Chapter 18

Stand Up for Your Right Virtual Kit

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ABSTRACT

Sexual harassment consists of offensive, abusive or intimidating behaviour directed to the victim. It is unwanted conduct of a sexual nature which can either be physical, verbal, non-verbal or psychological. This conduct not only caused physiological distress on the victim but also serious impact on well-being of the victim. Unfortunately, sexual harassment cases have increased considerably in academic setting. This is alarming as studies have shown that sexual harassment has a tendency of causing long term psychological disturbance on the students such as anxiety, severe stress, feeling worthless and low self-esteemed. This educational product is designed to expose the students on various conduct of sexual harassment and making them conscious of it. It aims at enhancing their knowledge on what constitutes the horrendous act of sexual harassment, the law which protect them and the procedures to be undertaken if such crime occurred. The product, which called Stand Up for Your Right Virtual Kit is a simple yet a compact virtual kit serves as a platform to educate people about sexual harassment. Hence, the development of the virtual kit is hoped to bring vast benefit in combating this crime and to give the users a better understanding on the respective laws and offences. In terms of its potential for commercialization, the virtual kit was planned to be used at a larger audience and not only for academic setting.

Key Words: academic settings, sexual harassment, students, virtual kit
1 INTRODUCTION

Sexual harassment is not a new issue nowadays. The phenomenon happens anywhere, everywhere. This sickening episodes can happen in the workplace, at schools, among eldest, adolescent and among small children. Such things happened, it is important for the society to undertake the responsibility as a good citizen to report to the legal authority when they encounter such crime pertaining to sexual harassment so that we can protect ourselves, our friends and our families from being sexually harassed. The Equal Employment Opportunity Commission states in its Interim Interpretive Guidelines on Sex Discrimination (Paludi, 1990):

“Unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating and intimidating, hostile, or offensive working environment.”

According to Betts and Newman (1982), sexual harassment can be in many forms such as verbal harassment or abuse; subtle pressure for sexual activity; unnecessary patting or pinching; constant brushing against another person’s body; demanding sexual favours accompanied by implied or overt threats concerning an individual’s employment status; and demanding sexual favours accompanied by implied or overt promise of preferential treatment with regard to an individual’s employment status.

The government has also enacted law to specially deal with children, recognizing them in need of special safeguard and protection. Child Act 2001(Act 611) was enacted to consolidate and amend the laws relating to the care, protection and rehabilitation of children. Among others, it provides for a punishment to a maximum of 20 years' imprisonment or maximum RM50,000 fine or both if it can prove the child has been sexually abused or causing or permitting the child to be abused (section 31, Act 611). In addition, most recently a new act was enacted for the purpose of providing certain sexual offences against children and to provide for the administration of justice for children. Sexual Offences Against Children Act 2017 (Act 792) makes it easier to charge offender who are accused of sexual crimes against children. Section 12 (Act 792) for instance makes child grooming as an offence and it is punishable with imprisonment of not more than five years' imprisonment and liable for whipping whereas section 4 and 5 of the same Act (Act 792) makes an offence for child pornography. It is interesting to note that the government also established the Sexual Crime Court Against Children with the objective to expedite the disposal rate of cases on sexual crimes against children. However, a specific sexual harassment act has yet to exist until now.
2 PROBLEM STATEMENT

The issue of sexual harassment is not a new phenomenon in the academic setting. It does exist, but at very minimum cases. This is due to the culture of silence that makes the cases of sexual harassment to rise. Paludi (1990) in his study have recognise that the sexual harassment exists in the university environment. He believes that the university is a place where individuals deserve the right to seek for education in a harassment-free setting. Pinchevsky, Magnuson, Augustyn, and Rennison (2019) in their study identified there are comparison between non-contact sexual harassment (SH) and contact sexual victimisation (CSV). Non-contact sexual harassment (SH) may refer to non-contact unwanted sexual experiences such as staring, asking for date, while contact sexual victimisation (CSV) may refer to unwanted sexual contact, sexual coercion and many more.

The Star online on Thursday, 14 Feb 2019 reported that the cases of sexual harassment not only faced by the women but men also face the sexual harassment in the workplace (Bernama, 2019). Furthermore, the statistics from the Royal Malaysian Police from 2013 to 2017 showed that 257 men – out of the total of 1,218 cases had reported being victims of sexual harassment. The New Straits Times on the other hand, on August 6, 2019 reported that the forms of sexual harassment cited by respondents was sexual assault (59 per cent), followed by verbal comments of a sexual nature (48 per cent), flashing (29 per cent) and (using) unwanted sexualised photography or videography (20 per cent) (Babulal, 2019). In addition, another study done Endut et al. (2011) among undergraduates at Universiti Sains Malaysia reported that 50 percent of females’ students’ claims that they were harassed by the male. Among the form of sexual harassment they experienced are sexual jokes, unwanted sexual coercion and unwanted sexual attention.

Figure 5 explains about the age breakdown of sexual harassment perpetrators in 2013 to 2017 which was released by Women's Aid Organization. From the figure, it is alarming that there were cases where the perpetrators came from the age below 18. Fogarty (2012) in his study explained that, beyond the media, teenagers can learn unhealthy or unrealistic ideas about sexuality from their peers. Other than that, they may get confused and misinformed by the media-based myths about sexuality and sex role behaviour. Therefore, these could be one of the factors that may lead some teenagers to try the action they seen towards their colleges’ friends, sibling or others.
3 OBJECTIVE

This product was carried out based on three objectives. The first and fundamental objective is to provide information to Malaysian, especially students about the meaning and forms of sexual harassment as they will soon be exposed to the working environment. Hence, equipped them with such information at early stage would serve as a protection to them. Secondly, it is to create awareness among the students about their rights when it comes to sexual harassment specifically pertaining to the acts or laws that govern sexual harassment. The last objective is to enhance the understanding of Malaysian of the actions that can be taken in order to lodge a report against sexual perpetrators. These objectives were aligned with the development of a virtual kit, named Stand Up for Your Right Virtual Kit and this paper will explain further about the development of the virtual kit that was designed specifically for higher learning institution.

4 METHODOLOGY

4.1 Concept of the Virtual Kit

The Stand Up for Your Right Virtual Kit is an online platform that can be publicly accessible by anyone. The use of the digital technology or online platform to deliver information pertaining to the sexual harassment is one of the effort to support the call out made by the Prime Minister of Malaysia, Tun Dr Mahathir Mohammad to move in align with the needs of Industrial Revolution 4.0. In addition, previous literatures have proved a positive impact towards students’ attitude in knowledge transfer with the use of interactive platform or mediated form (Garneli, Giannakos, & Chorianopoulos, 2017; Hitchens & Tulloch, 2018; Mackey, Park, Robinson, & Gabrieli, 2017).

The virtual kit will first briefly explain the sexual harassment in general and later will bring the user to multiple questions that may constitute sexual harassment. The questions serve as an initial exposure to the user as the next section will give a thorough information pertaining to sexual harassment, that fall under five categories, which are verbal, non-verbal, visual, psychological and physical. An infographic interphase will be presented to the user of virtual kit so as to explain the overall context of sexual
harassment. The content of the virtual kit is adopted from the *Pekeliling Naib Canselor Bil 28/2007 Universiti Teknologi MARA*. Upon comprehending the behaviour or act of sexual harassment, the last part of the virtual kit will be explaining the steps to be taken by the user in the event of sexual harassment specifically in the academic settings. This is the vital part of the virtual kit as it listed out few critical and relevant details to be jotted down when the students decided to further up the case. In strengthening the case for possible conviction, the material facts and relevant detail must be written down and recorded so as to ensure the establishment of evidence and starting point of investigation.

4.2 Instrument and Analysis

In evaluating the needs to develop the virtual kit, a questionnaire has been distributed to the students of UiTM Pahang from the Faculty of Administrative Science and Policy Studies, Faculty of Business and Management and Faculty of Computer Science and Information Technology via Google Form. A total of 343 responses were collected and besides the demography section, the respondents were asked about what may constitute sexual harassment based on their understanding. 24 percent of the respondents answered no, whereas the rest who answered yes were mostly defined sexual harassment as unconsent touching, uncomfortable starring, flirting, body shaming and anything related to pornography. It shows that the students do not have a solid idea of what may constitute sexual harassment that can be categorized into verbal, non-verbal, visual, physical and psychological. The question is later extended to query for any act or law that could protect their rights in the event of sexual harassment. 75 percent of them do not have any knowledge pertaining to any act that govern sexual harassment. Nevertheless, where the students who answered yes only 6 percent of them stated the correct law. This has triggered the development of a product with a purpose to educate students pertaining to sexual harassment so that they will be well equipped before entering into the working environment.

5 CONCLUSION

Currently, the virtual kit is at introductory phase as it is designed only for higher learning institution. In future, the virtual kit is hoped to cater the working women as recently the initiative to encourage women to join workforce in the Budget 2020 tabled by the Finance Minister of Malaysia, Lim Guan Eng, called Woman@Walk is expected to see an increment in the number of women in the working settings. As such, the virtual kit could be used as a guideline by the user, in fact if they are the parents it could be a useful tool for sexual education to their children. Where this is only an online platform, eventually the virtual kit may come in mobile apps when the content of the kit is comprehensive and could cater all walk of life.
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