

Addressing Sexual Harassment in Public Spaces

Malaysia

National Survey & Roundtable Report
November 2020

A social impact initiative by



**SISTERHOOD
Alliance**

In partnership with:



In conjunction with:



GLOBAL
**16
DAYS**
CAMPAIGN





The Malaysian SafeCity Campaign is a social impact initiative by ENGENDER Consultancy and Sisterhood Alliance. We are the local partners of Red Dot Foundation Global (SafeCity), who run the global SafeCity Campaign. The Malaysian Campaign will involve local governments, residents' associations, private sector, civil society organisations and the community to create safe public spaces, free from sexual harassment for all.

This report by ENGENDER Consultancy and Sisterhood Alliance was produced by Dr. Manjit K. Ludher and Ms. Lisa Fernandes, and edited by Ms. Omna Sreeni-Ong. The valuable contribution of Ms. Lee Yee Hui (intern 2019/2020) towards the coordination and writing of this national survey report is also acknowledged.

About ENGENDER Consultancy

ENGENDER is a social enterprise focussed on advancing gender equality and the empowerment of women, with core services in the areas of gender analysis, strategic advocacy planning, and monitoring and evaluation. We collaborate with communities, private sector, civil society organisations and government to draw on our collective learning and experience, and co-create strategic solutions to bring about transformative, sustainable impact to the lived realities of women and men, girls and boys.

For more information, visit engenderconsultancy.org

About Sisterhood Alliance

Sisterhood Alliance is a social purpose organisation advocating Social Change by empowering girls and youth through programmes in order to provide them with opportunities, knowledge and experience that would make them prepared to face the world. We empower youth through our signature programs Big Girls Talk, Students with Ambitions Goals (SWAG) and, most recently, BOLD @ Youth for at-risk youth in response to economic issues during and post COVID-19.

For more information, visit mysisterhood.org

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Any reference to the survey data and content in this report must be cited. The following is an example:
ENGENDER Consultancy. (2021). *'Addressing Sexual Harassment in Public Spaces in Malaysia' National Survey & Roundtable Report* .

Overview

Organisers: ENGENDER Consultancy & Sisterhood Alliance in collaboration with Red Dot Foundation

Date: 26 November 2020 (Thursday)

Time: 8.00 pm – 9.30 pm

Number of persons who attended: 64

The virtual Roundtable on ***SafeCity: Addressing Sexual Harassment in Public Spaces*** was organised in conjunction with 16 Days of Activism Against Gender Based Violence. ENGENDER Consultancy and Sisterhood Alliance in collaboration with Red Dot Foundation launched the SafeCity Campaign simultaneously to spotlight sexual harassment in public spaces and talk about possible solutions or measures to overcome it.

Specifically, the event, a social impact initiative:

- presented some key findings of the National Survey on Sexual Harassment in Public Spaces in Malaysia;
- explored the issues surrounding sexual harassment in public spaces and the need for standalone legislation;
- talked about victims' experiences and CSO advocacy work for Sexual Harassment legislation;
- suggested solutions working with governments and civil society organisations (CSOs) to keep cities safe from sexual harassment and gender-based violence; and
- promoted the updated SafeCity Mobile App in Malaysia in tandem with the launch of the SafeCity Campaign that evening.

In order to have a common understanding, the moderator **Dr. Manjit Kaur Ludher** of ENGENDER presented the following definitions:

Sexual Harassment	Any unwanted conduct of a sexual nature having the effect of verbal, non-verbal, visual, psychological or physical harassment that makes the person feel uncomfortable or is perceived as a threat to their well-being (<i>Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace, MOHR Malaysia, 1999</i>)
Public Spaces	A public space refers to an area or place that is open and accessible to all peoples, regardless of gender, race, ethnicity, age or socio-economic level (<i>UNESCO</i>)

1

Let's Make Public Spaces Safer: Report on National Survey on Sexual Harassment in Public Spaces

Presenter



Ms. Lisa Marie Fernandes, the Advocacy & Operations Associate at ENGENDER Consultancy, presented the key findings of ENGENDER's and Sisterhood Alliance's National Survey on Sexual Harassment in Public Spaces in Malaysia.

Presentation of Survey Findings

Lisa first provided a brief introduction and overview. The purpose of the survey was to gain a better understanding of the issue and experiences related to sexual harassment in public spaces within Malaysia in order to inform and support collaborative efforts to address the issue with local government agencies and communities.

The survey was conducted over three months, from May to August 2020, and comprised four main sections:

1. **Demographics**
2. **Direct Experiences** *to understand victims' and survivors' personal experiences*
3. **Indirect Experience** *to capture if the respondent had heard of an incident, knew someone who had experienced sexual harassment in a public space and/or had witnessed it occurring*
4. **Have Your Say** *to assess strategies and initiatives respondents would like to be implemented to curb the issue*

Information was presented to the respondents to aid their responses. For instance, the following examples were provided to survey respondents on the potential various forms of sexual harassment:

- Physical - e.g. unwelcomed touching/kissing, invading of personal space, rape or attempted rape.
- Verbal - e.g. sexist remarks, sexual or gender-based jokes, whistling, requesting sexual favours, and spreading rumours; and
- Non-verbal & Visual - e.g. flashing and stalking

1. Report on National Survey on Sexual Harassment in Public Spaces

The findings presented are based on data as of 25 August 2020. Figure 1.1 below presents the demographic profile of the study respondents.

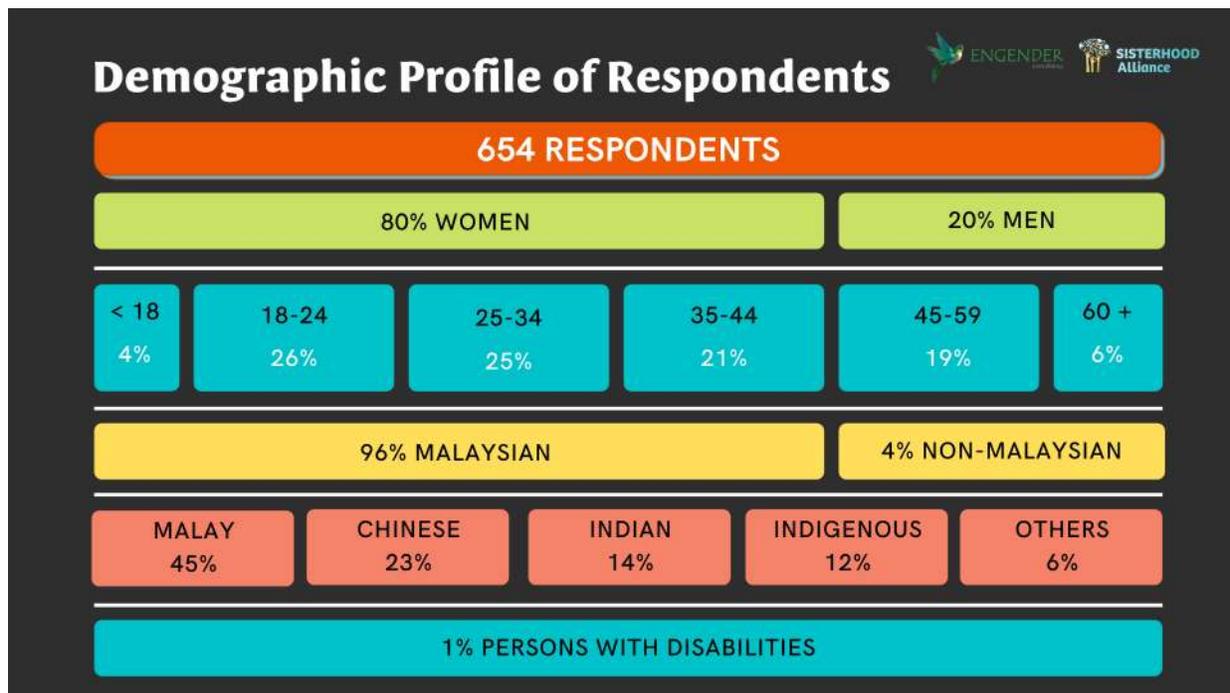


Figure 1.1: Demographic profile of respondents

The study, which encompassed 654 respondents with 80% (526) women and 20% (128) men, found that 58.6% (383) of them have experienced sexual harassment in public spaces.

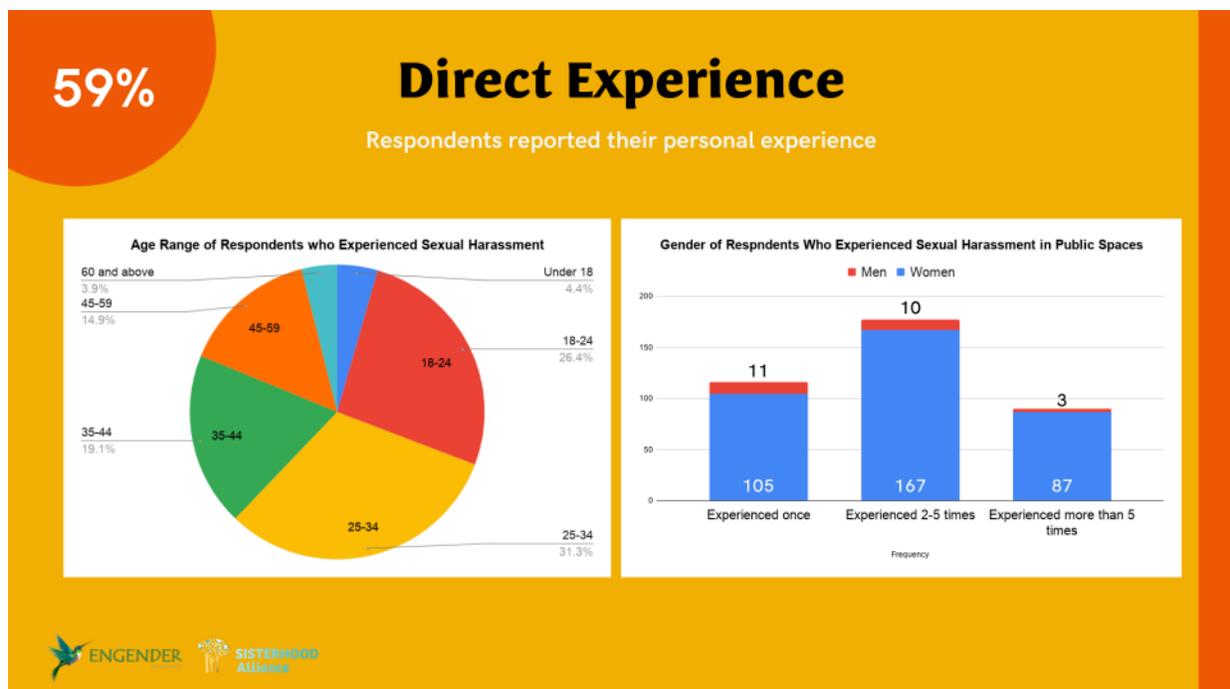


Figure 1.2: Direct Experience of sexual harassment

Figure 1.2 above provides details by age and gender for those who have had direct experience of sexual harassment.

In addition, 60% (390) have heard of and/or witnessed sexual harassment in public (Figure 1.3). The majority of these respondents, from all the main ethnic groups, were able-bodied Malaysian women aged between 18 to 34 years.

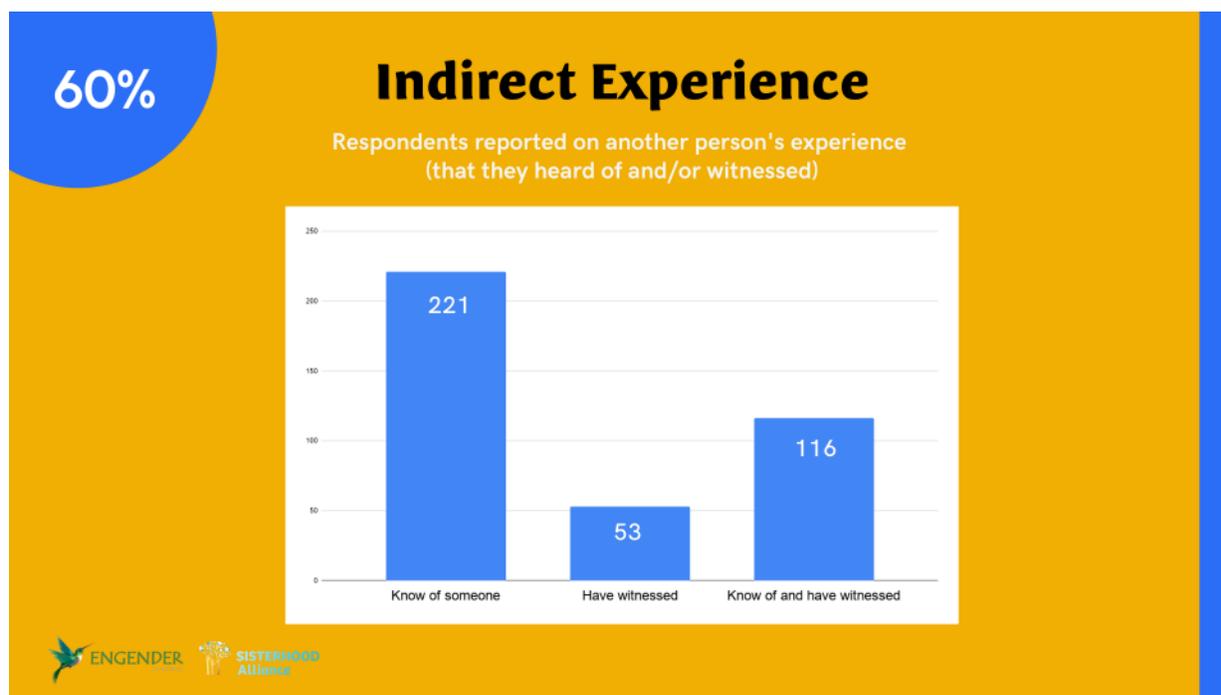


Figure 1.3: Indirect Experience of sexual harassment

It was pointed out by Lisa that the Public Spaces where this harassment commonly occurred were (in chronological order):

- on public transport, such as buses, trains and taxis (including bus and taxi stands);
- along walkways and roadside kerbs;
- in public common areas of buildings, including parking lots, canteens, lobbies, and reception areas;
- in shopping malls/areas; and
- on the road.

More information on these public spaces where the respondents experienced sexual harassment (SH) are presented below in Figures 1.4 (direct) and 1.5 (indirect). It was noted that 70% of incidents occurred during the daytime among those who had personally experienced sexual harassment in a public space.^[1]

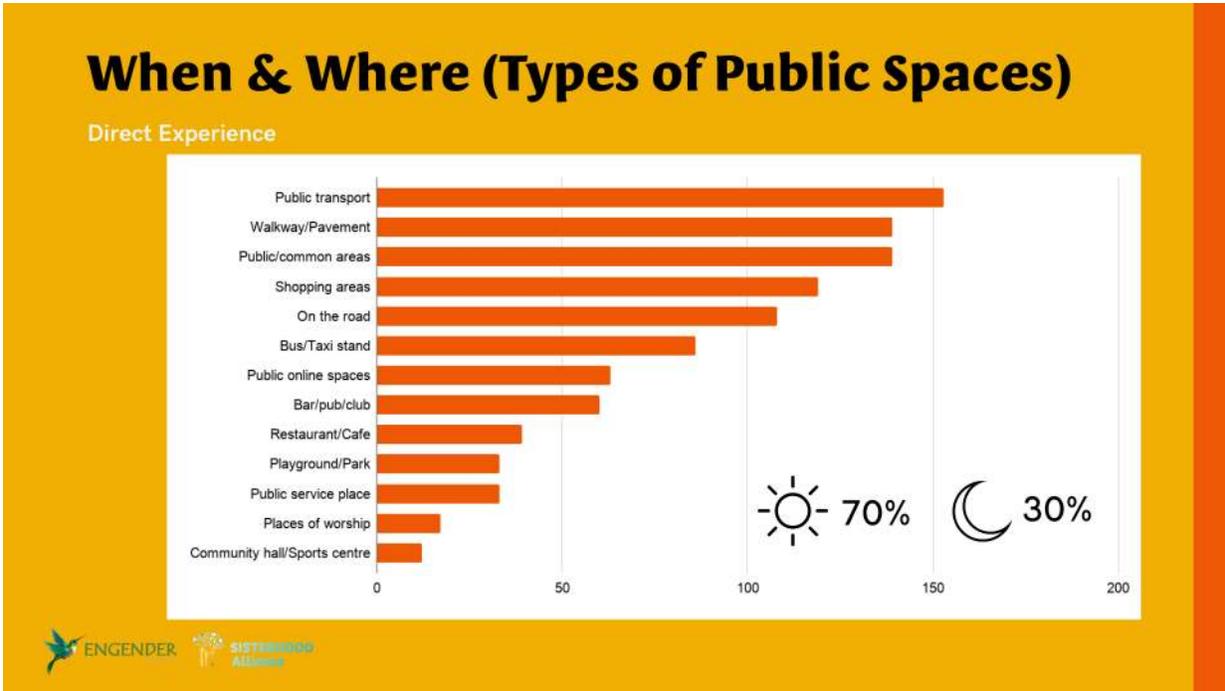


Figure 1.4: Public Spaces SH directly experienced

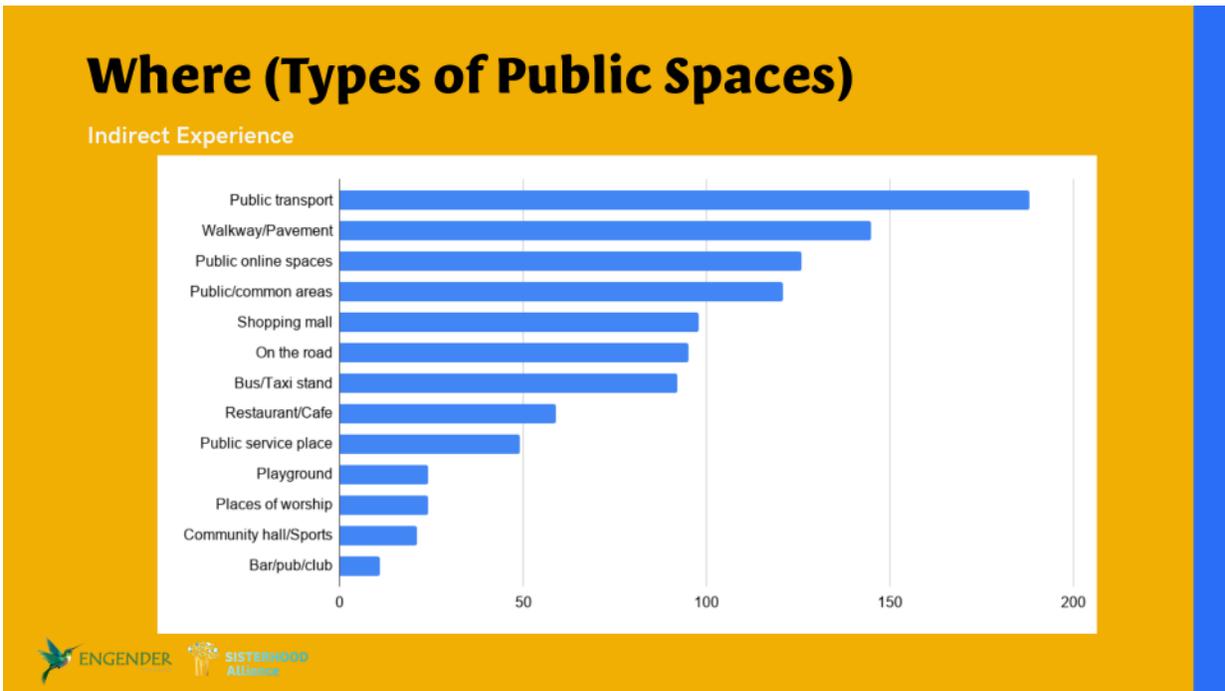


Figure 1.5: Public Spaces SH indirectly experienced

[1] The multiple choice question responses in the survey rendered it difficult to be accurate for actual figures (numbers) against total number of respondents and to protect research integrity, only percentages are used in providing most of the statistics.

The study showed that the most common types of sexual harassment in public were:

1. Physical (33%)
2. Verbal (31%)
3. Non-verbal (19.4%)
4. Visual harassment (16.9%)

For those who had experienced sexual harassment directly, the data indicates that only 36.3% or just over a third had been perpetrated by passers-by and strangers to the victim in public spaces, while disturbingly, a total of 57.7% of the harassment instances in public had been perpetrated by those known to them and another 6% by persons in authority who might or might not have been known to them.

The profile of the perpetrators as discerned in the study data included:

- friends (37%);
- strangers/passers-by (36.3%);
- those possessing a presence (temporary) in the victim's life, such as their peers and acquaintances (18.2%);
- those possessing familial ties to the victim (2.5%); and
- persons in authority (6%)

The survey also found that 95% of perpetrators were males and that the majority of respondents were harassed by those of the opposite sex. The numbers for female perpetrators and victims targeted by same-sex perpetrators may be far less, but are not non-existent.

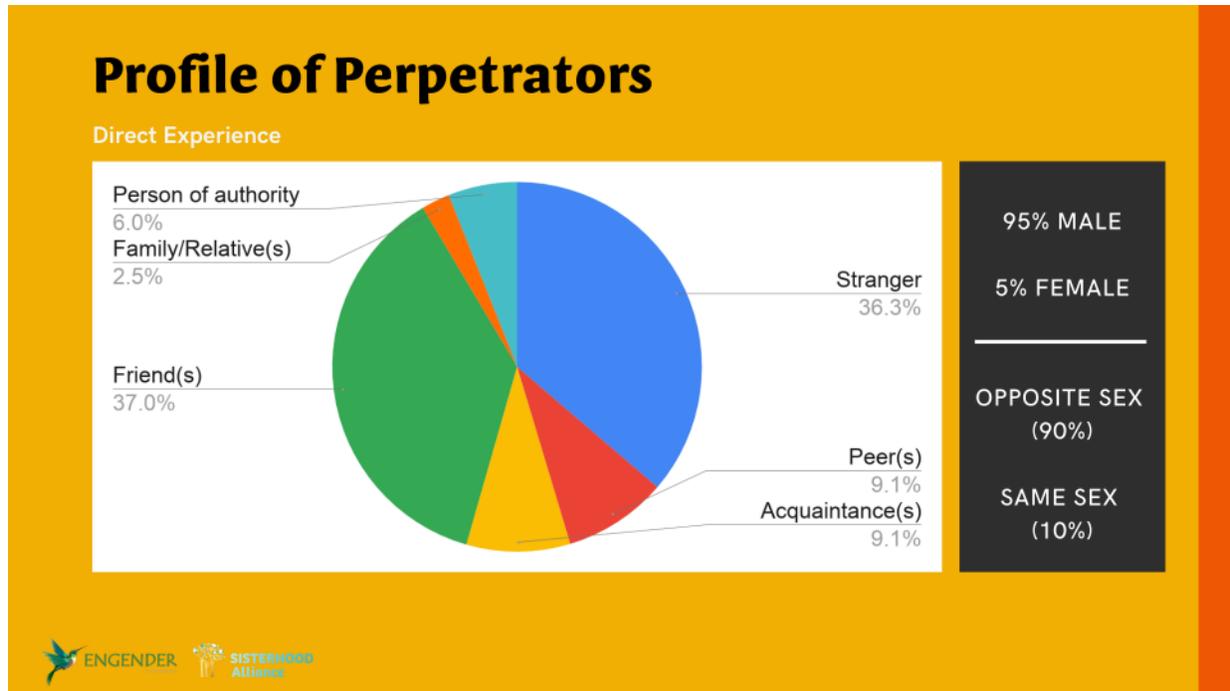


Figure 1.6: Profile of perpetrators

Only slightly over half or 53.4% of these victims of harassment chose to take some form of action whether reporting to authority or informing a trusted friend or family member. Unfortunately, those who made reports to either a public authority (4.3%), or an internal person-in-charge (6%) were few as the majority (37.8%) only informed family or friends. The type of action taken (or inaction) by victims is catalogued in the pie chart below in Figure 1.7.

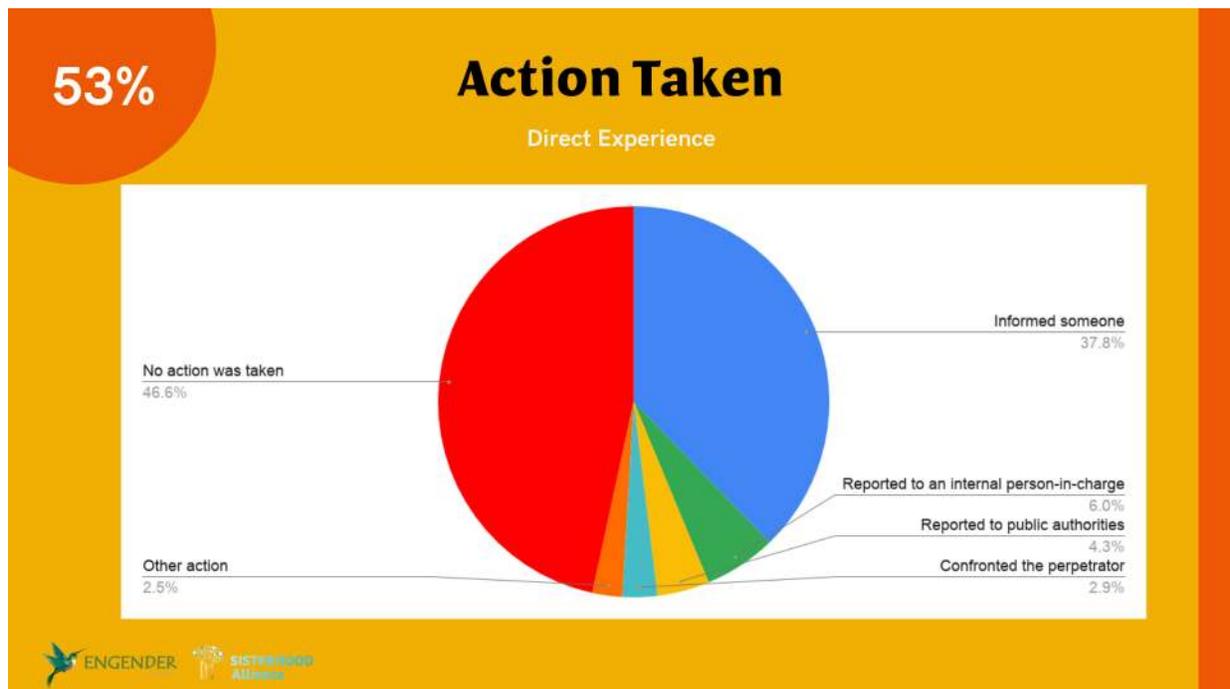


Figure 1.7: Action taken by SH directly experienced

Common reasons for inaction were: fear and shame, a lack of awareness as to the act constituting sexual harassment, the identity of the perpetrator (i.e. their relationship with them), and being told or personally perceiving that the incident was a light matter and doubting it could be legally addressed.

If no action was taken, why?

"Because even if i tell someone, people will say it's normal and men will always be men. I won't get any justice. After all, society only think rape as a sexual assault. Even getting raped doesn't get much justice, I didn't expect much from a 'little sexual assault' "

"I thought that was normal back then so I just ignored it"

"I don't know if it was my fault or his"

"Too young to understand what was happening"



The people or agency who supported the victims are compiled in the pie chart below in Figure 1.8.

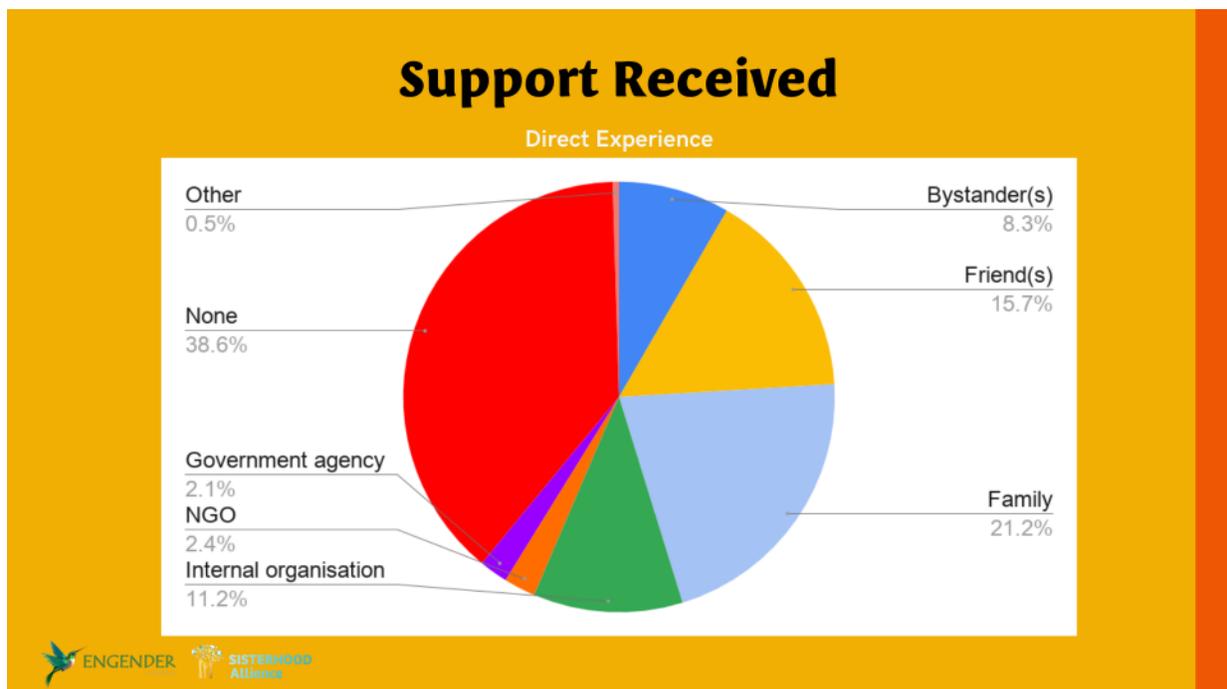


Figure 1.8: Support received by victims

1. Report on National Survey on Sexual Harassment in Public Spaces

As for those who had heard of or witnessed incidents of sexual harassment, 57.3% of them took action or sometimes took action. This usually came in the form of supporting the victim through intervention, report lodging, providing emotional support as well as counselling. As for those who chose not to act, their reasons were similar to that of victims who chose to not act. Other reasons a witness or hearsay witness of an incident did not act were: they did not know what to do or because the victims themselves did not want to take any action.

In this regard, for those who had indirect experience of sexual harassment, a total of 39.2% took action, while 42.7% took no action while 18.1% sometimes took action.

The impact on individuals who had directly experienced sexual harassment was: their behaviour became insecure when out of the house or in presence of men; they became more cautious/aggressive and tended to ignore/avoid people especially men. Their mental health was also affected with many experiencing depression, low self-esteem and increased anxiety. Some even moved out of the area and had physical intimacy issues while others coped by either avoiding going out alone or being accompanied by at least one friend.

The respondents were asked to select from several strategies that government and civil society may undertake to curb sexual harassment in public spaces, except for the last recommendation, which was raised unprompted multiple times.

For solutions, the ranking based on survey respondents' selections are as follows:

1. Increased media coverage on sexual harassment;
2. Increased awareness in educational institutions;
3. Local hotline (Welfare Department and police) established to report cases;
4. Social welfare officers be trained to receive reports and support survivors;
5. Department in town/city council be designated to address such reports;
6. More 'upstander' intervention;
7. Public service posters in strategic places; and
8. Severe legal sanctions introduced and a statute implemented that would better allow these cases to be brought to court.

2

Nature of Sexual Harassment, Link to Study & the Case for Standalone Legislation

Panellist



Ms. Betty Yeoh, the Lead Consultant for Sexual Harassment at ENGENDER Consultancy, addressed the nature of sexual harassment, conceptualising it and linking it to Engender's study findings to create safe public spaces, and the need for Sexual Harassment legislation.

Presentation and Discussion

Betty reiterated the definition of Sexual Harassment, based on Malaysia's Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace (1999), describing it as: Any unwanted conduct of a sexual nature, whether verbal, non-verbal, gestural or physical, directed at a person which is offensive or humiliating or is a threat to their well-being. It has the purpose or effect of violating the dignity of an individual, and creating an intimidating, hostile, degrading, humiliating or offensive environment.

On reviewing the findings of the study presented, Betty noted that the study indicated that while the victims were mostly females, aged between 18 to 34 years old who mostly experienced sexual harassment, men too experienced sexual harassment and hence it is important to note that sexual harassment is not only a women's issue (Figures 1.1 & 1.2). The survey results also confirm sexual harassment cuts across all ethnic groups, and religious backgrounds in the country. While most respondents responded that they were able-bodied (98%), sexual harassment does also happen to people with disability (1%).

On the startling findings that more than half or 58% of the respondents experienced sexual harassment in public spaces, and that 87% of it was experienced during the day, it was reasoned that the perpetrators were people in power, privilege, and unafraid; it also disproves the notion that such violence happens only at night.

Most studies on sexual harassment have been conducted indoors such as in schools, organisations and particularly at workplaces. This survey breaks the myth that sexual harassment takes place where people do not see it.

2. Nature of Sexual Harassment, Link to Study & the Case for Standalone Legislation

Moreover, it appears that respective owners of public spaces or transportation are not being held partly accountable. This is because there are no current laws requiring that. Even if the penal code does provide some restitution for sexual harassment, it requires solid evidence, which is usually not available in public spaces unless there is CCTV or willing witnesses to support a victim's claim.

The study data indicates a greater number of cases were reported in states/cities that have more economic activities: Kuala Lumpur, Selangor, Sabah, Sarawak and Penang were seen as locations with more sexual harassment reported. Incidents were reported in all the states, which demonstrates that sexual harassment permeates through all parts of the country validating the notion that sexual harassment crosses all boundaries.

"sexual harassment permeates through all parts of the country validating the notion that sexual harassment crosses all boundaries...a stand-alone Sexual Harassment Act is needed to effectively protect victims"

On the relationship of the perpetrators to the victims, Betty articulated that it is highly concerning that most of the perpetrators in public spaces are known to the victims. The latter may be loath to report them since they may either feel guilty and/or fear repercussions due to the nature of our patriarchal society where power and privilege are enjoyed, especially by people in 'authority'. This trend is similar to the study on rape conducted in 1999 where the perpetrators were known to the victims.

While we have the Domestic Violence Act to protect those who experience abuse within the family, according to Betty, who is a member of the Special Project Team of the Ministry of Women, Family and Community Development (KPWKM) to draft Sexual Harassment legislation, a stand-alone Sexual Harassment Act is needed to effectively protect victims.

On reasons why victims do not tend to take action, Betty asserted that this is likely due to multiple factors including fear, absence of strong legal protection or mechanisms to report or seek redress. She reiterated that the penal code places a heavy burden on the victim to provide evidence, which in most circumstances is irretrievable. These are also the reasons cited for not reporting other forms of gender-based violence.

It was highlighted that there is a need to educate people to take action, starting with knowing and understanding what is sexual harassment, its consequences and how to deal with it. Speaking up and being an active bystander or upstander is important, especially in public spaces.

Active bystanders can take the action of 4Ds namely:

1. **Direct** – directly intervene
2. **Delegate** – get others to help
3. **Distract** – use anything to draw the attention of the perpetrator from the victim
4. **Delay** – try to delay the perpetrator's action by talking to either the victim or perpetrator

It was noted that social support, including family support, is important to victims who more often are not aware of their rights nor have any support. This makes them less confident in lodging reports leading to a loss of self-esteem to take action or move forward with their lives. This impact on their lives is very concerning.

Some of the reasons given in the survey on why actions were not taken strengthen the need for a stand-alone sexual harassment legislation, as was pointed out by Betty. The proposed Sexual Harassment Bill was formulated by the Joint Action Group for Gender Equality (JAG) in 2001 with a draft by Women's Centre for Change (WCC) and All Women's Action Society (AWAM). It was noted that the key aspects of the draft Sexual Harassment Bill are that it is victim-centric and inclusive (i.e. for all genders), provides clear definitions and a broader scope of what constitutes 'sexual harassment', has provisions for prevention, policy and training and access to redress through a Commissioner & Tribunal. It also covers false accusation and vicarious liability, which addresses third party action of sexual harassment.

In creating safe public spaces, Betty suggested actions that can be taken with the local authorities and local councils as well as other stakeholders:

- **Content:** Gender sensitive media coverage, awareness raising training of officers, SOPs to take action when there are reports of sexual harassment.
- **Structure:** Offices to receive complaints, designated officers, local hotlines for reporting cases. Install more street lighting.
- **Culture:** Training for officers to understand causes and impact of gender and of sexual harassment.
- Local governments can implement initiatives and take actions before the law is passed. It can be done if there is political will.

In conclusion, it is clear that there is a pervasive problem that we are facing both locally and globally; when women are affected by gender-based violence such as sexual harassment in public spaces, it can impede their full participation in and contribution to society. This requires swift action in the form of legislation, policy and safeguarding mechanisms.

3

Victim and Survivor Stories & CSO Advocacy for Sexual Harassment Legislation

Presenter



Ms. Nisha Sabanayagam, the Programme and Operations Manager of the All Women's Action Society (AWAM), presented victims' stories and experiences relayed in distress calls, and discussed CSO advocacy work for Sexual Harassment legislation.

Presentation and Discussion

There has been a deepening of existing inequalities and a pandemic within a pandemic with what Nisha termed 'The shadow pandemic' this past year. A consequence of safety measures adopted by the government against the coronavirus disease or Covid-19 is the rise of Gender Based Violence.

Nisha called for a better understanding of the gender inequities within systems, especially in households, places of work and public spheres. There needs to be added social security for women, and more focus on ensuring their safety and good health.

The AWAM *Telenita* (Hotline) statistics were presented of the past few years to contrast the marked increase this past 11 months. In 2017, there were 263 clients, 127 in 2018 and 195 in 2019. However, just from January to November 2020, the total number of telephone calls received by *Telenita* was 695, at least a 400% increase! Of this figure, 114 distress calls were related to sexual harassment. A total of 21% of cases reported to AWAM are sexual harassment related.

The number of cases of sexual harassment reported to AWAM:

Year	No of Cases
2017	26
2018	15
2019	17
2020*	114

*as at November 2020

Women's groups and NGOs have noted that there has been a sharp rise in online sexual harassment (a public space) over the Movement Control Order (MCO) period.

3. Victim and Survivor Stories & CSO Advocacy for Sexual Harassment Legislation

At AWAM, on cases reported for Online Sexual Harassment, from 2017 to 2019, there were fewer than five cases. However, over the MCO period of just over four months (25th March- 5th August 2020), there were 13 such cases reported. The numbers, as shown below, saw a further spike in October 2020.

Breakdown of sexual harassment cases by type in October 2020:

Case Type	No of Cases
Online Sexual Harassment	50
Sexual Harassment	58

On legislative and policy reform for women’s rights at AWAM, from 2018 onwards prior to the pandemic, attention was paid (amongst others) to sexual harassment. From January/February 2020, advocacy work on the Sexual Harassment Bill was highlighted.

According to Nisha who is also a member of the Government’s Special Committee for Sexual Harassment legislation, the consequences of not having a standalone legislation are severe. She noted that significant psychological effects include anxiety, depression, lowered self-esteem, and relationship issues, which can be triggered even in later years, with some experiencing extreme trauma. In addition, it has resulted in the tendency for students to drop out of school/college and women to quit their jobs.

This situation is disempowering; the status quo enables perpetrators and institutions to continue to act with impunity.

This situation is disempowering; the status quo enables perpetrators and institutions to continue to act with impunity. Resources continue to be limited and should be channeled to support the justice process as well as address the mental and physical health needs in cases of gender-based violence. This limitation of resources to holistically address this pervasive issue negatively impacts the whole community.

As part of its advocacy efforts, AWAM has met and consulted with Parliamentarians to create awareness among members of parliament and to urge them to support and table the bill in Parliament by end 2020 and enact it into Law. Regardless of a parliamentarian’s political ideology, the safety of women (and men) is paramount.

Both social media and traditional media platforms have been used by AWAM to advocate for this law to protect and create safe spaces for all Malaysians. In recent months, there has been a Change.Org petition and a social media campaign #AWAMForTheBill #RakyatForTheBill calling on all Malaysians to be part of the change: to exercise their rights, sign AWAM’s (paper) petition to hold their representatives responsible and accountable for a safer Malaysia.

4

Global and Local Solutions: Mobile Safecity App

Presenter



Ms. ElsaMarie D'Silva, Founder and CEO of Red Dot Foundation (Safecity) from India focused on the mobile Safecity App, particularly the newly upgraded one, as a global solution for creating safe spaces and cities, especially for women and girls.

Presentation and Discussion

Red Dot's platform Safecity crowdsources personal stories/experiences of sexual harassment and abuse in public spaces, categorising them by place, time and type of harassment. Elsa, who founded Safecity in India in December 2012, explained that the data collected can be anonymous, and it gets aggregated as hot spots on a map indicating trends at a local level. Figure 4.1 below indicates the variation of incidents with time in Mumbai.

WHAT IS SAFECITY?

Safecity is a platform as a service product that powers communities, police and city government to prevent violence in public and private spaces. Our technology stack collects and analyses crowdsourced, anonymous reports of violent crime, identifying patterns and key insights. This data enables citizens, researchers and policymakers to create safer spaces by:

- Increasing awareness, transparency and public accountability
- Improving policy and tactical decision with data-led insights
- Optimising budgets to more effectively allocate resources

[SHARE YOUR STORY ANONYMOUSLY](#)

[CHECK OUT CRIME STATISTICS NEAR YOU](#)

Safecity is an initiative of the Red Dot Foundation based in Washington DC, U.S.A and its sister concern Red Dot Foundation based in Mumbai, India. Our dataset is the world's largest, with 25 participating cities/countries/organizations.

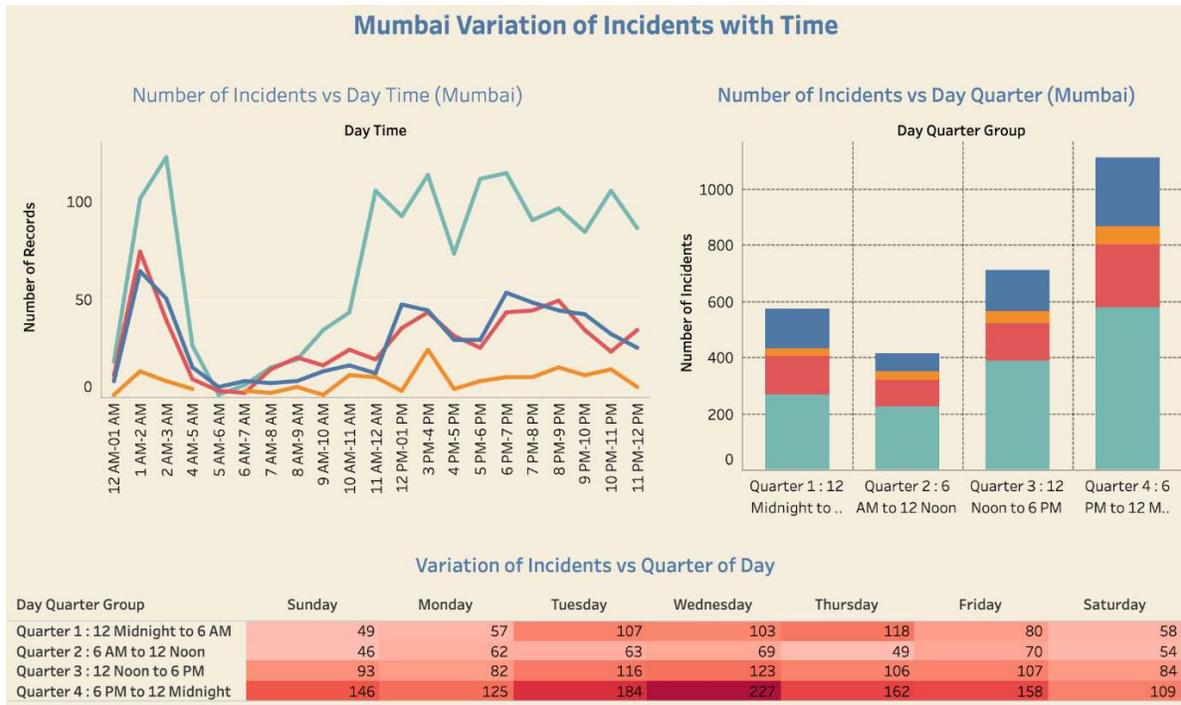


Figure 4.1: Mumbai Variation of incidents with time

Through the use of crowdsourced data and technology, cities are made safer and there is equal access to public spaces for everyone, especially women. This initiative from India provides the largest crowd map on the issue and is now promoted internationally. This is illustrated below.

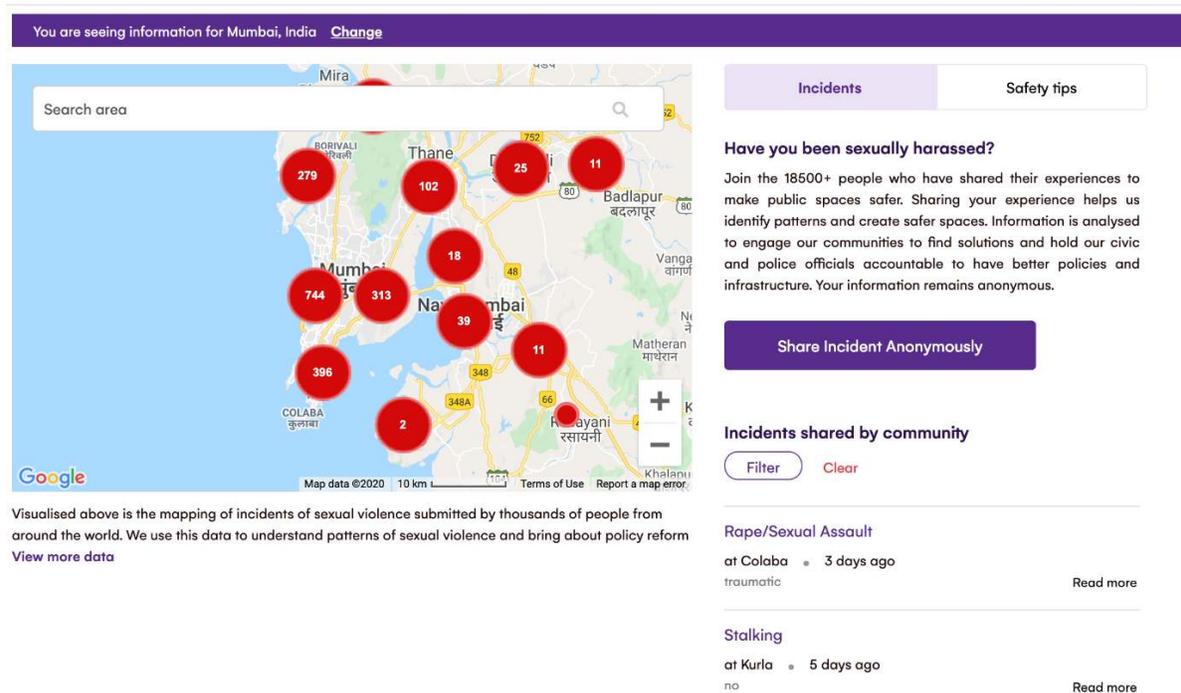


Figure 4.2: Snapshot of Safecity platform

A primary focus of Red Dot is eradication of violence against women and girls and the motivation behind introducing the mobile app was [the gang rape of a medical student on a Delhi bus](#). Because of a fear of society and police, patriarchal culture, victim blaming, and formal procedures, women and girls tend to keep silent about harassment in public spaces which leads to perpetrators getting bolder over time. But this app allows them to feel comfortable to report and share their stories of sexual harassment, be assured that they are not alone and feel empowered.

"This [SafeCity App] data set is useful for individuals, local communities and administration to identify factors causing behaviour leading to violence, and then work on strategies for local solutions"

According to Elsa, while this data set is useful for individuals, local communities and administration to identify factors causing behaviour leading to violence, and then work on strategies for local solutions. Usually, because of under-reporting of the issue, the data or official statistics available is not a true representation of the problem. But as Elsa noted, with this app, we can break our silence and document every instance of harassment and abuse in public spaces so that we can find the most effective solutions at the neighbourhood level, encouraging communities to take ownership of what affects them to influence social and systemic change. By representing the information collected on a map as hotspots, the focus is moved away from the "victim" to the location to allow all to view the issue through a different lens.

Elsa demonstrated some of the features of the app, providing some pointers on how to download it on the mobile phone and encouraging all to use the app. Users may also upload photos and videos and can sign up for alerts either based on location or category of harassment. This allows the user to understand the "safety" landscape of an area and make the most informed decision for themselves. It lets one to decide on, for instance, the time of visit, mode of transport, or if they need to be accompanied by someone. The app not only allows users to share information, but also offer advice and support.

Launch of SafeCity Campaign

At the end of the Q & A session, ENGENDER Consultancy and Sisterhood Alliance launched the SafeCity Campaign, a one-year programme to work with local governments, residents' associations, private sector and the community to create safe public spaces, free from sexual harassment for all. The newly upgraded Safecity App was promoted and the moderator Manjit encouraged all participants to download onto their mobile phones and share in their networks. The data received would be used to work with all stakeholders to find actionable solutions to create Safe Cities.

ENGENDER aims to co-create solutions with multi-stakeholders including local councils and other stakeholders, and at the current moment with the Petaling Jaya city council (MBPJ), as it is Petaling Jaya's SDG Champion for SDG 5 (Gender Equality).

Download the SafeCity App



safecity
P A R T N E R
free from sexual harassment

2021

A social impact initiative by:



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