

#SupportSurvivors Series Part 1:

TELLING YOUR STORY OF SEXUAL VIOLENCE AND HARASSMENT OVER SOCIAL MEDIA

Things to consider before you tell your story over social media.



**A collaboration between
KRYSS Network and
Speak Up Malaysia**



There's NEVER a wrong time to tell your story

It does not matter if you are telling your story immediately after the violence or harassment took place, or years after.

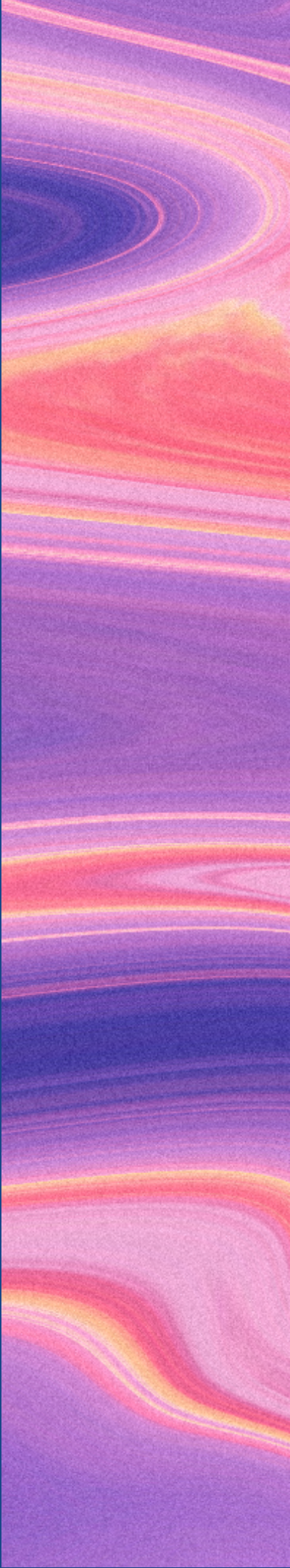
What matters is that you are ready to tell your story. Do remember that speaking your truth about sexual violence or harassment can be an uphill task and a traumatising experience. We have seen what the #MeToo movement has done in raising further awareness on how women are affected by sexual violence and harassment. The movement has certainly encouraged women to speak out on what they have been silent on for so long, and to be more supportive of a fellow victim.

Your story, and the sharing of your story could contribute to much needed societal change and law reforms.

Why victims break the silence over social media

All victims of sexual violence and harassment know that it has happened to someone else. They are likely to have heard stories too. Only society on the whole would like to deny how frequent and common these undesired acts, in fact, are. Social media helps make victims' stories visible and real to multiple audiences at any given time.

Safe public spaces have long been denied to victims who experience sexual violence and harassment. Social media, at its core, are public spaces that allow for a public witnessing of the harm and has always enabled a healthier discourse against victim-blaming. If you are a victim of sexual violence and/or harassment and the person who can do something won't believe you, many of us who are online, will.



FIRST TIME TELLING YOUR STORY

Is this the first time you are telling your story?

If it is, you may want to think about the reactions and responses that you may get from family and friends. They could be tagged by others who learn about your story even if you were careful in how you published your story online. You may want to consider telling the person you trust the most before going onto **social media** – could be a friend, parent or relative – because you will need all the support you can get.

Online harassment and gender-based violence

Women who share their stories, unfortunately, are at further risk of online harassment and gender-based violence. The forms, intensity and length of the harassment varies depending on your intersecting identities, types of social media platforms, your privacy setting, who is on your network etc. There is no guarantee that a privately posted story will not be disseminated beyond your intended audience. People may start sending death or rape threats, making abusive and derogatory remarks, doxxing with the intention of revealing your personal information etc.

TAKING STEPS TO ENSURE THE SECURITY OF YOUR DIGITAL PRESENCE IS KEY HERE.

We encourage you to:

1.

Temporarily put all photos on your social media to private or closest circle of friends

2.

Make your social media accounts private (especially Instagram) and archive post/content that may potentially be used against you

3.

Do a quick search of yourself on search engine to see what information is out there

4.

Change all your social media and email passwords to stronger ones



**Contact us at
KRYSS Network if
you ever need any
assistance with
your digital security.**

YOUR SUPPORT NETWORK

Most times, the retelling of something traumatic can retraumatise you. So think about who you can count on to be there with you, to help you think things through, like to be there to listen, or to be there in case you need someone to accompany you throughout the whole process. The person could be a friend, family member, or a professional, like a mental health professional. If you cannot think of anyone who can be there for you, do not worry. History and Herstory has shown us that telling your stories on social media can create a sense of community with many others who have experienced the same trauma. There are also quite a few individuals and organisations over social media you could try to contact.

Naming Your Perpetrator

By going public over social media, you are making an accusation that can be seen as defamatory. The risk of a defamation lawsuit has been a huge stumbling block against victims calling out the harm that has been done to them and naming the perpetrator. Naming and shaming is riskier if you have not kept the evidence needed to support your allegations. If you choose to name and shame, do consider that you may subject yourself to a defamation lawsuit, even though one or more of the other victims are naming and shaming the same perpetrator. Tell your story as clearly as possible, without room for ambiguity. This could help you if and when you face a defamation lawsuit. Do not allow others to make assumptions of what happened or of the perpetrator, or to draw their own conclusions. You must be as clear as possible about the severity of harm done to you.

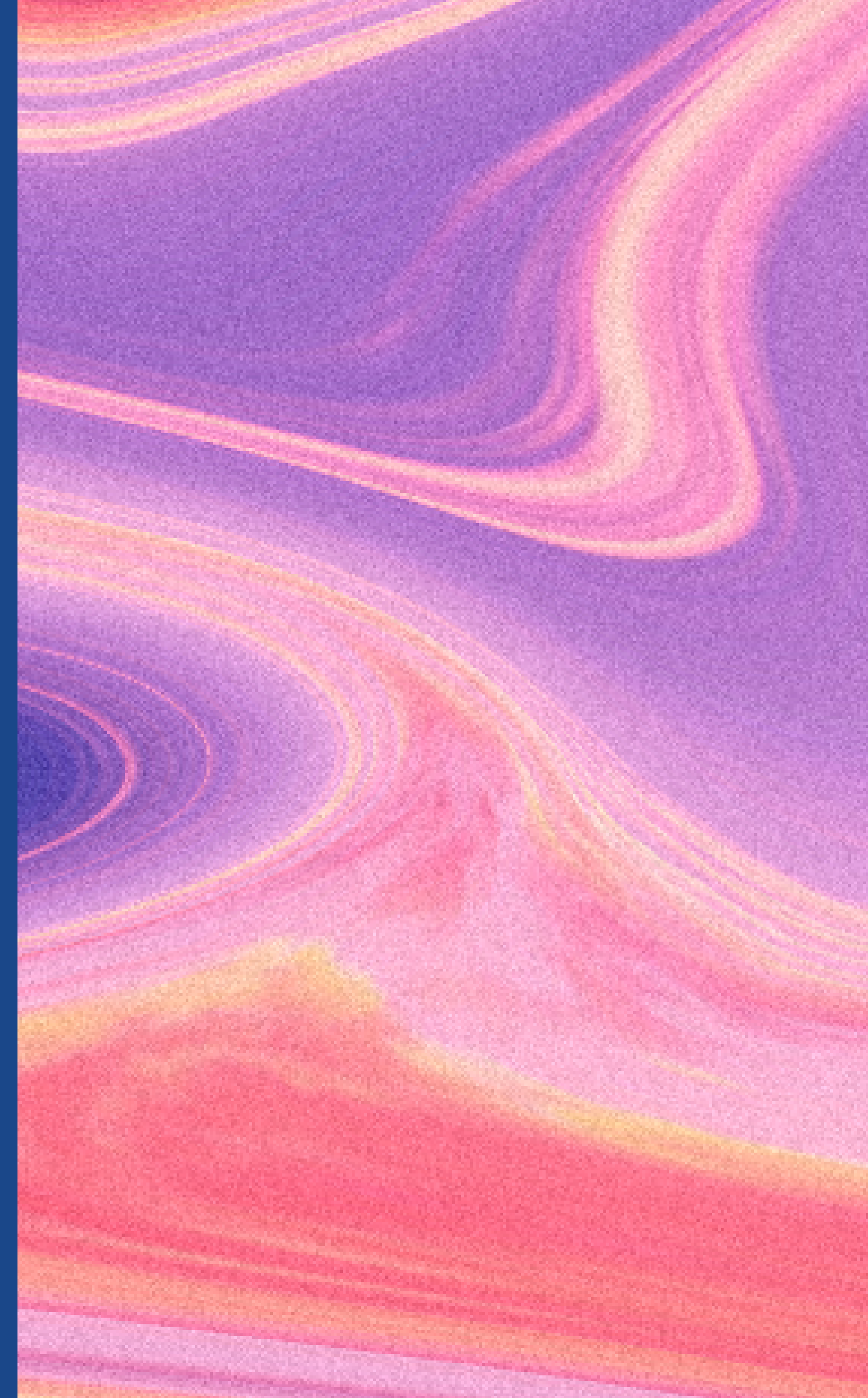
TAGGING YOUR PERPETRATOR

You may feel very strongly about tagging your perpetrator on your social media post. We recognise the need to confront your perpetrator without the risk of being in physical proximity. Do remember that when you tag your perpetrator, you are no doubt confronting your perpetrator, but you are also allowing the perpetrator an opportunity to rally support or for the perpetrator's friends, family and other supporters to attack you out of loyalty for the perpetrator. If your perpetrator is popular, wealthy or overall better resourced than you, you may want to consider if tagging helps you achieve your objective of telling your story. You can still name your perpetrator without tagging your perpetrator.

There is a high risk that your perpetrator can be tagged by well-meaning supporters or by the perpetrators' friends/supporters. You may want to add the reason why you do not tag the perpetrator and ask that others do not do so.

TAGGING YOUR PERPETRATOR'S FRIENDS AND FAMILY

You may also feel very strongly about tagging your perpetrator's friends and family members, especially if you are close to them or have your own relationship with them. You may have felt disappointed that they could not see the harm being perpetrated upon you. It may be best to try to talk to them directly as it helps provide an opportunity for them to better understand how they may have failed to support you and to try to make amends.





The Risk of a Defamation Suit

While “truth”, which is also known as the “defence of justification”, is a complete defence to a claim for defamation, the onus of proving the truth of the purported defamatory statement lies on the person who made the statement, the victim, or the person who may want to support the victim. This means the victim or the person who wants to support the victim must establish that what they said happened, did in fact happen. The legal standard of proof that must be satisfied is: proof on a balance of probabilities. This means the person who made the statement claiming sexual violence or harassment must be able to satisfy a judge that it is more likely than not that the sexual violence or harassment actually occurred.



KEEPING THE EVIDENCE

For most victims, keeping messages that retraumatise them can take a heavy toll on their health. However, whatever you are/were able to keep as proof, do try to continue to do so. These can take the form of pictures, audio recordings, video recordings, cards, letters, e-mail, SMS'es, direct messages etc. If it was an incident where at least one or more persons were present, if you can identify witnesses who can come forward to testify, that would help a lot.

LODGING A REPORT

Most victims find it difficult to go through a formal process of investigation, be it at the work place (if there is a formal complaint procedure) or by lodging a police report. Sometimes, your employer may come to know of your story and initiate an investigation without you asking for one.

For those who decide to go through a formal investigation process, the quality of the evidence may come into question. For example, there are at times when the language is quite vague that no one can determine for sure if sexual harassment took place and only when it is set in context of an incident of harassment or abuse, would anyone else be able to make sense of it. Most victims may also not have the financial means to pursue their cases legally. Do not feel discouraged. There is help such as the [legal aid services of the Malaysian Bar Council](#), and counselling and support services by the [All Women's Action Society \(AWAM\)](#) and [Women's Aid Organisation \(WAO\)](#). You may also want to talk to individuals who have already said publicly that they are willing to listen and/or to support you, and that their DMs are open. [KRYSS Network](#) supports victims in documenting cases of online gender-based violence, and we provide legal advice as well.

Not Naming Your Perpetrator

If you choose not to name and shame your perpetrator, it does not mean that your story is less valid. It is still extremely courageous of you to speak up and it is still invaluable in pushing for the enactment of the Sexual Harassment Bill in Malaysia or for pushing for reforms that better enable redress for victims. For example, “restorative justice” is a concept of justice that few know about but which has been tried in more developed countries. It is a carefully managed act of bringing both perpetrator and victim together, including family and friends if need be, to work together towards the healing of the victim and all who were affected by the harm. It is a process where the victim is finally able to articulate what the victim seeks from the perpetrator. For example, some victims seek the full acknowledgement by the perpetrator of the harm perpetrated on the victim and for the perpetrator to sincerely seek forgiveness.

TELLING YOUR STORY BY IDENTIFYING THE CONTEXT WITHOUT NAMING THE PERPETRATOR




As many women did at the height of the #MeToo movement, you can choose to not name your perpetrator in your story. The details of the harm done can still have an impact on your audiences, to move them to act in solidarity with you, the victim.

THANK YOU

This guide is prepared as part of a collaborative effort between KRYSS Network and Speak Up Malaysia. If you have any questions or feedback regarding the deck, do let us know. Otherwise, if you are interested to collaborate with us, we'd be more than happy to talk to you.



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