

**Focus Group Discussion with Women/ Women's Organization on
the Regional Mapping of Legal Referral Mechanisms on Gender-
Based Violence**

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The I's Plant Hotel and Restaurant

Documentation by:


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I. Preliminaries

The activity started with an invocation and followed by the singing of the Philippine National Anthem. After which the participants introduced their selves as to what organization or affiliation they belong to have some familiarity among the participants and the people from Commission on Human Rights Regional Office 8 (CHR RO8). Before going straight to the agenda of the activity the participants were given a small backgrounder about the office of Commission on Human Rights (CHR), as to its functions and mandates.



Fig. 1 Registration of Participants

II. Background on the Regional Mapping Activity

The event was a regional mapping activity on gender-based violence and the Commission on Human Rights (CHR) as the Gender Ombud, as mandated by the Magna



Fig. 2 CHR as Gender Ombud

Carta of Women, is the one to spearhead in protecting and propagating women's rights across the Philippines. This was explained by the Gender and Development (GAD) focal of the CHR Regional Office 8. And video was presented to further explain as to show what the rationale of the event was. The activity aims to create a report on the gender-based violence (GBV) in terms of its legal aspects and process. In order to see if there are deficiencies in delivering legal services to the victims of GBV. Also to provide adequate measures to correct such deficiencies in the system.

III. Focus Group Discussion

At the start of the workshop, the objectives for the FGD or workshop were presented to have an overview on what is the purpose of the FGD. For the presentation, three attendees only presented their answers and the other participants opted not to present because they would just reiterate what have been showcased already. They were satisfied for all things were discussed and explained properly by the three attendees. All answers presented here comes from the three representatives of Bantay Abuso Network (BAN), Western Samar Development Foundation (WESADEF) and Women's Federation in Calbayog City.

Guide Questions for Focus Group Discussion with Community Women

1. Gender Equality Situationer in the City/Municipality

- Are you aware of any local gender equality or GBV policies in your city/municipality? Do you know if you have a GAD Code or an Anti-Discrimination, Anti-Cat-calling ordinances or of their barangay counterpart?
 - The representative of Bantay Abuso Network (BAN) stated that there is an existing GAD Code in Calbayog City however from what she read it was apparently a GAD Code copied from other municipality or area and it did not localize nor represent the women of Calbayog City. In it were basic rights of women and it also did not include the past ordinances of the city for the protection of Calbayog women such as the Anti-trafficking of Women and Children and Reproductive Health Ordinance of Calbayog City. It did not include as well any programs or policies for women. It was just made in order to comply with orders to make a GAD Code.
 - The representative from WESADEF stated that there is no actually a GAD Code that was crafter for Calbayog City.
- Have you or your organization participated in the development/passage of these policies? Have you ever accessed GAD funds of the barangay/LGU? (for women focused activities etc.)
 - "No. BAN was never called nor consulted/participated in its drafting," written answer of the attendee from BAN.
 - The WESADEF representative stated the much difficulty in accessing the GAD fund. They had a meeting on what to allocate the GAD fund but to no avail they still had a hard time accessing

the GAD fund. However, there are barangays allocating their GAD funds.

- The president of Women's Federation in Calbayog City got to access the GAD fund as she is an elected barangay official. She saw the need for it to use so that the women in their barangay, particularly the non-4Ps beneficiaries, get to use it and help them. They are now planning on having trainings conducted on their barangay to really help the women in their area.
- Are the VAW Desks in your barangay functional? (established, trained officials, able to record VAWC cases, able to respond and issue BPO)
 - BAN was the one to train the VAW Desk officers, so she thinks that it is functional but others may think differently.
 - The main idea that must be tackled regarding this question is who or what offices will provide capacity-buildings or trainings for the VAW desk officers, an idea raised by the WESADEF.
 - The president is also the VAWC Desk officer in their barangay. She got to respond and assist on VAW victims as well as issue BPOs. However, she knows that she needs more trainings to function and respond effectively.

2. Gender-based Violence (GBV) in the city/municipality (in relation to gender-based violence)

- What are the common forms of GBV in your municipality/city?
 - Common Forms of GBV: Physical, Psychological, Verbal, Economic and Sexual Abuse (WESADEF)
 - The common forms of GBV that BAN encountered were wife/spouse battering, economic abuse. She also included, even though it is not GBV related she highlighted the lack of inclusivity of women in programs of City Disaster Risk Reduction Managements like giving basic needs of women such as sanitary napkins are not included in relief goods and having women in rescue teams.
- What are the challenges/barriers women experienced in:
 - a) Reporting and investigation of cases of GBV (PNP/VAW Desk)
 - The lack of capability of new police for Women and Children Protection Desk (WCPD) and social workers of CSWDO because the current police of WCPD have not been trained, which resulted in lapses and inadequate services given to the victims. (BAN)
 - The continuous bickering between the WCPD and CSWDO and the close-mindedness of CSWDO officer, as per observation of the BAN representative.
 - There is a weak support mechanism because the service providers are occasionally not ready to accept the case and the

excessive effort that must be exerted by GBV victims to file a case. (WESADEF)

- Most VAW victims are hesitant to report because of fear especially for those women who solely rely on their husband to provide for them and most of them do not have any work.
- b) Prosecution and legal assistance (Prosecutor's Office, PAO, VAW Desk)
 - There is one prosecutor that is not gender-friendly as well as the CHR Calbayog Field Office does not have a gender-friendly investigator. Instead of investigating the perpetrator, the one being questioned was the victim while the perpetrator was on the loose. (BAN)
 - The personal biases or culture that must be removed from one's system, especially for the duty-bearers handling GBV cases. (WESADEF)
 - The interpretation of the law, it causes arguments because each person has a different interpretation to it. (WESADEF)
 - There's no existing family court in Calbayog City which takes toll to the GBV victim that they are just in one room with their perpetrators. (WESADEF)
- c) Providing support services (MSWDO, CSWDO, WCPUs)
 - The BAN representative stated that the CSWDO cannot provide comprehensive support service to victims of GBV because with their short staff they cannot properly provide the immediate support needed by the victim instead the victim has to wait and come back to their office couple of times just to acquire the service.
- From your experience, which group of women are most affected by the GBV forms identified (e.g. urban poor women, women farmers, women with disabilities, on the basis of sexual orientation and gender identity)?
 - Urban Poor Women (BAN, WESADEF and Women's Federation)
 - Women with Disabilities (BAN, WESADEF and Women's Federation)
- What are the specific challenges/barriers experienced by women in seeking legal remedies in cases of GBV? What are the challenges specific for women in the marginalized sector? (Deaf, rural woman, IP etc.)?
 - The challenges women experience in seeking legal remedies for their cases are no or lack of support system both from the family and the government and culture of silence. (WESADEF)
 - For the deaf, there is no accredited or court-appointed sign language interpreter. If there was a court-appointed interpreter the sign language they know are probably the proper way or school taught sign language and they may not have any knowledge as to the sign language by deaf people who were not engaged in school.

This was an experience by the BAN representative. Also, a representative from WESADEF stated that the sign language used in court is ASL or American Sign Language which also raises another issue about the difficulty in interpretation or translation.

- For the rural women, as said by the BAN representative, there is a small number of gender-friendly service providers in the system which includes the police, investigators both from the police and CHR and social workers. (BAN) They have difficulty in accessing services because they are hard to reach areas. (WESADEF)
- What have been the observed trends in gender-based violence cases received in the past five years? What are possible economic, socio-political, cultural and other factors affecting this/these trends?
 - The observed trends by the BAN is that there are more GBV cases reported by teachers or in the education sector and it greatly affect families as well the students.
 - Abuse in forms of physical and financial (Women's Federation)
 - Discrimination (Women's Federation)
 - Factors: Poverty, because couples tend to have arguments especially if they are experiencing difficult situations like in terms of finances. (Women's Federation)
 - Factors: Politics, it also affect some cases of GBV



Fig. 3.1 Answering the FGD questions

3. Flow of Case Management (specific to the service provider)

- From your experience, what is often the entry point for women who seek to report cases of GBV with the government services?
 - The entry point usually is the barangay as per experience by BAN.

- Entry point is Barangay or Barangay Council Protection for Children (BCPC). The WESADEF also hopes to really practice a one-time interview wherein the victim, social worker, police and doctor are all in one room so that the victim won't be stressed out because of having to answer repetitive questions asked by different people.
- What are the available services for GBV survivors are women often aware of?
 - BPOs or Barangay Protection Order
- Which among the available services offered by the service provider are most often accessed by women? What are the possible factors affecting their choice of what to access?
 - BPO also because the victims and them, BAN as service provider, consider this as the first line of defense.
 - BPO, medico-legal, blotter and police documentation (WESADEF)
- Are there services that women victim survivors of GBV seek and are often unable to access from government offices? What service are they most frustrated/disappointed?
 - Legal Counseling, unavailability of an easy access on legal counseling. (BAN)
 - Filing of Complaints because there are multiple process to go through before filing a complaint and the short staff of offices also leads to a slower pace of filing of cases. (BAN)
 - What the victims need are safety from their perpetrators, economic support especially for household wherein the father is the provider, and legal assistance. (WESADEF)
- At which point in the process of GBV intervention do women **often exit** the formal helping system of the service provider? What do you think are the underlying reasons for these?
 - Before or after filing the complaint.
 - The reason as to it is the lack of legal counseling that the victims are not thoroughly aware as to how the cases are normally processed. It is not explained to them that it will take long to process properly the case. (BAN)
 - Another reason is that the victims reconcile or reunite with their perpetrators or forced to take out-of-court settlement. (BAN)
 - Economic or financial reasons (WESADEF)
 - Thinking of the children's welfare (WESADEF)
 - Shelter, a place to stay and feel safe (WESADEF)
 - Lack of support from both the government and family (WESADEF)

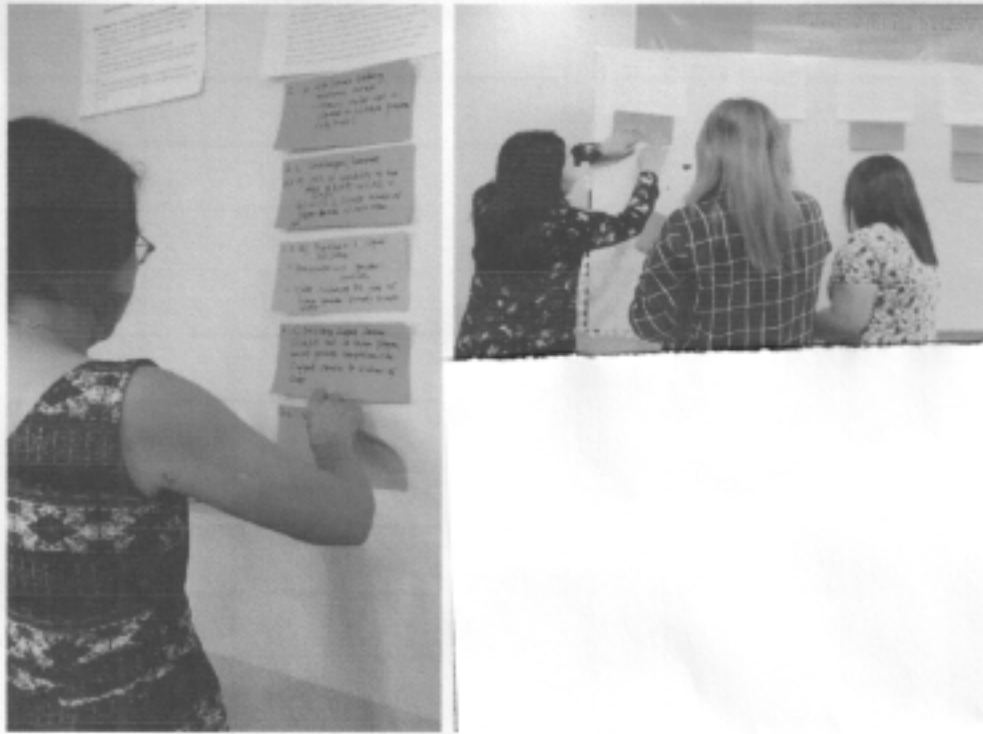


Fig. 3.2 Participants preparing their answers for the sharing

4. Documentation

- Does your organization conduct documentation/research on GBV in your area? Can you provide a brief description of the documentation/research?
 - WESADEF have documentation or researches before they went and help in assisting cases. There were no reported cases about violence but during in their FGDs it was found out that there were actually abuses happening and it's just that they don't know that they are being abused already. That is how WESADEF started the Prevention and Management of Family Violence.
 - WESADEF also conducts tracer study on what happened to the women and children after they went out of the shelter.
 - Latest from WESADEF is the impact assessment of their projects on project-actors and on municipalities.
- Do you document cases of GBV that your organization or you assist or respond to? How is the system of documentation?
 - We, BAN, only document cases that are reported to WESADEF, CSWDO, police and barangay.
- From experience, is there a government *good practice* in responding to GBV? Is there also a case that *showcase difficulty in accessing justice/legal remedies* in cases of GBV in your area?
 - Good practice: The creation of VAW/GAD desks in barangays. (BAN)
 - Good practice: Child-Abuse Protection and Prevention Network and Bantay Abuso Network. (WESADEF)
 - Good practice: Complementation of services among the CSWDO, police and BAN. (WESADEF)

- Good practice: Information sharing among different agencies and capacity-buildings of officers or service providers. (WESADEF)
- Yes, there was one in a far-flung barangay of Calbayog City. (BAN)

5. Recommendations

Most of the participants gave recommendations in general rather than giving specific ones.

- The BAN representative recommended to have more capability-buildings and trainings especially to the new members of Barangay VAWC Desks and gender-based trainings for duty-bearers, including the local CHR, PAO and City Fiscal Office.
- Massive awareness raising in barangays, capacity buildings of duty bearers in order to properly handle cases and to create mechanism or policy advocacy for sensitive or friendly manners on cases. (WESADEF)
- As a new VAWC officer, the president of Women's Federation, she needs more trainings to deliver proper and accurate service as a VAWC officer.

Fig. 3.3 Sharing of Answers

IV. Closing Remarks

The GAD Focal of CHR RO8, Atty. Marjorie Legaspi, ended the activity by reviewing the answers of the participants and giving her insights to it. The notable answers pointed out by

Atty. Legaspi from the FGD were (1) the GAD Code, (2) the lack and need of trainings, (3) turnover of staff, (4) the GAD fund, (5) the embedded culture and politics and (6) exit points of cases.

First the GAD Code of Calbayog City is allegedly copied from other area, it is not wrong to copy as long as it reflects the situation of women. Also, the good thing is that there are efforts in amending the GAD Code and continue to remind the offices or organizations involved in the process. The discussions also reflected that there are people in the government who are not gender-sensitive or gender-friendly who are serving the GBV victims. Also, the need for trainings not only for the service-providers but for women as well. Third, this topic is closely related to the previous one. With the fast turnover of personnel or staff there should be constant trainings or have an immediate trainings ready for the newly assigned staff.

Another topic that needs trainings is the GAD fund. There is difficulty in accessing the GAD fund and if the implementation of the Magna Carta for Women was strict then there should have been countless of people that are being punished or penalized for it. That is why there must be trainings on GAD Plan and Budgeting to fully utilize the fund and local government units (LGUs) can actually use more than 5% of their Internal Revenue Allotment (IRA) for the GAD fund. The politics and embedded culture added with poverty makes the situation hard for GBV victims to attain justice. Added to it is that there is no family court available in Calbayog City, which makes it even harder for the victims to attain justice that they are longing, which leads to the last topic which is the exit points of victims. Instead of obtaining justice or a resolution for their case what happens is that victims exit from filing the case because they think first for their family and what they're going to eat if their husbands or their providers are imprisoned. Which just create a cycle of violence that the victims have a hard time from breaking from it.

After giving out her thoughts Atty. Legaspi gave her biggest thanks and gratitude towards the participants who attended on behalf of CHR RO8. And before taking some commemorative photos, she invited the participants for their upcoming events in relation to GBV. After which the CHR RO8 and CHR Calbayog Sub-office with the participants took a commemorative photo and ate the served lunch before parting ways.