



**UNIVERSITI
MALAYA**
KUALA LUMPUR
Producing Leaders Since 1905

**KOD AMALAN
UNTUK MENCEGAH
DAN MENGENDALIKAN
KES GANGGUAN SEKSUAL
DI UNIVERSITI MALAYA**

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Universiti Malaya
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KANDUNGAN

Penerbitan Pertama 2007
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PENGHARGAAN

Teks Kod Amalan ini telah digubal buat pertama kalinya oleh Jawatankuasa Menangani Gangguan Seksual Persatuan Kakitangan Akademik Universiti Malaya (PKAUM) yang terdiri daripada:

Profesor Madya Dr. Junedah Sanusi
Cik Lai Suat Yan
Profesor Madya Dr. Durriyyah Sharifah Hassan Adli
Puan Noor Bathi Badarudin

dan kemudiannya telah diperhalusi dan diperbaiki oleh Jawatankuasa Khas Gangguan Seksual Universiti Malaya dan beberapa ahli jemputan yang terdiri daripada:

Profesor Madya Dr. Junedah Sanusi (Pengerusi)
Profesor Madya Dr. Rohani Mohd Yusof
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Puan Halimaton Attan
Puan Khalidah Adibah Hassan
Encik Mat Ali Omar
Puan Nor Aishah Samah
Puan Hazlina Kasmin
Puan Rafiza Hashim
Puan Zarina Zainol Abidin
Saudari Sri Sharinnie Rizal
Cik Maimuna Hamid Merican
Puan Salwati Mohd Aris

Deraf akhir teks Kod Amalan untuk Mencegah dan Mengendalikan Kes Gangguan Seksual di Universiti Malaya ini telah diluluskan oleh pihak Pengurusan Universiti Malaya dalam mesyuaratnya pada 19 hb June 2007.

KATA-KATA ALUAN

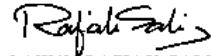
NAIB CANSELOR UNIVERSITI MALAYA

Assalamualaikum Warahmatullahi Wabarakatuh dan salam sejahtera.

Kod Amalan Untuk Mencegah dan Membasmi Gangguan Seksual di Tempat Kerja telah diterbitkan oleh Kementerian Sumber Manusia pada tahun 1999 selaras dengan hasrat kerajaan untuk menghasilkan persekitaran kerja atau suasana pembelajaran yang lebih sihat dan efektif dalam usaha meningkatkan prestasi kerja setiap individu dalam semua sektor dan organisasi.

Bagi memberi sokongan kepada usaha kerajaan, Universiti Malaya telah mengambil inisiatif untuk menerbitkan Kod Amalan untuk Mencegah dan Mengendalikan Kes Gangguan Seksual di Universiti Malaya bagi menyuntik dan meningkatkan pengetahuan, kefahaman, penghayatan, kepekaan serta kesedaran berkenaan gangguan seksual, dan juga untuk mencegah gangguan seksual di kalangan pekerja dan pelajar. Usaha murni ini diharap akan dapat mewujudkan dan mempertingkatkan keharmonian sosial dan persekitaran kerja yang selamat dan sihat di antara semua warga Universiti Malaya.

Akhir kata, saya ingin mengucapkan setinggi tahniah dan terima kasih kepada Jawatankuasa Khas Gangguan Seksual Universiti Malaya yang telah berjaya menghasilkan Kod Amalan ini. Juga kepada pihak Pengurusan dan warga Universiti Malaya kerana telah sama-sama menyokong usaha murni ini.



DATUK RAFIAH SALIM
Naib Canselor

1. KOD AMALAN UNTUK MENCEGAH DAN MENGENDALIKAN KES GANGGUAN SEKSUAL DI UNIVERSITI MALAYA

Mengikut Akta Keselamatan dan Kesihatan di Tempat Kerja (OSHA), pihak majikan bertanggungjawab untuk menyediakan persekitaran sihat dan selamat bagi pekerja-pekerjanya menjalankan tugas seharian. Ini termasuklah hal-hal yang berkaitan kesihatan dan keselamatan fizikal serta mental. Menurut kajian yang dilakukan oleh Universiti Utara Malaysia pada 1999, seramai 43% lelaki dan 53% wanita menghadapi gangguan seksual di tempat kerja (1). Walau bagaimanapun terdapat hanya 110 sahaja aduan yang dilaporkan kepada Kementerian Sumber Manusia di antara tahun 1997-1999. Ini menunjukkan bahawa sebahagian besar dan pada mereka yang diganggu tidak mengadukan perkara ini kepada pihak yang berkuasa. Walaupun aduan yang diterima secara rasmi di Universiti Malaya setakat ini adalah rendah, namun terdapat kemungkinan berlakunya kejadian gangguan seksual. Gangguan seksual boleh menjejaskan produktiviti dan kecemerlangan Universiti Malaya. Cara yang paling berkesan untuk menangani masalah ini adalah dengan mempertingkatkan kesedaran dan mengendalikannya di tempat kejadian sebelum menjadi satu masalah besar. Pengalaman di tempat-tempat yang telah menjalankan program anti-gangguan seksual menunjukkan bahawa pendekatan yang berjaya untuk menangani masalah gangguan seksual adalah dengan adanya kaedah atau mekanisme dalaman untuk menyelesaikan pengaduan. Kod Amalan Untuk Mencegah dan Mengendalikan Kes Gangguan Seksual di Universiti Malaya ini adalah selaras dengan hasrat Kementerian Sumber Manusia, mengikut Kod Amalan Untuk Mencegah dan Membasmi Gangguan Seksual di Tempat Kerja yang diterbitkan pada 1999 (2) dan Pekeliling Perkhidmatan Bil. 22, Tahun 2005 mengenai Garis Panduan Mengendalikan Gangguan Seksual di Tempat Kerja dalam Perkhidmatan Awam (3).

2. POLISI UNIVERSITI MALAYA MENGENAI GANGGUAN SEKSUAL

2.1 RASIONAL

Universiti Malaya (UM) bertekad untuk menyediakan persekitaran pembelajaran dan pekerjaan yang sihat dan selamat, bebas daripada sebarang perbuatan diskriminasi atau keganasan. Gangguan seksual dalam sebarang bentuk adalah bertentangan dengan hasrat UM dan semua warga UM dilarang keras melakukannya. Gangguan seksual yang juga merupakan satu bentuk diskriminasi seksual bercanggah dengan nilai dan

visi UM serta menggugat kerjaya, pengalaman pembelajaran dan kesejahteraan pelajar serta staf UM.

Gangguan seksual berlaku tanpa mengambil kira jawatan atau kedudukan seseorang. Walau bagaimanapun, apabila gangguan ini berlaku di antara pengajar dan pelajar atau di antara penyelia dan pekerja, maka kesalahan ini adalah lebih berat kerana melibatkan penyalahgunaan kuasa di kalangan ahli akademik dan individu terpilih yang diamanahkan untuk memimpin.

Polisi ini juga menegaskan komitmen UM untuk mempertingkatkan kefahaman melalui program meningkatkan kesedaran dan pendidikan seperti pada Perkara 7, memberi khidmat kaunseling dan melatih warga UM berkenaan gangguan seksual, kesannya ke atas individu dan komuniti UM serta langkah-langkah untuk mengatasinya.

Polisi ini juga merupakan tambahan kepada Bahagian 5.1, perkara [1] dan [2] Kod Etika Akademik UM (4). Oleh itu perbuatan melanggar polisi ini juga akan melanggar Kod Etika Akademik Universiti Malaya. Di samping disabit kesalahan melakukan gangguan seksual dan tindakan yang akan dikenakan oleh pihak UM, seseorang itu boleh juga didakwa mengikut Seksyen 354, 355, 376(2)(f) dan 509 Kanun Keseksaan. Seksyen 509 menyatakan bahawa: *barang siapa dengan maksud hendak mengaibkan kehormatan seseorang, menyebut apa-apa perkataan, membuat apa-apa bunyi atau isyarat, atau menunjukkan apa-apa benda, dengan maksud supaya perkataan atau bunyi itu didengar, atau supaya isyarat atau benda itu dilihat oleh seseorang itu, atau mengganggu kesantunan seseorang itu, hendaklah diseksa dengan penjara selama tempoh yang boleh sampai lima tahun, atau dengan denda, atau dengan kedua-duanya.* Seksyen 354 menyatakan bahawa: *barang siapa menyerang atau menggunakan kekerasan jenayah kepada mana-mana orang, dengan maksud hendak mencabul atau dengan mengetahui mungkin bahawa ia akan dengan jalan demikian itu mencabul kehormatan orang itu, hendaklah diseksa dengan penjara selama tempoh yang boleh sampai sepuluh tahun, atau dengan denda, atau dengan sebat, atau dengan mana-mana dua daripada seksaan-seksaan itu.* Seksyen 355 pula menyatakan bahawa: *barang siapa menyerang atau menggunakan kekerasan jenayah kepada mana-mana orang, dengan maksud dengan jalan demikian itu hendak menjatuhkan kehormatan orang itu, kecuali atas bangkitan-marah yang besar dan mengejut yang didatangkan oleh orang itu, hendaklah diseksa dengan penjara selama tempoh yang boleh sampai dua tahun, atau dengan denda, atau dengan kedua-duanya.* Seksyen 376(2)(f) menyatakan: *dengan kerelaannya, apabila kebenaran diperolehi dengan menggunakan kedudukannya terhadap perempuan itu atau kerana hubungan professional atau hubungan amanah lain yang berhubung dengannya.*

Gangguan seksual adalah salah satu bentuk diskriminasi berasaskan gender. Mengikut Perlembagaan Persekutuan di bawah sekyen 8(2) tentang hak sama rata, diskriminasi berasaskan gender adalah dilarang sama sekali. Ini juga adalah selari dengan Konvensyen Antarabangsa iaitu Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979 yang telah ditandatangani oleh kerajaan Malaysia pada tahun 1995.

2.2 PERNYATAAN POLISI

- 2.2.1 Gangguan seksual seperti pada Perkara 4 merupakan satu salah laku yang tidak boleh ditoleransi dalam sebarang konteks sama ada antara staf dan pelajar, sesama staf, sesama pekerja, sesama pelajar, penyelia dan pckerja atau hubungan-hubungan lain.
- 2.2.2 UM bertekad untuk menyediakan persekitaran yang menyokong pembelajaran (nurturing) yang bebas daripada gangguan seksual. Semua warga UM adalah bertanggungjawab untuk memastikan warga UM bebas daripada sebarang bentuk gangguan seksual.
- 2.2.3 Gangguan seksual merupakan satu perlakuan salah laku yang dipandang serius dan boleh dikenakan tindakan sewajarnya mengikut prosedur penyelesaian pengaduan seperti pada Perkara 6.
- 2.2.4 Semua Ketua Pusat Tanggungjawab (PTJ) dikehendaki mengambil langkah-langkah sewajarnya untuk meningkatkan kefahaman mengenai gangguan seksual melalui program kesedaran dan pendidikan yang diadakan.
- 2.2.5 Aduan gangguan seksual akan ditangani secara sulit dan rahsia. Sebarang bentuk tindakan yang tidak sewajarnya terhadap warga UM yang menggunakan hak-haknya untuk membuat pengaduan adalah dilarang dan boleh dikenakan tindakan.

3. SKOP KOD AMALAN

3.1 KUMPULAN SASARAN

Kod Amalan ini adalah terpakai dan dikuatkuasakan ke atas seluruh warga UM dan pihak luar yang berurusan dengan UM yang merangkumi perhubungan berikut:

- Staf dengan pelajar
- Sesama pelajar
- Sesama staf
- Ketua dengan staf bawahan
- Staf/pelajar dengan pihak luar

3.2. HUBUNGAN STAF DENGAN PELAJAR

- 3.2.1 Seseorang ahli akademik tidak dibenarkan membuat pernyataan berunsur seksual, memaksa keluar untuk temu janji atau hubungan seksual, atau melakukan sebarang perbuatan berunsur seksual terhadap seseorang pelajar.
- 3.2.2 Sebarang hubungan atau perbuatan romantik atau seksual tidak dibenarkan sama sekali apabila seseorang pelajar itu merupakan pelajar kepada seseorang staf akademik, apabila:
 - Pelajar itu mendaftar untuk mengikuti kursus yang diajar oleh staf akademik tersebut dan gred akhirnya belum diterima.
 - Staf akademik tersebut merupakan penasihat akademik atau penyelia kepada pelajar, atau merupakan ahli jawatankuasa bagi tesis atau disertasi pelajar berkenaan.
 - Kegiatan pelajar tersebut dinilai atau diselia oleh staf akademik berkenaan (contohnya: pengetua/penyelia asrama, penasihat persatuan/kelab yang dianggotai pelajar dan sebagainya).
- 3.2.3 Sekiranya terdapat hubungan yang tidak jelas di antara seseorang pelajar dan seseorang staf akademik yang mungkin boleh memberi kesan ke atas penilaian akademik atau peluang kerjaya kepada pelajar tersebut secara tidak langsung, prinsip etika akademik masih perlu diikuti.
- 3.2.4 Prinsip-prinsip Article 3.2 di atas digunakan kepada perhubungan di antara staf pengurusan atau sokongan dengan pelajar.

3.3 PERHUBUNGAN PENYELIA DENGAN PEKERJA

Ahli komuniti seperti Perkara 3.1 adalah seperti berikut:

- 3.3.1 Mempunyai kuasa untuk menentukan ganjaran atau sekatan ke atas seseorang yang lain.
- 3.3.2 Menilai prestasi kerja seseorang yang lain.
- 3.3.3 Menyelia pembahagian kerja seseorang yang lain.

Oleh itu, seseorang adalah dilarang melakukan pernyataan atau perbuatan berunsur seksual terhadap mereka yang di bawah bidang kuasa ahli komuniti tersebut. Contoh perhubungan ini adalah seperti penyelia atau pegawai atasan dengan perkerja di bawah seliaannya, ketua kumpulan dengan ahli kumpulan di bawahnya, pegawai dengan ahli kokurikulumnya atau sebagainya.

3.4 PERHUBUNGAN SESAMA RAKAN SEKERJA/ SEKUMPULAN

- 3.4.1 Ahli akademik dengan ahli akademik
- 3.4.2 Pelajar dengan pelajar
- 3.4.3 Pekerja Universiti dengan Pekerja Universiti

3.5 PERHUBUNGAN AHLI KOMUNITI UNIVERSITI DENGAN PIHAK LUAR

Pihak luar yang berurusan dengan warga UM adalah seperti:

- 3.5.1 Pelawat universiti
- 3.5.2 Pengguna kemudahan universiti
- 3.5.3 Syarikat pembekal
- 3.5.4 Pekerja pembinaan
- 3.5.5 Lain-lain

4. PENGERTIAN GANGGUAN SEKSUAL

Tanggapan seseorang terhadap perbuatan tertentu mungkin berbeza. Oleh itu kita perlu berhati-hati. Sesuatu yang dianggap sebagai gurauan boleh ditanggap sebagai gangguan seksual. Kadangkala seseorang itu tidak menerima bahawa perlakuannya adalah salah dan beranggapan bahawa mereka yang di sekelilingnya pula sudah biasa dengan perangainya yang suka 'bergurau'. Jika seseorang telah berkata atau menunjukkan dengan jelas bahawa dia tidak senang dengan sesuatu perbuatan, pendiriannya perlu dihormati. Oleh itu, pentakrifan gangguan seksual yang jelas merupakan komponen penting dalam keberkesanan mekanisme dalaman untuk mencegah dan mengendalikan kes gangguan seksual. Pentakrifan terperinci adalah perlu agar semua warga UM jelas berkenaan perbuatan-perbuatan yang boleh ditanggap sebagai gangguan seksual.

4.1 TAKRIF GANGGUAN SEKSUAL

Apa yang dimaksudkan dengan gangguan seksual? Gangguan seksual adalah sebarang bentuk perhatian seksual, baik yang

diucapkan atau perbuatan bersifat seksual yang disengajakan atau berulang-ulang yang membawa kesan gangguan emosi, psikologi atau fizikal, yang tidak diundang, atau tidak disenangi, termasuklah:

- 4.1.1 Penerimaan atau persetujuan kepada perbuatan tersebut dinyatakan secara tersurat atau tersirat sebagai satu syarat mengenai kedudukan atau peluang pekerjaan atau penerimaan dalam satu-satu kursus, program atau aktiviti-aktiviti lain.
- 4.1.2 Penerimaan atau penolakan perbuatan tersebut digunakan sebagai asas untuk sebarang keputusan mengenai pekerjaan atau pendidikan seseorang.
- 4.1.3 Perbuatan tersebut menyebabkan atau bertujuan menghasilkan gangguan kepada pekerjaan, prestasi pendidikan atau status seseorang.
- 4.1.4 Perbuatan tersebut menyebabkan atau bertujuan menghasilkan satu persekitaran yang penuh tekanan, ancaman atau permusuhan.

4.2 KATEGORI GANGGUAN SEKSUAL

Gangguan seksual meninggalkan kesan yang tertentu. Oleh yang demikian gangguan seksual boleh dikategorikan kepada:

4.2.1 Ugutan Seksual (*Sexual Coercion*)

Ugutan seksual ialah gangguan seksual yang ditanggap oleh seseorang sebagai menjadi syarat bersifat seksual ke atas pekerjaannya atau pembelajarannya atau faedah berkenaan pekerjaannya (*quid pro quo*). Gangguan ini mempunyai kesan langsung kepada kedudukan seseorang staf, status pekerjaan seseorang staf atau prestasi akademik seseorang pelajar atau membawa kepada keuntungan atau kerugian faedah pekerjaan yang nyata seperti pelantikan ke jawatan tertentu, kenaikan pangkat yang sukar ditolak, sokongan untuk mendapat anugerah cemerlang atau anjakan gaji, peluang atau sokongan untuk menghadiri seminar ke luar negeri, sokongan serta kelulusan permohonan bantuan kewangan, cuti dan sebagainya. Contoh ugutan seksual adalah apabila seseorang Ketua menggunakan kuasanya mengenai kenaikan pangkat anak buahnya dengan memaksanya untuk membuat hubungan seksual. Jika diikuti, dapatlah kenaikan pangkat dan gaji yang lebih tinggi. Sebaliknya jika tidak diikuti, hilanglah peluang kenaikan pangkat tersebut. Bagi pihak pelajar pula, kemungkinan terdapat tekanan untuk menerima amalan 'seks untuk gred yang baik'.

4.2.2 Pengacauan Seksual (*Sexual Annoyance*)

Pengacauan seksual ialah perlakuan seksual yang dianggap menghina atau memalukan, mengancam keselamatan peribadi dan tidak disenangi kepada yang diganggu, tetapi tidak mempunyai kaitan langsung dengan peluang pekerjaan atau faedah pekerjaan seseorang. Walau bagaimanapun, perlakuan yang mengganggu itu menghasilkan persekitaran pekerjaan yang tidak tenteram, tidak sihat dan tidak selamat. Keadaan ini terpaksa dihadapi oleh yang diganggu jika dia masih berterusan bekerja di situ. Contoh pengacauan seksual ini adalah ajakan untuk bermesra di antara sesama pekerja yang telah ditolak dengan jelas oleh yang diganggu. Kejadian seperti seorang agen syarikat pembekal yang diganggu oleh seorang staf, adalah termasuk dalam kategori ini. Walau bagaimanapun apabila staf tersebut mengancam untuk memburukkan nama agen berkenaan kepada pengurus syarikat jika dia tidak menerima gangguan itu, kejadian ini termasuk dalam kategori ugutan seksual.

4.3. BENTUK-BENTUK GANGGUAN SEKSUAL

Gangguan seksual boleh dilakukan oleh seseorang individu atas kapasiti peribadinya atau juga atas kapasiti aktiviti kumpulan. Gangguan seksual terdapat dalam pelbagai bentuk seperti berikut:

4.3.1 Gangguan Secara Lisan

Bentuk gangguan ini dapat dilihat dalam penggunaan bahasa lucah melalui perbualan, bercerita, berjenaka, membuat bunyi-bunyian, memberi kritikan, komen, pujian atau mengajukan soalan berunsur seksual ke atas penampilan, pakaian, tingkah laku, tubuh badan atau aktiviti seksual yang dinyatakan secara terang-terangan atau terselindung (berkias) sehingga seseorang berasa tersinggung, terhina, terugut atau terganggu untuk berurusan dengan staf/pelajar berkenaan. Contoh:

- Pernyataan, komen, usikan tentang rupa paras atau tubuh badan wanita, memberi komen tentang saiz buah dada atau punggungnya.
- Permintaan, cadangan untuk hubungan atau layanan seksual.
- Mengajak keluar secara berduaan walaupun telah ditolak berulang kali.

- Perbualan dan keadaan yang biasa bertukar menjadi kurang selesa dan memalukan hanya dengan menyelitkan perkataan, komen, kiasan dan lawak jenaka yang berunsur seksual. Contohnya, bila seorang wanita sedang berbincang tentang gaji dengan rakan sekerja lelaki atau rakan sejawatnya, mungkin rakan tersebut mengatakan "Gosok dulu, baru dapat kenaikan."

4.3.2 Gangguan Bukan Lisan (Secara Isyarat)

Bentuk gangguan ini dipamerkan melalui sikap atau perlakuan seseorang staf/pelajar yang memberi maksud atau gambaran keinginan yang berunsur seksual. Contoh:

- Merenung, menjeling atau memandang dengan tidak sopan yang tertumpu pada bahagian-bahagian tubuh seperti buah dada atau punggung.
- Perbuatan seperti menjilat bibir, memegang atau memakan makanan dengan cara 'bermakna' atau berunsur seksual.
- Isyarat tangan atau bahasa isyarat yang membayangkan perlakuan seks.
- Mengorot secara berisyarat yang berterusan, contohnya mengenyit mata.

4.3.3 Gangguan Secara Visual

Pelakuan menghantar nota, surat, mel elektronik (*e-mel*), *short messaging system* (SMS), *multimedia messaging system* (MMS), gambar (foto), poster, objek atau bahan bacaan yang berunsur seksual melalui penggunaan sebarang bentuk peralatan media, peralatan elektronik atau peralatan komunikasi kepada pengadu yang menyebabkan pengadu berasa tersinggung, terhina atau terugut. Contoh:

- Menunjukkan alat kelaminnya (*flasher*).
- Menunjuk, mempamer atau mengedar gambar/lakaran/bahan-bahan berunsur lucah.
- Menghantar, mengirim surat/nota bertulis yang berunsur seksual.

4.3.4 Gangguan Psikologi

Perbuatan cuba merapati secara seksual, mendorong, mendesak, mengugut atau memujuk rayu bagi memenuhi keinginan seksual pengganggu sama ada melalui surat, telefon, e-mel atau sebarang bentuk peralatan komunikasi

kepada pengadu sehingga menimbulkan tekanan emosi dan mental ke atas pengadu. Contoh:

- Jemputan sosial yang tidak diingini yang berulang-ulang.
- Ajakan, rayuan berterusan untuk temu janji atau kegiatan berunsur seksual.
- Gangguan berunsur seksual yang menghasilkan ketakutan mental.

4.3.5 Gangguan Fizikal

Gangguan seksual berbentuk sentuhan fizikal yang berunsur seksual seperti mendekati orang lain dalam jarak yang terlalu dekat sehingga orang tersebut berasa kurang selesa, memegang, menggesel, mengeletek, memeluk, menepuk, mengusap, menggosok, mencubit, memicit, mencium, meraba atau sebarang bentuk sentuhan lain yang berunsur seksual yang tidak diingini sehingga menyebabkan pengadu berasa tersinggung, terhina atau tergut. Contoh:

- Bos yang memberikan pelukan yang membolehkannya menyentuh payu dara atau punggung.
- Pensyarah yang dengan sengaja berada terlalu hampir dengan pelajar dengan alasan menyemak tugasan pelajar atau sebalikinya.
- Mereka yang sentiasa menyentuh rakan dengan cara yang tidak menyenangkan semasa berurusan.

4.4 SERANGAN SEKSUAL

Perlakuan, ugutan atau cubaan, untuk menyentuh bahagian sulit seseorang yang lain; perlakuan untuk memaksa seseorang untuk membuat hubungan seks; menanggalkan pakaian seseorang dengan tiada sebab munasabah adalah tergolong dalam perbuatan serangan seksual. Walau bagaimanapun, perlakuan serangan seksual seperti tertera di sini adalah tidak terhad kepada perlakuan yang dinyatakan sahaja. Pesalah serangan seksual boleh diambil tindakan mengikut Seksyen 354, Seksyen 355 atau Seksyen 509 Kanun Keseksaan, seperti pada Perkara 2.1 Kod Amalan ini. Rogol juga termasuk dalam kategori serangan seksual dan kes ini boleh diambil tindakan di bawah Seksyen 376 (2)(f) Kanun Keseksaan, seperti pada Perkara 2.1 Kod Amalan ini.

5. BIRO ADUAN GANGGUAN SEKSUAL UNIVERSITI MALAYA (BAGS)

5.1 Biro Aduan Gangguan Seksual Universiti Malaya (BAGS) ditubuhkan khusus untuk menangani aduan mengenai gangguan seksual di UM. Pada masa ini BAGS ditempatkan di Bahagian Pembangunan Organisasi & Pentadbiran (BPOP) yang juga bertindak sebagai urusetia BAGS. Keahlian BAGS terdiri daripada:

- Wakil Pengurusan (Pengerusi)
- Wakil PKAUM
- Wakil KKAUM
- Seorang Pakar Undang-undang
- Seorang Kaunselor
- Wakil Bahagian Hal Ehwal Pelajar dan Alumni
- Wakil Bahagian Sumber Manusia
- Wakil Pejabat Keselamatan
- BPOP (Urusetia)

Ahli BAGS dilantik oleh Naib Canselor. Ahli botch diko-op apabila perlu untuk mengganti ahli tetap bagi kes-kes tertentu.

5.2 Terma Rujukan BAGS adalah:

- Menerima dan menyimpan rekod aduan gangguan seksual.
- Membentuk jawatankuasa kecil yang bertanggungjawab khusus bagi kes tertentu.
- Menjalankan siasatan mengenai aduan yang diterima.
- Mengambil tindakan susulan bagi menyelesaikan aduan.
- Merujuk kes kepada Jawatankuasa Tatatertib (staf/pelajar) jika perlu.
- Menyediakan laporan tahunan untuk dimajukan kepada pihak Pengurusan Universiti.

6. PROSEDUR PENYELESAIAN ADUAN

Sebarang kejadian gangguan seksual yang berlaku hendaklah diadukan kepada BAGS. Komposisi ahli BAGS perlu seimbang dari segi gender. BAGS akan mengendalikan setiap aduan yang diterima berdasarkan proses carta alir di Lampiran A. Sebaik mungkin, aduan yang dilaporkan hendaklah disiasat dan diselesaikan dalam masa tidak melebihi tiga (3) bulan setelah aduan rasmi diterima. Siasatan hendaklah dijalankan oleh tiga orang ahli BAGS yang sama sehingga kes selesai. Setiap kes perlu ditangani secara sulit dan penglibatan pihak lain adalah berdasarkan keperluan sahaja.

6.1 PROSEDUR ADUAN

6.1.1 Aduan Rasmi

Aduan hendaklah dibuat dengan mengisi borang Aduan Rasmi Gangguan Seksual (seperti Lampiran B) yang boleh didapati dari setiap PTJ atau dimuat turun dari laman Web UM.

Bagi bentuk-bentuk gangguan seksual yang melanggar undang-undang negara seperti mencabul kehormatan, mencederakan dan merogol (Perkara 2.1 dan 4.4), pengadu juga boleh membuat laporan kepada pihak polis.

6.1.2 Aduan Tidak Rasmi

Aduan yang tidak dibuat melalui Borang Aduan Gangguan Seksual masih boleh dilayan oleh BAGS untuk melegakan pengadu daripada masalah gangguan seksual yang dihadapi. Pengadu akan dinasihatkan supaya mengambil tindakan yang sewajarnya.

Walaupun pengaduan sebegini tidak akan diikuti oleh penyiasatan atau tindakan lanjut secara rasmi yang melibatkan Pihak Yang Dituduh Mengganggu (PYDM), pihak BAGS akan memantau keadaan. Misalnya pihak BAGS akan memastikan sama ada PYDM pernah terlibat dalam gangguan seksual sebelum ini atau sebaliknya.

6.1.3 Penyiasatan

BAGS akan menjalankan penyiasatan untuk mendapatkan maklumat penting seperti berikut:

1. Keterangan tentang rentetan kejadian.
2. Pihak-pihak yang terlibat.
3. Waktu berlaku kejadian.
4. Adakah kejadian ini berlaku buat pertama kali atau pernah berlaku sebelumnya?
5. Saksi yang sanggup memberi keterangan.
6. Adakah mangsa telah melaporkan kejadian kepada orang lain?
7. Adakah terdapat bukti fizikal atau sebarang bukti bertulis/dokumentasi mengenai insiden? Walaubagaimanapun kelewatan membuat laporan atau aduan ataupun kekurangan bukti fizikal tidak harus mempengaruhi penyiasatan BAGS atau tidak harus digunakan terhadap mangsa (*should not be held against the complainant*).

BAGS perlu mendapatkan bukti di samping menerima aduan. BAGS mempunyai kuasa untuk mendapatkan bukti secara lisan ataupun bertulis dan memanggil saksi-saksi yang berkenaan. BAGS boleh menyoal-siasat individu yang mengadu, yang tertuduh dan sesiapa sahaja yang dapat membantu BAGS di dalam menjalankan penyiasatannya. BAGS juga perlu memastikan samada gangguan seksual tersebut telah dilakukan secara individu atau perlakuan/amalan yang merupakan budaya sesuatu kumpulan/persatuan.

6.1.4 Peluang Memberikan Keterangan oleh PYDM

PYDM hendaklah dimaklumkan identiti pengadu yang membuat aduan, sama ada perlakuan yang diadukan berlaku terhadap seorang individu atau dilakukan di khalayak ramai. PYDM hendaklah diberikan peluang yang adil untuk memberikan keterangan dan memperjelaskan rentetan kejadian, memberikan pandangannya terhadap kejadian dan mempertahankan dirinya.

6.1.5 Keputusan Penyiasatan

Terdapat beberapa kemungkinan dapatan hasil penyiasatan oleh BAGS seperti berikut:

- Bahawa tuduhan adalah tidak berasas.
- Penyelesaian tanpa tindakan rasmi diambil terhadap PYDM yang dipersetujui oleh pengadu (Lampiran C1).
- Penyelesaian tanpa tindakan rasmi diambil terhadap pengadu yang dipersetujui oleh PYDM (Lampiran C2).
- Bahawa terdapat asas untuk dipercayai bahawa perlakuan gangguan seksual telah berlaku.

BAGS akan memaklumkan secara bertulis kepada kedua-dua pihak yang terlibat tentang keputusan penyiasatan serta mengemukakan laporan kepada Jawatankuasa Tatatertib untuk tindakan selanjutnya sekiranya BAGS mendapati pelanggaran salah laku telah berlaku.

6.2 TINDAKAN TATATERTIB

Gangguan seksual adalah perlakuan salah laku yang boleh dikenakan tindakan tatatertib. Sekiranya hasil siasatan BAGS mendapati bahawa wujudnya unsur salah laku oleh PYDM, BAGS boleh merujuk kes berkenaan kepada Jawatankuasa Tatatertib.

Sekiranya PYDM didapati bersalah oleh Jawatankuasa Tatatertib, PYDM boleh dikenakan hukuman seperti berikut:

6.2.1 Sekiranya PYDM adalah staf:

- Amaran
- Denda
- Lucut Hak Emolumen
- Tangguh Pergerakan gaji
- Turun Gaji
- Turun Pangkat; atau
- Buang Kerja

6.2.2 Sekiranya PYDM adalah pelajar:

- Amaran
- Denda
- Pengeksklusion dari mana-mana kawasan kampus UM
- Digantung dari pengajian di UM; atau
- Disingkir dari pengajian di UM

6.2.3 Sekiranya PYDM merupakan pihak luar:

- Dihalang daripada berurusan dengan ahli komuniti UM
- Dihalang daripada memasuki mana-mana bahagian kampus UM

6.3 LANGKAH-LANGKAH PERLINDUNGAN

Bagi mereka yang terbukti diganggu, atau terbukti disalah tuduh mengganggu, terdapat beberapa langkah perlindungan atau tindakan yang sewajarnya yang boleh diambil, di antaranya:

- 6.3.1 Jika terbukti aduan adalah benar, mangsa boleh mengemukakan rayuan untuk dipertimbangkan semula terhadap segala faedah yang kemungkinan telah dinafikan. Contohnya: penilaian gred kursus, latihan ilmiah, tesis, disertasi, penilaian prestasi, kenaikan pangkat dan sebagainya.
- 6.3.2 Jika mangsa dibuktikan mengalami kerugian kewangan atau terpaksa berhenti kerja akibat daripada gangguan seksual keterlaluan yang diterimanya, maka mangsa boleh mengambil tindakan untuk merujuk kes beliau kepada pihak-pihak yang berkenaan, misalnya Jabatan Hubungan Industri untuk mendapatkan pampasan akibat daripada penafian sebarang faedah yang berhak diterimanya. Jika penyelesaian tidak dapat dicapai, mangsa boleh menuntut haknya melalui proses undang-undang.

- 6.3.3 Bagi aduan yang didapati tidak terbukti dan tidak beres, ganti rugi atau pampasan yang bersesuaian seharusnya juga diberikan kepada PYDM, sekiranya dia telah mengalami kerugian dari segi kewangan, imej dan sebagainya.

7. PROGRAM MENINGKATKAN KESEDARAN DAN PENDIDIKAN

Tidak dapat dinafikan bahawa satu elemen penting dalam usaha untuk mencegah kejadian gangguan seksual daripada berlaku adalah melalui penganjuran program meningkatkan kesedaran dan pendidikan mengenai gangguan seksual. Bagi maksud ini, UM telah menubuhkan Jawatankuasa Khas Gangguan Seksual UM (JKKGSUM) yang bertanggungjawab untuk membentuk, mengembang dan melaksanakan program meningkatkan kesedaran dan pendidikan gangguan seksual yang menyeluruh untuk seluruh warga universiti. Antara peranan JKKGSUM termasuklah:

- Membentuk program untuk pelajar dan staf baru serta mengembangkannya dengan program susulan, contohnya semasa minggu orientasi.
- Melatih pelajar dan staf tertentu dalam struktur rasmi pentadbiran universiti serta dari persatuan pelajar dan kesatuan pekerja dengan kemahiran kaunseling untuk rakan yang menjadi mangsa gangguan seksual.
- Memberi kefahaman kepada staf kolej kediaman dan fasilitator orientasi tentang hal-hal berkaitan masalah gangguan seksual.
- Menjalankan atau bekerjasama dengan persatuan pelajar dan kesatuan pekerja untuk menjalankan ceramah/seminar/bengkel dan sebagainya mengenai masalah gangguan seksual.
- Merancang dan melaksanakan hebah tentang wujudnya Kod Amalan, BAGS, JKKGSUM dan hal-hal lain yang berkaitan dengan gangguan seksual. Contohnya melalui edaran poster, flyers, booklet, laman web UM dan sebagainya.
- Bekerjasama untuk menganjurkan bengkel, seminar, syarahan dll yang berkenaan dengan gangguan seksual bersama dengan Program Pengajian Gender, Fakulti Sastera dan Sains Sosial, dan memberi timbalbalas mengenai kurikulum dan kursus, dan bekerjasama untuk mendapatkan data mengenai gangguan seksual.
- Memberikan khidmat nasihat asas dan rujukan berkaitan masalah gangguan seksual.

8. SUMBER-SUMBER MAKLUMAT DAN BANTUAN

Warga UM boleh mendapatkan maklumat dan bantuan mengenai masalah gangguan seksual daripada sumber-sumber yang berikut:

8.1 Sumber Dalam:

BIL	SUMBER DALAMAN	NO. TELEFON
1	Biro Aduan Gangguan Seksual (BAGS) Jawatankuasa Khas Gangguan Seksual UM (JKKGSUM)	79673598
2	Seksyen Kaunseling dan Bimbingan	79673322
3	Bah. Hal Ehwal Pelajar & Alumni	79673290
4	Bah. Sumber Manusia	79673371
5	Bahagian Pembangunan Organisasi & Pentadbiran (B'OP)	79673254
6	Pejabat Keselamatan	79673582
7	Majlis Perwakilan Pelajar UM (MPMUM)	79673412
8	Persatuan Wanita UM (UWA)	79673031
9	Persatuan Kakitangan Akademik Universiti Malaya (PKAUM)	79677077
10	Kesatuan Kakitangan Am Universiti Malaya (KKAUM)	79563912
11	Kesatuan Hospital Universiti Malaya (KHLM)	79495778
12	Hospital Universiti	79494422
13	Klinik Kesihatan Pelajar	79673212

BIL.	AKADEMI/FAKULTI/INSTITUT/KOLEJ	NO. TELEFON
1	Akademi Pengajian Islam	79676000
2	Akademi Pengajian Melayu	79677200
3	Fakulti Alam Bina	79675395
4	Fakulti Bahasa & Linguistik	79673177
5	Fakulti Ekonomi & Pentadbiran	79673600
6	Fakulti Kejuruteraan	79675200
7	Fakulti Pendidikan	79675000
8	Fakulti Pergigian	79674800
9	Fakulti Perniagaan & Perakaunan	79673800
10	Fakulti Perubatan	79492050
11	Fakulti Sains	79674200
12	Fakulti Sains Komputer & Teknologi Maklumat	79676300
13	Fakulti Sastera & Sains Sosial	79675500
14	Fakulti Undang-Undang	79676511
15	Institut Pengajian Siswazah	79674600
16	Pusat Asasi Sains	79675800
17	Pusat Kebudayaan	79673454

18	Pusat Sukan	79673210
19	Kolej Kediaman Pertama	79673415
20	Kolej Kediaman Kedua	79673416
21	Kolej Kediaman Ketiga	79673417
22	Kolej Kediaman Keempat	79673418
23	Kolej Kediaman Kelima	79673419
24	Kolej Kediaman Keenam	79674977
25	Kolej Kediaman Ketujuh	79673420
26	Kolej Kediaman Kelapan	79673216
27	Kolej Kediaman Kesembilan	79573336
28	Kolej Kediaman Kesepuluh	79673385
29	Kolej Kediaman Kesebelas	79674629
30	Kolej Kediaman Keduabelas	79577367
31	Kolej Kediaman Seksyen 17	79676908

8.2 Sumber-sumber di luar Universiti Malaya adalah seperti berikut:

- Balai Polis Pantai
- *All Women's Action Society (AWAM)*, e-mel: awam@awam.org.my
- Pertubuhan Pertolongan Wanita (WAO), e-mel: wao@po.jaring.my
- Kementerian Sumber Manusia
- Kementerian Pembangunan Keluarga dan Wanita

9. GLOSARI

1. UM – Universiti Malaya
2. PTJ – Pusat Tanggungjawab
3. Ketua PTJ – Ketua Pusat Tanggungjawab, termasuk Ketua Akademik dan Bukan Akademik, seperti Dekan, Pengarah, Ketua Jabatan
4. Staf – Kakitangan UM, termasuk staf Akademik dan Bukan Akademik
5. Pekerja – Pekerja Kontrak/Buruh
6. OSHA – Akta Keselamatan dan Kesihatan di Tempat Kerja
7. Pekeliling – Pekeliling dari Jabatan Perkhidmatan Awam
8. PYDM – Pihak yang Disyaki Mengganggu
9. BACS – Biro Aduan Gangguan Seksual UM
10. JKKGSUM – Jawatankuasa Khas Gangguan Seksual UM

SULIT
LAMPIRAN B

BORANG ADUAN RASMI
GANGGUAN SEKSUAL

Kepada : Biro Aduan Gangguan Seksual

Butir-Butir Pengadu:

1. Nama: _____
 2. No.K/P: _____ 3. No.Matrik/Staf: _____
 4. Jantina: _____ 5. Status Perkahwinan: _____
 6. Tarikh Lahir: _____ Umur: _____
 7. Jawatan dan Gred/Tahap: _____
 8. Jabatan/Fakulti: _____
 9. No.Tel: _____

Butir-Butir Pegganggu:

1. Nama: _____
 2. No. K/P: _____ 3. No. Matrik Staf: _____
 4. Jantina: _____ 5. Status Perkahwinan: _____
 6. Tarikh Lahir: _____ Umur: _____
 7. Jawatan dan Gred/Tahap: _____
 8. Jabatan/Fakulti: _____
 9. No.Tel: _____

Butir-Butir Saksi (Jika Ada)

	Saksi 1	Saksi 2	Saksi 3
Nama & No Matrik Staf/Pelajar :	_____	_____	_____
Jawatan/Gred /Tahap:	_____	_____	_____
No. Telefon /E-mail:	_____	_____	_____

SULIT
Sambungan

Butir-Butir Gangguan Seksual:

1. Tarikh: _____
2. Tempat: _____
3. Masa: _____
4. Butir-butir kejadian*: _____

*Sila lampirkan bukti kejadian (jika ada). Contohnya surat/email/sms/gambar. Sila gunakan lampiran jika ruang tidak mencukupi.

Perakuan Pengadu:

Saya mengesahkan bahawa segala maklumat dan butiran yang dinyatakan di atas adalah benar sepanjang pengetahuan saya.

Saya meminta tindakan lanjut diambil

Laporan ini adalah untuk rekod sahaja

Tarikh Aduan: _____

Tandatangan Pengadu

Tindakan Biro: _____

Tarikh Terima Aduan: _____

Nama & Tandatangan Penerima: _____

SULIT
LAMPIRAN C1

PERSETUJUAN PENYELESAIAN

Persetujuan telah dicapai di antara(nama)
(no. K/P).....(jawatan).....dari
.....(majikan) (selepas ini disebut Pihak Pertama)
dan(nama)
(no. K/P).....(jawatan) dari
.....(majikan) (selepas ini disebut Pihak Kedua).

Dengan ini adalah dipersetujui bahawa:-

- (i) Pihak Pertama memohon maaf di atas gangguan seksual yang telah dilakukannya terhadap Pihak Kedua.
- (ii) Pihak Kedua bersetuju memaafkan perbuatan gangguan seksual yang dilakukan oleh Pihak Pertama.
- (iii) Pihak Pertama berjanji tidak akan melakukan lagi sebarang bentuk gangguan seksual terhadap Pihak Kedua pada masa hadapan.
- (iv) Kedua-dua pihak bersetuju untuk tidak memanjangkan isu ini kepada pihak lain. Dengan yang demikian, isu ini dianggap telah selesai.

.....
(Pihak Pertama, PYDM)

.....
(Pihak Kedua, Pengadu)

Nama :

Nama :

Jawatan :

Jawatan :

No. Matrik/Staf :

No.Matrik/Staf :

Tarikh :

Tarikh :

Disaksikan Oleh:

(Wakil Biro)

Nama :

Jawatan:.....

Tarikh :

SULIT
LAMPIRAN C2

PERSETUJUAN PENYELESAIAN

Persetujuan telah dicapai di antara(nama)
.....(no. K/P).....(jawatan)
dari(majikan) (selepas ini disebut
Pihak Pertama) dan(nama)
(no.K/P).....(jawatan) dari.....(majikan)
(selepas ini disebut Pihak Kedua).

Dengan ini adalah dipersetujui bahawa:-

- (i) Pihak Pertama memohon maaf di atas gangguan seksual yang telah diadukan terhadap Pihak Kedua.
- (ii) Pihak Kedua bersetuju memaafkan perbuatan gangguan seksual yang diadukan oleh Pihak Pertama.
- (iii) Kedua-dua pihak bersetuju untuk tidak memanjangkan isu ini kepada pihak lain. Dengan yang demikian, isu ini dianggap telah selesai.

.....
(Pihak Pertama, Pengadu)

.....
(Pihak Kedua, PYDM)

Nama :

Nama :

Jawatan :

Jawatan :

No. Matrik/Staf :

No.Matrik/Staf :

Tarikh :

Tarikh :

Disaksikan oleh:

(Wakil Biro)

Nama :

Jawatan :

Tarikh :



**UNIVERSITY
OF MALAYA**

KUALA LUMPUR

Producing Leaders Since 1905

**CODE OF PRACTICE
ON THE PREVENTION
AND HANDLING OF
SEXUAL HARRASSMENT CASES
IN THE UNIVERSITY OF MALAYA**

The University of Malaya Sexual Complaint Bureau
Telephone Number: 03-79673598
Email: bags@um.edu.my

University of Malaya
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This text was translated by:

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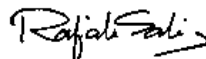
MESSAGE FROM THE VICE CHANCELLOR UNIVERSITY OF MALAYA

Assalamualaikum Warahmatullahi Wabarakatuh and greetings.

The Code of Practice on the Prevention and Eradication of Sexual Harassment at the Workplace was published by the Ministry of Human Resource in 1999 consistent with the government's aspiration to provide a healthier and more effective working environment or learning atmosphere in an effort to increase the work performance of every individual in all sectors and organisations.

In support for the government's efforts, the University of Malaya has taken the initiative to publish the Code of Practice on the Prevention and Handling of Sexual Harassment Cases in the University of Malaya in order to instill and increase knowledge, understanding, appreciation, sensitivity and awareness, as well as to combat sexual harassment among staff and students. It is hoped that this noble effort will help put into existence and increase social harmony and a safe and healthy working environment among all members of the University of Malaya.

Finally, I would like to congratulate and express my heartfelt appreciation to the University of Malaya Special Committee on Sexual Harassment for successfully producing this Code of Practice. Best wishes also goes to the University of Malaya staff and the Management for supporting this noble effort.



DATUK RAFIAH SALIM
Vice Chancellor

1. CODE OF PRACTICE ON THE PREVENTION AND HANDLING OF SEXUAL HARASSMENT CASES IN THE UNIVERSITY OF MALAYA

The Occupational Safety and Health Act 1994 (OSHA) states that the employer is responsible for providing a healthy and safe working environment for employees to carry out their daily tasks. This includes matters related to the physical and mental health and safety. According to a study carried out by Universiti Utara Malaysia in 1999, 43% males and 53% females faces sexual harassment in the workplace (1). However, between 1997 and 1999, only 110 complaints were lodged at the Ministry of Human Resource. This indicates that most of the victims did not complain to the authorities. Although official complaints received by the University of Malaya to date are low, there is still the possibility that sexual harassment do occur. Sexual harassment may affect productivity and the level of excellence in the University of Malaya. The most effective way to handle this problem is to increase awareness and control it at the scene before it becomes a bigger problem. Experiences gained from workplaces where anti-sexual harassment programmes are already in place indicate that a successful approach for handling sexual harassment problems is to have an internal method or mechanism to resolve the complaints. This Code of Practice on the Prevention and Handling of Sexual Harassment Cases in the University of Malaya is consistent with the Ministry of Human Resource's aspiration, in accordance with the Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace, published in 1999 (2) and the Service Circular No. 22, 2005 regarding Guidelines for Handling Sexual Harassment at the Workplace in Public Services (3).

2. THE UNIVERSITY OF MALAYA POLICY ON SEXUAL HARASSMENT

2.1 RATIONALE

The University of Malaya (UM) is determined to provide a learning and working environment that is healthy and safe, free from any discriminatory and violent acts. Any form of sexual harassment contradicts UM's aspiration and all members of UM are strongly prohibited from committing this act. Sexual harassment which is a form of sexual discrimination and violence, contradicts UM's mission and vision and poses a threat to the career development, learning experiences and the well-being of UM students and staff.

Sexual harassment occurs without taking into account one's position or status. However, when this harassment happens between the teaching staff and the students or between supervisors and subordinates, this wrongful act is seen as more serious because it involves the abuse of power among academicians and selected individuals who have been entrusted to be leaders.

This policy also stresses UM's commitment to improve understanding through a programme that raises awareness and education as stated in Article 7 of this Code of Practice, to provide counseling services and training to members of UM about sexual harassment, to be aware of its effects on individuals and on the UM community as well as to put into place measures to be taken for handling it.

This policy is also additional to Part 5.1, article [1] and [2] of the University of Malaya Academic Code of Ethics (4). Therefore an act of violating this policy is also an act that violates the University of Malaya Academic Code of Ethics. Apart from being found guilty of sexual harassment and the appropriate penalty being imposed by the UM, the individual concerned may also be penalized under Sections 354, 355, 376(2)(f) and 509 of the Penal Code. Section 509 (Amendment Act A 727) provides that: *whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that gesture or object shall be seen by such woman, or intrudes upon the privacy of such woman, shall be punished with imprisonment for a term which may extend to five years or with fine, or with both.* Section 354 provides that: *Whoever assaults or uses criminal force to any person, intending to outrage or knowing it to be likely that he will thereby outrage the modesty of that person, shall be punished with imprisonment for a term which may extend to ten years, or with fine, or with whipping, or with any two such punishments.* Furthermore, Section 355 states that: *Whoever assaults or uses criminal force to any person, intending thereby to dishonour that person, otherwise than on grave and sudden provocation given by that person, shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.* Section 376(2)(f) states that: *with her consent, when the consent is obtained by using his position of authority over her or because of professional relationship or other relationship of trust in relation to her.*

Sexual harassment is a form of gender discrimination and any form of discrimination base on gender is strictly prohibited under Article 8(2) of the Federal Constitution and also an international convention which Malaysia has ratified in 1995 which is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979.

2.2 POLICY STATEMENT

- 2.2.1 Sexual harassment as stated in Article 4 of this Code of Practice is a wrongful act which is intolerable in any context whether it is between staff and student, among staff, among students, between supervisor and subordinate or any other relationships.
- 2.2.2 UM is committed to provide a nurturing environment that it is free from sexual harassment. All members are responsible for ensuring UM members are free from any form of sexual harassment.
- 2.2.3 Sexual harassment is a wrongful act which is considered serious and can be punished with the appropriate penalty in accordance with the complaint resolution procedure as stated in Article 6 of this Code of Practice.
- 2.2.4 All Heads of PTJ are required to take appropriate steps towards increasing the understanding of sexual harassment through awareness and educational programmes.
- 2.2.5 Complaints of sexual harassment will be handled in a private and confidential manner. Any form of inappropriate action against a UM member who exercises his or her rights to lodge a complaint is prohibited and may be penalised.

3. SCOPE OF THE CODE OF PRACTICE

3.1 TARGET GROUPS

This Code of Practice is enforceable and implemented to all UM members and external parties who deals with UM members which includes the following relationships:

- Staff with student
- Among students
- Among staff
- Supervisor with subordinates
- Staff/student with members of the public

3.2. RELATIONSHIP BETWEEN STAFF AND STUDENT

- 3.2.1 An academician is prohibited from making statements containing any sexual elements, forcing to go on a date or having a sexual relationship, or performing any kind of action that contains any sexual element, upon a student.

- 3.2.2 Any relationship or romantic or sexual behaviour is totally prohibited, when the student is currently a student to an academic staff, ie when:

- The student has registered to pursue a course taught by the academic staff concerned and his or her final grade has not been obtained.
- The academic staff concerned is the academic advisor or supervisor to the student, or as a member of the committee for the thesis or dissertation of the student concerned.
- That student's activities are evaluated or supervised by the academic staff concerned (for instance: Master/Fellow of the college where the student concerned resides, Advisor of an Association/Club where the student concerned is a member and so forth).

- 3.2.3 When there is ambiguity or doubt in the relationship between a student and an academic staff that can indirectly affect the academic evaluation or career opportunity of the student, the principles of academic ethics should always be adhered to.

- 3.2.4 The principles of Article 3.2 above apply to the relationship between management or support staff and students.

3.3. RELATIONSHIP BETWEEN SUPERVISOR AND SUBORDINATE

A community member as stated in Article 3.1 of this Code of Practice who is as follows:

- 3.3.1 Has the authority to decide to award or obstruct rewards upon another person.
- 3.3.2 Evaluates the work performance of another person.
- 3.3.3 Supervises the work distribution of another person.

Therefore, a person is prohibited from making statements or behaving in a sexual manner towards those who are under the jurisdiction of the community member concerned. Examples of such a relationship are a supervisor or officer with subordinates under his/her supervision; the head of a group with group members under him/her; an officer with his/her co-curriculum members and so forth.

3.4 RELATIONSHIP BETWEEN PEERS/GROUP MEMBERS

- 3.4.1 Between academicians
- 3.4.2 Between students
- 3.4.3 Between university employees

3.5 RELATIONSHIP BETWEEN UNIVERSITY COMMUNITY MEMBER WITH EXTERNAL PARTIES

Members of the public who are dealing with the university:

- 3.5.1 Visitors to the University
- 3.5.2 Users of university facilities
- 3.5.3 Suppliers
- 3.5.4 Construction workers
- 3.5.5 Others

4. UNDERSTANDING SEXUAL HARASSMENT

Perceptions towards certain behaviours may vary across individuals. As such, caution should be practiced. Something that is considered a joke may be perceived as sexual harassment. There will be instances when an individual refuses to accept that his/her behaviour as wrongful and is of the opinion that others around him are used to his jocular nature. When someone has clearly indicated verbally and physically that he/she is not comfortable with a particular behaviour, his/her wishes and principles must be respected. Hence, a clear definition of sexual harassment is the most important component in the effectiveness of an internal mechanism on the prevention and handling of sexual harassment cases. A detailed definition is crucial so that all UM members are clear on behaviours that may be perceived as sexual harassment.

4.1 DEFINING SEXUAL HARASSMENT

What is meant by sexual harassment? Sexual harassment is any unwanted conduct of a sexual nature whether it is articulated or physically carried out, characterized by sexual elements, that is done intentionally or repetitively having the effect of verbal, non-verbal, visual, psychological or physical harassment, or discomfort, including:

- 4.1.1 Acceptance or agreement to the said behaviour that is obvious or implied as a condition on the status or job opportunity or acceptance in any particular course, programme or other activities.
- 4.1.2 Acceptance or rejection of the said behaviour is used as the basis for any decision on an individual's occupation or education.
- 4.1.3 The said behaviour causes or has the intention to create disruption to an individual's occupation, academic performance or status.
- 4.1.4 The said behaviour causes or has the intention to create a stressful, threatening environment or animosity.

4.2 CATEGORIES OF SEXUAL HARASSMENT

Based on the above definition, two categories of sexual harassment emerge:

4.2.1 Sexual Coercion

Sexual coercion is sexual harassment that is perceived by the victim as a sexual condition on his/her employment or learning experience or a favour for a favour (*quid pro quo*) situation. This harassment has a direct effect on a staff's status, the status of his/her job or the academic performance of a student, or may lead to an obvious benefit or loss of benefit on the staff's employment such as an appointment to a certain position, an irresistible promotion, a recommendation for an award of excellence or a salary increase, an opportunity or recommendation to attend an overseas seminar, a recommendation and approval of application for financial assistance, holidays and so forth. An example of sexual coercion is when the head exercises his/her power in increasing his/her subordinate's salary by forcing him/her to have a sexual relationship. If the subordinate complies, he/she will get a pay-raise. But if the subordinate does not obey, he/she will lose the opportunity of getting the promised salary increment. On the part of student, it is possible that he/she might feel the pressure to accept the "sex for a good grade" practice.

4.2.2 Sexual Annoyance

Sexual annoyance is a sexual behaviour that is perceived as humiliating or embarrassing, endangering the personal safety of, and causing discomfort to the victim, but does not have any relevance to a job opportunity or bring benefit

to the victim's employment. Nonetheless, the disturbing behaviour leads to an unhealthy and unsafe working environment. The victim is forced to deal with this condition for as long as he/she continues to work at the same place. An example of sexual annoyance is an invitation to be intimate from an employee to a fellow employee, which clearly has been turned down by the victim. An incident where an agent of a supplier company was harassed by a staff, may also be included in this category. However, when the staff in question threatens to destroy the agent's reputation to his manager if he/she does not accept the harassment, then this incident may be included under the sexual coercion category.

4.3. FORMS OF SEXUAL HARASSMENT

Sexual harassment may be carried out by an individual based on his personal capacity or based on the capacity of group activities. Sexual harassment presents itself in various forms such as:

4.3.1 Verbal Harassment

This form of harassment may be seen in the usage of indecent language characterized by sexual elements in conversation, storytelling, joking, making sounds, criticizing, commenting, praising, or asking questions about the appearance, dressing, disposition, physical shape or sexual activity which are stated openly or by insinuation until a person feels annoyed, humiliated, intimidated or harassed to associate him/herself with the staff/student concerned. For example:

- Statements, comments, teasing directed at a woman's appearance or body, commenting on the size of her breasts or buttocks.
- Requests, suggestions to have sexual relationship or service.
- To invite somebody to go out alone with him/her despite having been turned down repeatedly many times.
- Normal conversations or situations turning uncomfortable and embarrassing through the insertion of sexually connotative words, comments or jokes. For example, a woman is discussing salaries with her male colleagues or peers, and one of her friends might say "You'd have to do a bit of stroking before you can get a raise."

4.3.2 Non-verbal Harassment (In the form of gestures)

This form of harassment is exhibited through the staff/student's attitude or behaviour which is suggestive or portrays sexual desire. For example:

- Staring, ogling or looking indecently at a woman focusing particularly on her breasts or buttocks.
- Gestures such as lip licking, holding or eating certain food suggestively or with sexual connotations.
- Making gestures or movements suggestive of sexual acts.
- To seduce through continuous gesturing for example by winking.

4.3.3 Visual Harassment

The act of sending notes, letters, electronic mails (emails), short messaging system (SMS), multimedia message system (MMS), photographs, poster, objects or reading materials suggestive of sex through the use of any form of media tools, electronic tools, or communication tools to the complainant causing the complainant to feel aggrieved, humiliated or intimidated. For example:

- Showing his genitals (*flasher*).
- Showing, exhibiting or distributing pornographic pictures/ sketches/materials.
- Sending, posting letters/written notes containing sexual connotations.

4.3.4 Psychological Harassment

The act of getting closer to someone in a sexual way, to encourage, pester, intimidate or coaxing/cajoling so as to satisfy the harasser's sexual needs whether through letters, telephones, emails, or any form of communication tools to the complainant to the extent of causing emotional and mental stress on the part of the complainant. For example:

- Repeated unsolicited invitation to socialize
- Continuous pestering and pleas for a date or sexual encounter.
- Sexual harassment which can cause mental fright.

4.3.5 Physical Harassment

Sexual harassment in the form of physical touches suggestive of sex such as standing too close against someone until that person feels uneasy, holding, grazing, tickling, hugging, slapping, stroking, rubbing, pinching, squeezing, kissing, groping or any other undesirable form of touching which have sexual connotations that can make the complainant feel offended, humiliated or intimidated. For example:

- A superior who gives hugs which enable him/her to directly touch the breasts or buttocks.
- A lecturer who purposely stands very close to the student under the pretext of checking the student's work.
- Those who are always touching their friends in an unpleasant way during their interactions.

4.4 SEXUAL ASSAULT

The act to intimidate or an attempt to touch someone's private parts; the act of forcing someone to have sex; or stripping off someone's clothes without any apparent reason, can all come under the act of sexual assault. However, the act of sexual assault as stated here is not limited only to the actions stated here. A sexual assault offender may be penalized under Sections 354, 355 or 509 of the Penal Code, as stated in Article 2.1 of this Code of Practice. Rape is also included in this category of sexual assault and this case may be penalized under Section 376 (2) (f) of the Penal Code, as stated in Article 2.1 of this Code of Practice.

5. THE UNIVERSITY OF MALAYA SEXUAL HARASSMENT COMPLAINT BUREAU (BIRO ADUAN GANGGUAN SEKSUAL, BAGS)

5.1 The University of Malaya Sexual Harassment Complaint Bureau is formed specifically for handling complaints regarding sexual harassment in UM. Currently BAGS is located in the Organization Development & Administration Division (Bahagian Perkembangan Organisasi dan Pentadbiran, BPOP) which is also acting as the secretariat for BAGS. The membership of BAGS comprises:

- A representative from the Management (Chairperson)
- A representative from PKAUM
- A representative from KKAUM
- A Law Consultant
- A Counselor
- A representative from the Student Affairs and Alumni Division
- A representative from the Human Resource Division
- A representative from the Security Office
- BPOP (Secretariat)

The members of BAGS will be appointed by the Vice-Cancellor. Other members may be co-opted when it is deemed necessary to replace a permanent member for specific cases.

5.2 The Terms of Reference for BAGS are:

- To receive and keep records of sexual harassment complaints.
- To form a small committee responsible specifically for particular cases.
- To carry out investigations regarding the complaints received.
- To take follow-up actions in resolving the complaints.
- To refer cases to the Disciplinary Committee (staff or student) when necessary.
- To prepare annual reports to be forwarded to the University Management.

6. COMPLAINTS RESOLUTION PROCEDURE

Any incident of sexual harassment must be reported to BAGS. BAGS, the composition of which should be balanced in terms of gender, will manage every complaint received based on the flow chart provided in Attachment A. Where possible, the reported complaints would be investigated and resolved within a period of not more than three (3) months after an official complaint had been received. The investigation must be carried out by the same three BAGS members until the case is resolved. Each case must be handled confidentially and the basis of involvement of other parties is only necessary when it is needed.

6.1 COMPLAINT PROCEDURE

6.1.1 Official Complaint

The complaint is to be made by completing the Sexual Harassment Complaint Form (please refer to Attachment B) which may be obtained from every PTJ or downloaded from the UM website.

For lodging a complaint of sexual harassment within legislative and common law framework of this country such as assault, molesting, causing injury and raping (as stated in Articles 2.1 and 4.4 of this Code of Practice), the complainant may also report to the police.

6.1.2 Unofficial Complaint

Complaints not made through the Sexual Harassment Complaint Form may still be attended to by BAGS so as to relieve the complainant from the sexual harassment burden faced. The complainant will be advised as to the appropriate actions to be taken.

Although this kind of complaint will not be followed through with an official investigation or further action

involving the Party Accused of Harassment (PAH), BAGS will monitor the situation. For instance BAGS will determine whether the PAH has ever been involved in sexual harassment prior to this incident or not.

6.1.3 Investigation

BAGS will carry out investigations to obtain important information such as the following:

1. Clarification on sequence of events.
2. Parties involved.
3. The time it happened.
4. Is this the first time it happened or has it already happened before this?
5. Witnesses who are willing to provide clarification.
6. Has the victim reported the incident to somebody else?
7. Are there any physical evidence or any written evidence/documentation regarding the incident? The tardiness to lodge a report/complaint or the lack of physical evidence of a struggle should not be held against the complainant.

BAGS has to gather evidence in addition to receiving complaints. BAGS has the powers to obtain any kind of evidence i.e. verbal or written evidence and call upon relevant witnesses. BAGS is responsible to call upon individuals who complained, the accused and anyone else who is able to assist BAGS in carrying out the investigation. BAGS must also decide if the sexual harassment was done individually or as a result of an accepted culture of a group or an association.

6.1.4 Opportunity of Giving Explanation by the PAH

The PAH shall be informed of the identity of the person who made the complaint, whether it is an incident that happened to an individual or in front of a crowd. The PAH shall be given a fair opportunity to explain and clarify the sequence of events, giving his or her point of view towards the incident and to defend himself/herself.

6.1.5 Results of Investigation

There are a few possibilities of findings by BAGS which may be obtained, as follows:

- The accusation is baseless.

- A solution without official action taken against PAH, which is agreed to by the complainant (please refer to Attachment C1).
- A solution without official action taken against the complainant, which is agreed to by PAH (please refer to Attachment C2).
- That there is basis to believe that the action of sexual harassment has occurred.

BAGS will notify both parties in writing regarding the results of investigation as well as submit a report to the Disciplinary Committee for further action if BAGS is of the opinion that a violation of the law or UM's policy on sexual harassment had occurred.

6.2 DISCIPLINARY ACTION

Sexual harassment is a wrongful act that warrants disciplinary action. If the outcome of the investigation by BAGS reveals that there was a wrongful act by the PAH, BAGS can refer the particular case to the Disciplinary Committee.

If the PAH is found guilty by the Disciplinary Committee, the PAH may be punished as follows:

6.2.1 If the PAH is a staff:

- Warning
- Fine
- Dismissed from Emolument Rights
- Delay in salary movement
- Decrease in salary
- Demotion; or
- Expulsion

6.2.2 If the PAH is a student:

- Warning
- Fine
- Prohibited from entering any part of UM campus
- Suspended from studies in UM; or
- Expelled from UM

6.2.3 If the PAH is an external party:

- Prohibited from dealing with UM community members
- Prohibited from entering any part of UM campus

6.3. PROTECTION MEASURES

For those proven being harassed, or those proven falsely accused of harassment, there are several steps of protection or appropriate actions that may be taken, among them are:

6.3.1 If the complaint was found to be true, the victim may submit an appeal to be reconsidered in all the areas that were previously possibly denied. For example: the evaluation of a course grade, practical training, thesis, dissertation, performance evaluation, promotions and so forth.

6.3.2 If the victim was proven to have experienced financial loss or forced to stop working as a result of being a victim of excessive sexual harassment, the victim may refer his or her case to the relevant authorities, such as the Industrial Relations Department to obtain compensation as a result of being denied any rightful benefits receivable. If no solution is achieved, the victim may put forward a claim to his or her rights through the legal process.

6.3.3 For complaints that are proven baseless, suitable compensations may be considered for the PAH if he/she experienced financial, image and other forms of losses.

7. PROGRAMME TO INCREASE AWARENESS AND EDUCATION

It is undeniable that one important element in the prevention and eradication of sexual harassment is through awareness raising and education programmes on sexual harassment. For this purpose, UM has set up a Special Committee on Sexual Harassment in UM (JK Khas Gangguan Seksual UM, JKKGSUM) which is responsible to initiate, develop and implement a comprehensive programme of increasing awareness and education on sexual harassment to all members of UM. Among the roles of JKKGSUM are:

- To develop programmes for students and new staff as well as the development of follow-up programmes, for example during the orientation week.
- To train suitable students and staff from the official university administrative structure, from students' associations and from staffs' associations, with counseling skills to assist those who have become victims of sexual harassment.
- To provide awareness and understanding on sexual harassment to staff of residential colleges and also orientation facilitators.
- To organise or collaborate with the students' and staffs' associations to organise talks, seminars, workshops and so forth on the impact of sexual harassment.
- To publicize information regarding the existence of the Code of Practice, BAGS, JKKGSUM and other matters related to sexual harassment. For example through distribution of posters, flyers, booklets, UM websites etc.
- To collaborate on workshops, seminars, talks and awareness programmes that are related to sexual harassment with the Gender Studies Programme, Faculty of Arts and Social Sciences, and to

- give feedback on the curriculum and courses, and to collaborate on data compilation on sexual harassment.
- To provide basic advisory services and references related to the problems of sexual harassment.

8. SOURCES OF INFORMATION AND ASSISTANCE

Students and staff of UM can obtain information and assistance relating on sexual harassment from the following sources:

8.1 Internal Resources:

NO.	INTERNAL RESOURCES	NO. TELEPHONE
1	University of Malaya Sexual Complaint Bureau	79673598
2	Counselling and Guidance Division	79673322
3	Alumni & Student Affairs Unit	79673290
4	Human Resource Division	79673371
5	Organization Development & Administration Division	79673254
6	Security Offices	79673582
7	Majlis Perwakilan Pelajar UM (MPMUM)	79673412
8	Persatuan Wanita UM (UWA)	79673031
9	Academic Staff Association of University Malaya (PKAUM)	79677077
10	General Staff Union of University Malaya (KKAUM)	79563912
11	Hospital University Malaya Union (KHUM)	79495778
12	University Malaya Medical Centre	79494422
13	Student Health Clinic	79673212
NO.	ACADEMY/INSTITUTE/COLLEGE	NO. TELEPHONE
1	Academy of Islamic Studies	79676000
2	Academy of Malay Studies	79677200
3	Faculty of Built Environment	79675395
4	Faculty of Languages and Linguistics	79673177
5	Faculty of Economics & Administration	79673600
6	Faculty of Engineering	79675200
7	Faculty of Education	79675000
8	Faculty of Dentistry	79674800
9	Faculty of Business and Accountancy	79673800
10	Faculty of Medicine	79492050
11	Faculty of Science	79674200
12	Faculty of Computer Science and Information Technology	79676300
13	Faculty of Arts and Social Sciences	79675500
14	Faculty of Law	79676511
15	Institute of Graduate Studies	79674600

16	Centre for Foundation Studies in Science	79675800
17	Cultural Centre	79673454
18	Sports Centre	79673210
19	First Residential College	79673415
20	Second Residential College	79673416
21	Third Residential College	79673417
22	Fourth Residential College	79673418
23	Fifth Residential College	79673419
24	Sixth Residential College	79674977
25	Seventh Residential College	79673420
26	Eighth Residential College	79673216
27	Nineth Residential College	79573336
28	Tenth Residential College	79673385
29	Eleventh Residential College	79674629
30	Twelfth Residential College	79577367
31	Seventeenth Residential College	79676908

8.2 Resources outside of UM:

- Pantai Police Station
- All Women's Action Society (AWAM), e-mail: awam@awam.org.my
- Women's Aid Organisation (WAO), email: wao@po.jaring.my
- Ministry of Human Resource
- Ministry of Women, Family and Community Development

9. GLOSSARY

1. UM - University of Malaya
2. PTj - Responsibility Centres (Pusat Tanggungjawab)
3. Head of PTj - Head of Responsibility Centres, including Academic and Non-academic heads eg Deans, Directors, Heads of Department, and College Masters
4. Staff - UM staff: academic and non-academic
5. Worker - Contract worker or labourer
6. OSHA - Occupational Safety and Health Act 1994
7. Circular - Circular from the Public Service Department
8. BAGS - Sexual Harassment Complaint Bureau (Biro Aduan Gangguan Seksual)
9. BPOP - Organization Development & Administration Division (Bahagian Perkembangan Organisasi dan Pentadbiran)

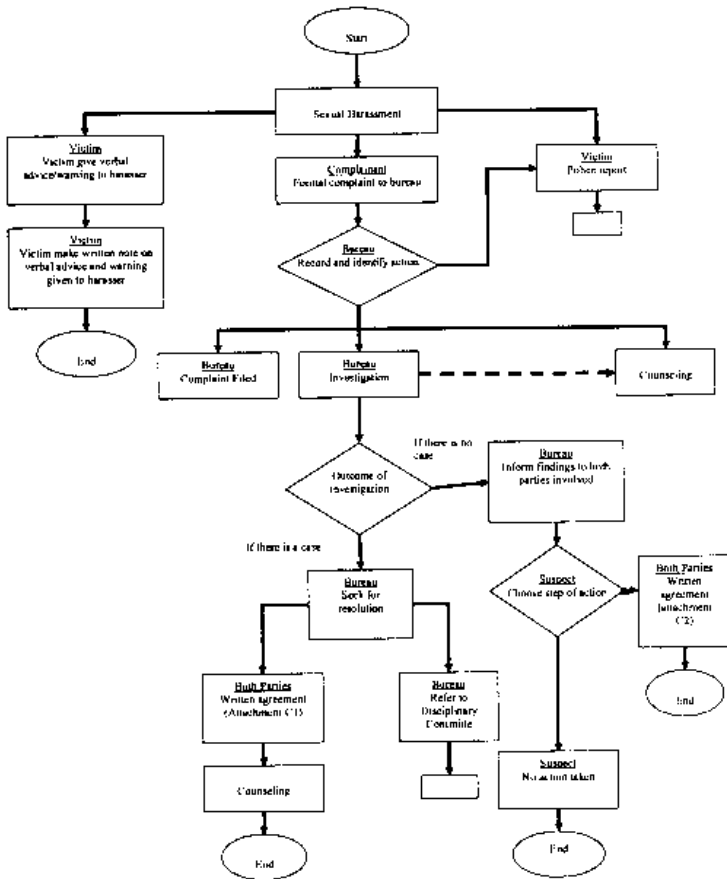
10. PAH - Party Accused of Harassing
11. JKKGSUM - Special Committee for Sexual Harassment of UM (JK Khas Gangguan Seksual UM)

10. REFERENCES

1. Sabitha Marican, 1999. *The Perception of Sexual Harassment Among Public Administrators at the Workplace*, School of Social Development, Universiti Utara Malaysia.
2. Kementerian Sumber Manusia Malaysia, 1999. *Kod Amalan Untuk Mencegah Dan Membasmi Gangguan Seksual di Tempat Kerja*.
3. Pekeliling Perkhidmatan Bilangan 22, Tahun 2005. *Garis Panduan Mengendalikan Gangguan Seksual Di Tempat Kerja Dalam Perkhidmatan Awam*.
4. Universiti Malaya, 1997. *Kod Etika Akademik Universiti Malaya*.
5. Kanun Keseksaan (Akta 574)

ATTACHMENT A

FLOWCHART IN HANDLING SEXUAL HARASSMENT IN UNIVERSITI MALAYA



**CONFIDENTIAL
ATTACHMENT B**

**OFFICIAL COMPLAINT FORM
SEXUAL HARASSMENT**

To : Sexual Harassment Complaint Bureau

Details of Complainant :

1. Name: _____
2. I/C No.: _____ 3. Matric/Staff No: _____
4. Sex: _____ 5. Marital Status: _____
6. Date of Birth: ____ Age: _____
7. Position and Grade/ Level: _____
8. Department/Faculty: _____ 9. Tel No: _____

Details of harasser

1. Name: _____
2. I/C No.: _____ 3. Matric/Staff No: _____
4. Sex: _____ 5. Marital Status: _____
6. Date of Birth: _____ Age: _____
7. Position and Grade/ Level: _____
8. Department/Faculty: _____ 9. Tel No: _____

Details of witness (if available)

	Witness 1	Witness 2	Witness 3
Name&Matric No Staff/Student:	_____	_____	_____
Position/Grade/ Level:	_____	_____	_____
Telephone No/E-mail:	_____	_____	_____

CONFIDENTIAL
Cont. Attachment B

Details of Sexual Harassment:

- 1. Date:
- 2. Place:
- 3. Time:
- 4. Details of Incident*:

*Please provide evidence of incident (if available). Eg: letters/email/sms/photos. Use attachment if space is inadequate.

Complainant's declaration:

I hereby certify that all the information and details provided here are correct to my knowledge.

- I request for further action
- This report is for record purposed only

Date of complaint: _____ Complainant's Signature _____

Bureau's Action:

Date of receipt of complaint: _____

Complaint received by (Name & Signature): _____

CONFIDENTIAL
ATTACHMENT C1

RESOLUTION AGREEMENT

A resolution has been agreed by (name)
 (I/C No) (position) from
 (employer) (after this is known as First Party) and(name)
 (I/C No) (position)
 from(employer) (after this known
 as Second Party).

It is hereby agreed that:-

- (i) The First Party apologise to the Second Party for the sexual harassment.
- (ii) The Second Party agree to accept the apology the of First Party for the sexual harassment.
- (iii) The First Party promise not to sexually harass the Second party in future.
- (iv) Both parties agree not to prolong this issue with any other parties and therefore this issue is considered closed.

_____ (First Party, PAH) _____ (2nd Party, complainant)

Name: _____ Name: _____
 Position: _____ Position: _____
 Matric/Staff No: _____ Matric/Staf No: _____
 Date: _____ Date: _____

Witnessed by: _____
(Bureau Representative)

Name: _____
 Position: _____
 Date: _____

**CONFIDENTIAL
ATTACHMENT C2**

RESOLUTION AGREEMENT

A resolution has been agreed by(name)
(I/C No) (position) from
(employer) (after this known as the First Party) and
(name) (I/C No)
(position) from(employer) (after
this known as Second Party).

Hereby agreed that:-

- (i) The First Party apologise to the Second Party for lodging a sexual harassment complaint.
- (ii) The Second Party agree to accept the apology of the First Party for lodging a sexual harassment complaint.
- (iii) Both parties agree not to prolong this issue with any other parties and therefore this issue is considered closed.

..... (First Party, complainant) (2nd Party, PAH)
Name:	Name:
Position:	Position:
Matric/Staff No.	Matric/Staf No:
Date:	Date:

Witnessed by:
(Bureau Representative)

Name:
Position:
Date: