures;
 - (v) Help the victim overcome trauma, such as getting help through counselling;
 - (vi) Help provide a safer place/environment for the victim;
 - (vii) Be bold to appear as a witness; and
 - (viii) Stop the perpetrator if they happen to see the incident of sexual harassment.
10. Apart from the Anti-Sexual Harassment Act 2022 [Act 840], what are the related acts that protect victims of sexual harassment?
- (i) Sexual Offences Against Children Act 2017 [Act 792];
 - (ii) Penal Code [Act 574];
 - (iii) Communications and Multimedia Act 1998 [Act 588];
 - (iv) Minor Offences Act 1955 [Act 336];
 - (v) Public Officers (Conduct and Discipline) Regulations 1993 [P.U.(A) 395/1993];
 - (vi) Human Resources Service Circular (MyPPSM), Subsection PO.3.1.2 - Guidelines for Handling Cases of Sexual Harassment in the Workplace;
 - (vii) Statutory Bodies (Discipline And Surcharge) Act 2000 [Act 605];
 - (viii) Employment Act 1955 [Act 265];
 - (ix) Industrial Relations Act 1967 [Act 177];
 - (x) Occupational Safety and Health Act 1994 [Act 514]; and
 - (xi) Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace 1999.