

Filing your complaint in the Court:

1. Write your complaint on a plain paper and make a copy of it.
2. Take your complaint to the Administrative Judge/Reader of the concerned Judge.
3. Let the receiver to sign your copy of the complaint.
4. The Judge will summon the other party and follow the procedure.
(You don't need a Lawyer for this process)

Remember, if the harasser is part of your work setting, instead of filing under section 509 of the PPC, you also have the option of filing within your organization under **Protection Against Harassment of Women at the Workplace act 2010'**

Responsibilities of the Management:

1. Establishing an Inquiry Committee

The organization shall constitute a standing Inquiry Committee to look into complaints under this Code. The Committee shall consist of three members, of whom at least one member shall be a woman.

2. Designating Competent Authority

The management should designate a Competent Authority for implementation of this Code, and as prescribed in the Act.

3. Awareness Raising and Education of the Employees regarding this Issue

The management shall display copies of the Code in English as well as in languages understood by the majority

of employees at conspicuous places in the organization and the work place within one month of the commencement of the Act. The management will conduct awareness sessions about the Code and the consequences of such harassment at workplace for its employees.

Complaints to Ombudsperson

Any employee shall have the option to file a complaint either to the Inquiry Committee or the Ombudsperson. In case of filing a complaint with the Ombudsperson the management will respond to any inquiries that the Ombudsperson might have regarding information related to the case (as per clause 10). It will be mandatory for the management to abide by the decision of the Ombudsperson.

Zero Tolerance

Ask your management or HR if your organization has complied with this law and who are the members of the inquiry committee. You can also search in the database given below if your organization has complied that information in it.

www.sexualharassmentwatch.org

For training and orientation on Anti Harassment Laws;

Contact:

WISE
Women in Struggle
for Empowerment

2nd Floor, Sufi Mansion, 7-Egerton Road, Lahore

Ph & Fax: +92 42 36305645

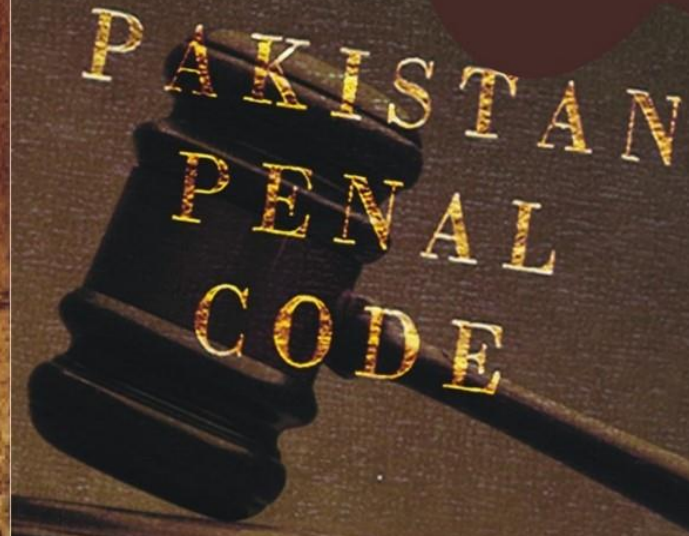
Web: www.wise.org.pk

Email: info@wise.pk

SEXUAL HARASSMENT

is now a

CRIME



Sexual Harassment is now a crime
under Section 509 of Pakistan Penal Code
&
Protection against Harassment of Women
at the Workplace Act, 2010

STOP THE HARASSER REPORT the crime.

The efforts and struggle of a large number of individuals and organizations against sexual harassment bore fruit in the form of new legislation as well as amendments to existing laws in March 2010.

Protection against Harassment of Women at the Workplace Act, 2010 was promulgated while amendments were made in section 509 of Pakistan Penal Code.

What is Sexual Harassment?

(As defined in section 509) Insulting modesty or causing sexual harassment (1) whoever;- (i) 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 such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman;
(ii) conducts sexual advances, or demands sexual favors or uses written or verbal communication or physical conduct of a sexual nature which intends to annoy, insult, intimidate or threaten the other person or commits such acts at the premises of work place, or makes submission to such conduct either explicitly or implicitly a term or condition of an individual's employment, or makes submission to or rejection of such conduct by an individual a basis for employment decision affecting such individual, or retaliates because of rejection of such behavior, or conducts such behavior with the intention of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Punishment of sexual harassment is imprisonment which may extend to three years or fine up to five hundred thousand rupees or with both.

Sexual Harassment is a crime wherever it occurs: Such behavior might occur in public place, including, but not limited to, markets, public transport, streets or parks, or it might occur in private places including, but not limited to work places, private gatherings, or homes. Workplace means, the place of work or the premises where an organization or employer operates, this may be a specific building, factory, open area or a larger geographical area where the activities of the organization are carried out. Sexual advances may occur after working hours and outside workplace. It is the access that a perpetrator has to the person being harassed by virtue of a job situation or job related functions and activities."

What to do if you are sexually harassed?

Trust your Instincts!

If something makes you uncomfortable, there is a reason. Talk to someone you trust.

Learn about Sexual Harassment!

So you can understand whether you are being sexually harassed or not. Make sure you can pinpoint the exact instances and circumstances as well as your own emotional and behavioral reactions.

Take Action!

Do not ignore it. Explore your options and address it directly or indirectly, formally or informally.

Collect Evidence and Keep a Journal!

Especially when you plan to do a formal complaint, if and when safely possible, Make audio and video recordings; Keep any inappropriate notes; texts or letters; write down everything you remember; including dates, places, times, details, gestures, words, your thoughts, feelings and reactions; witnesses and description of the situation.

Take care of yourself physically and emotionally!

Harassment can affect your home life, your relationships and health. Engage in activities that will allow you to recharge your batteries. Get support most of all. Do not start doubting or devaluing yourself.

How to make a complaint under Section 509?

Filing your complaint with the police:

1. Write your complaint on a plain paper and make a copy of it.
2. Locate a police station where the incident occurred. (can call 1217 or 15 to check)
3. Visit the Police Station and hand over your complaint to the "Muharrir" getting his signature on the copy you keep.
4. Get the "Muharrir" to register your Section complaint of 509 (not as an FIR necessarily but under procedure 155 CrPC)
5. If you feel the police will not take action or if you want to follow-up in court, you can take your copy of the complaint and/or report no. (registered as 155 CrPC) to the court*.
6. Or, you have the option of not going to the police and going straight to the court also.

* court of First Class or Second Class Judge in whose area the incident occurred.