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Legal Update

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Hidden Cost of Silence:

*Bullies in suit met Malaysia's New
Penal Code*

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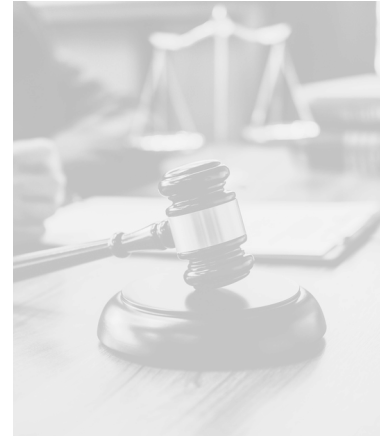
INTRODUCTION

On 11 July 2025, Malaysia enacted a series of landmark amendments to the **Penal Code** to criminalise various forms of bullying, including psychological, cyberbullying, linguistic and doxing, now codified under **Sections 507B to 507G of the Penal Code**^[1].

In today's modern workplace, bullying has unfortunately become a norm in many industries, cutting across job roles, seniority and gender. No one is immune. The passing of these **Penal Code** amendments marks a significant turning point for Malaysia, establishing a robust legal framework in dealing with workplace politics, misbehave and harassment that result in physical injury, psychological trauma, reputation damage or emotional distress.

These legal reforms ensure the nation keeps pace with evolving social challenges. More importantly, they empower the justice system to reshape workplace culture, fostering environments where both employees and employers enjoy greater legal protection and a clearer standard of accountability.

[1] 'Heavier Penalties Await Bullies as Amended Laws Come into Force' The Star (Online, 11 July 2025), <<https://www.thestar.com.my/news/nation/2025/07/11/heavier-penalties-await-bullies-as-amended-laws-come-into-force>>



Revised Provision: Sections 507B to 507G

Regarding to the amendment of **Penal Code (Act 574)**, inserting **Sections 507B to 507G**, the new provisions have been introduced as followed:^[2]

Law Provisions	Subject Matters	Penalties
Section 507B	Threatening, abusive or insulting words or communication, to cause harassment, distress, fear or alarm	Imprisonment up to 3 years or fine, or both
Section 507C	Causing person likely to feel harassed, distressed, fear or alarmed by such words, communication or act	Imprisonment up to 1 year or fine, or both
Section 507D	(1)Causing person to believe that harm will be caused to himself or to any other person (2)Provoke the person to cause harm to himself or to any other person	(1) Imprisonment up to 1 year or fine, or both (2)Imprisonment up to 10 years or fine, or both
Section 507E	Publication any identity information to cause harassment, distress, fear or alarm to the person	Imprisonment up to 3 years, or fine, or both
Section 507F	(1)Publication identity information causing the person believe that harm will be caused to him or to any related person (2)Publication is likely to facilitate, the causing of harm to the person or to his related person	In (1) & (2), imprisonment up to 3 years, or fine, or both

[2] Penal Code [Act 574] Section 507B, 507C, 507D, 507E, 507F and 507G

The Penal Code (Amendment) Act 2025 introduces several new terms to strengthen enforcement against bullying offences under **Section 507G** for the purpose of such new amendments: -

1. (“Harm”, refers harm to a person, whether physical or mental in nature.
2. “Identity information”, means any information that identifies or purports to identify a person.
3. “Related person”, refers to an individual whose safety or well-being would be reasonably be expected to be of concern of the first-mentioned person

The **Legal Affairs Division of the Prime Minister’s Department (BHEUU)** confirmed that the **Penal Code (Amendment) Act 2025**, passed by Parliament in December 2024, officially took effect in July 2025^[3].



[3] Hakem Hassan, ‘Did You Know Workplace Bullying Is Now a Crime in Malaysia? Here’s What the New Law Says, <
<https://gempak.com/rojakdaily/news/did-you-know-workplace-bullying-now-crime-malaysia-heres-what-new-law-says-100340> >

Comparison with other countries

Workplace bullying is not unique to Malaysia — it is a widespread workplace “custom” that affects employees across the globe.

In the United States, workplace bullying has been reported at a rate four times higher than sexual harassment. Between 2022 and 2024, the Seoul, South Korea recorded a staggering 16,607 counseling cases related to workplace bullying^[4].

In Denmark, there was an article which quoted the statement from **Minister of Employment**. It established that the workplace bullying had become a nationwide concern requiring systemic intervention^[5]. This led to the development of a new legal framework that was integrated into existing labour laws to provide stronger protection for workers’ rights.

Countries such as Canada, Australia and nine European nations, including Sweden, France and Denmark, have implemented dedicated anti-bullying laws. According to the **Federation of European Employers**, in the first month of the new **Serbian law** became effective, it gave rise to over 400 of court applications filed against workplace bullying.

In 2011, the Canadian province of introduced new employer obligations^[6] to protect employees from psychological harassment, amending workplace standards to also address workplace violence. Similarly, in Turkey, an amendment to the Debts Law imposes a duty on employers to protect every employee from psychological abuse in the workplace. ^[7]

[4] ‘Seoul registers ‘record’ levels of treatment for workplace bullying’ Pime Asia News (Online 8April 2025) < <https://www.asianews.it/news-en/Seoul-registers-record-levels-of-treatment-for-workplace-bullying-63642.html> >

[5] Ellen Pinkos Cobb, ‘Workplace bullying: a global overview’ Management-Issues (online, 8July 2008) < <https://www.management-issues.com/opinion/6235/workplace-bullying-a-global-overview/> >

[6] Ellen Pinkos Cobb, ‘Workplace bullying: a global overview’ Management-Issues (online, 8July 2008) < <https://www.management-issues.com/opinion/6235/workplace-bullying-a-global-overview/erview> >

[7] Ellen Pinkos Cobb, ‘Workplace bullying: a global overview’, Management-Issues (online, 8July 2008) < <https://www.management-issues.com/opinion/6235/workplace-bullying-a-global-overview/erview> >



Challenges faced by enforcing the new provision

1. Workplace Culture Norms

The culture of power distance remains deeply embedded in Malaysian workplaces and society. Authority and seniority often wield significant influence, making victims reluctant to come forward for fear of retaliation or career repercussions[8].

2. Reporting Channels Underdeveloped

Many workplaces lack accessible, confidential and well-structured reporting mechanism which align with the new legal provision, leaving victims without safe avenues to report incidents[9].

3. Limitation in access and awareness to new legal provision

Some employers and HR department might still categorized workplace bullying under an internal HR issue. Not knowing it may bring a criminal liability.[10] Employees might still vague on their rights in reporting the bullies, or undermining the enforcement.

4. Limitation resource in enforcement and investigation

The judicial system is being resource limited in responding complaints of bullying swiftly and effectively. It takes time to develop a robust infrastructure and procedure. Delays and backlogs in pending cases may erode public trust in both the legal system and the newly introduced provisions.

[8] Rejina Rahim, 'Breaking Down the Power Distance Wall' The Star (Online 30 November 2024), <<https://www.thestar.com.my/business/insight/2024/11/30/breaking-down-the-power-distance-wall>>

[9] 'Khairy: Six Cases of Workplace Bullying Reported via MyHELP Complaint Reporting System', Malaymail (Online 4 October 2022), <<https://www.malaymail.com/news/malaysia/2022/10/04/khairy-six-cases-of-workplace-bullying-reported-via-myhelp-complaint-reporting-system/31644>>

[10] Team IKC, 'Workplace Harassment and the Criminal Law: What Employers Must Know About Malaysia's New Anti-Bullying Amendments' IKCLaw, <<https://ikclaw.com/workplace-harassment-and-crime/>>



Impact Analysis

Workplace bullying can severely undermined a company's growth, profitability and public image. The hidden costs often include lost productivity, wasted time and diminished morale, as employees' energy is diverted to dealing with unpleasant circumstances rather than contributing to organizational goals.

In Germany, the **Ministry of Labor and Social Affairs** website, posted on a statement about "**Bullying at Work**", it stated "**Employers are obliged to protect their employees'** right of privacy and health. They must therefore prevent mobbing, act against employees who mob others and take all possible measures to prevent mobbing in their companies"^[11].

[11] Ellen Pinkos Cobb, 'Workplace bullying: a global overview' Management-Issues (online, 8 July 2008) <<https://www.management-issues.com/opinion/6235/workplace-bullying-a-global-overview/erview>>

For Employers

Practical steps to address workplace bullying include:-

a. Create Positive Working Environment

Employers have an obligation to provide workers, guests, and contractors a safe working environment under occupational health and safety legislations. This has been included a workplace that is free from bullying, as well as ensuring employees are physically and psychologically secure on their role.

b. Education, Training and Awareness

The HR Department are needed be educated and training to recognized the act on physical and psychological bullying. Anti-bullying policies should be formalised and published in a company handbook, clearly outlining employee rights under Sections 507B to 507G of the Penal Code.

c. Encourage Inspirational Leadership

Senior management and experienced staff should model respectful, inclusive behavior with clear professional boundaries. When leaders foster appreciation and mutual respect, the likelihood of bullying behaviour diminishes significantly.

For Employees

proactive measures include:

a. Document Everything

Maintain detailed records of incidents, including photos, videos, written notes, and communication logs. Establishing a clear timeline of events will strengthen any formal report or legal claim[12].

b. Don't Take it Personally

Bullying often feels personal — and may be intended to be — but responding with professionalism rather than emotion can help address the behaviour more effectively[13].

c. Be Brave to Report

Review the company policy and employment handbook for the reporting procedure. It is often best to voice up and stand on your own ground when dealing with bullies, in order to stop the events. Stay steady and calm to rise above in professional and rational.

[12] Ronda Suder, 'How to Deal with Bullies at Work: 9 Tips, Top Resume (Online 7 July 2021), <<https://topresume.com/career-advice/how-to-handle-bullying-at-work>>

[13] Anne Morris, 'Undermined at Work? Practical Workplace Advice' Davidson Morris (Online 16 May 2025), <<https://www.davidsonmorris.com/underminded-at-work/>>



Conclusion

When faced with undermining behavior, it is essential to remain calm, act professionally, and know your rights. Taking a constructive approach not only helps resolve the issue but also safeguards your reputation and well-being, which should always be a top priority.

The recent legislative amendments, alongside ongoing improvements to the criminal justice system, empower authorities to take quicker and more decisive action against offenders. The government has pledged to ensure that the enforcement of the amended **Penal Code** and its new provisions will be carried out equitably and fairly, without infringing upon the constitutional right to freedom of expression.

As stated by **Bernama**:

“With the implementation of this Act, the Madani Government remains committed to ensuring that the country's laws remain relevant and responsive to the challenges of the digital world in the interest of safety, well-being and justice for all Malaysians.”^[14]

[14] 'Anti-Bullying Law Takes Effect with Harsher Penalties' The Vibes Malaysia (Online 11 July 2025), <
<https://www.thevibes.com/articles/news/110397/anti-bullying-law-takes-effect-with-harsher-penalties>>

The amended **Penal Code** marks a pivotal step in tackling workplace bullying, enabling faster and firmer action against offenders while safeguarding constitutional rights. **Its success will depend not only on fair enforcement but also on legal practitioners guiding employers and employees in understanding their rights, obligations, and remedies — ensuring the law’s protections are realised in every workplace.**

The views expressed herein are those of the author and do not necessarily reflect the views of the firm. Should you have any legal queries, corporate or otherwise, please feel free to reach out to the firm for further assistance.



[14] 'Anti-Bullying Law Takes Effect with Harsher Penalties' The Vibes Malaysia (Online 11 July 2025), <
<https://www.thevibes.com/articles/news/110397/anti-bullying-law-takes-effect-with-harsher-penalties>>



Get in Touch

For further legal advice on Employment Law, please contact us, Y Kong, Wong & Partners.



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