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COURT OF RECORD

Intent Doesn't Excuse Impact

Court Affirms Unwelcome Workplace Behavior as Harassment

Sheikh Rayees • January 23, 2025

PUBLISHED REPORT

Unwanted gestures or words at the workplace that leave women feeling uncomfortable fall squarely under the definition of sexual harassment, regardless of the perpetrator's intent, the High Court has ruled, emphasizing the primacy of perception over intent under the Prevention of Sexual Harassment (PoSH) Act. Delivering its decision, the Court highlighted that the PoSH Act prioritizes how the behavior is experienced rather than the intentions behind it. Citing the...

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