

**Focus Group Discussion with Government Agencies on the  
Regional Mapping of Legal Referral Mechanisms on  
Gender-Based Violence**

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The I's Plant Hotel and Restaurant

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## I. Preliminaries

The focus group discussion (FGD) with the government agencies started out first with them entering their names. Formally opening the activity with a prayer and followed by the singing of the Philippine National Anthem. The participants were asked to introduce themselves to get to know each other as well as to learn from what government agencies they represent. Before having the FGD with the government agencies the attendees were given a small backgrounder about the office of Commission on Human Rights (CHR), as to what are their functions and mandates.

Fig. 1 Registration of Participants

## II. Background on the Regional Mapping Activity

The regional mapping activity on gender-based violence (GBV) seeks to create a report on GBV, in respect to the legal aspects and processes. In order to see if there are areas lacking, like in delivering legal services to the victims of GBV. It also aims to provide adequate measures to correct such deficiencies in the system. This task was given to the CHR as the Gender Ombud, as mandated by the Magna Carta of Women, to spearhead in protecting and propagating women's rights across the Philippines. The activity was explained further by the Gender and Development (GAD) focal of the CHR Regional Office 8 and through a video presentation.

Fig. 2 CHR as Gender Ombud

### III. Focus Group Discussion

Before the workshop the GAD focal of CHR RO8 presented the objectives for the FGD, and there was a small discussion about how the agencies in Calbayog City worked together and the gaps they are experiencing. They talked about having an existing network among agencies with regards to GBV cases. It is that they find some of the questions not applicable or related to their agencies for that reason the GAD focal mediate among them and clarified that they must answer the questions first and later on present with their answers. She also clarified the need of their answers to be documented and written to create a report about it.

The participants agreed among themselves to present their answers per agency in a way that follows the process on how GBV victims usually report and file their cases. Hence, the order of presentation was the Barangay VAW (Violence against Women) Desk first and followed by the government agencies of Philippine National Police (PNP), City Health Office (CHO), City Social Welfare and Development Office (CSWDO), Public Attorney's Office (PAO) and Office of City Prosecutor (OCP).



Fig. 3.1 Small discourse before workshop

#### Guide Questions Focus Group Discussion with Service Providers

1. **Gender Equality Situationer in the City/Municipality**
  - Basic demographics: for instance gender disaggregated data on per capita income, life expectancy, labor force participation, literacy available?
    - - The barangay VAW desk officer first gathers data about the situation on gender equality in the community to create a

barangay/community profile which includes the population, labor force and literacy rate of the barangay. (Brgy. VAW Desk Officer)

- The victims that undergo medico-legal are documented under Individual Treatment Record (ITR), which states the exams conducted. In terms of a city-wide data or demographics the Calbayog City is currently having its third attempt on a Community-Based Monitoring System (CBMS) in the city and the latest is that there are 110 barangays done in monitoring and 10 more barangays to make the data useful.
  - Aside from the ongoing CBMS, there are also VAWC reports gathered from barangays as instructed by the Department of the Interior and Local Government (DILG) that are to be passed every quarterly. (CSWDO)
- Apart from national laws and international human rights instruments (e.g. CRC and CEDAW), what important gender equality policies in place at the local level? How are these policies operationalized by local agencies?
    - The operation of national laws and international human rights instruments are passed from the municipality/city local government unit (LGU) to the community or the barangay level. (Brgy. VAW Desk Officer)
    - The implementation of express lane on every establishment for pregnant women, senior citizen and person with disabilities (PWD) and ramps for PWD. (CSWDO)
  - Experience with GAD mainstreaming and GAD budgeting (in general and specific to the agency)
    - The barangay allocates 5% of the IRA for GAD or VAW desk to help and to give support to the victims. (Brgy. VAW Desk Officer)
    - In the CHO, there is already an assigned GAD focal and budgeting and their programs are implemented.
    - GAD is implemented at the city-level and offices present their plans and accomplishments. In the barangay-level, the CSWDO continuously reminds the barangay officials during talks or lectures to allocate 5% of their IRA to the GAD fund
- 2. Gender-based Violence (GBV) in the city/municipality (in relation to gender-based violence)**
- What are the common forms of GBV received by the service provider?
    - **Common Forms of GBV among the Agencies:**
      - Physical Abuse
      - Sexual Abuse
      - Economic Abuse
      - Child Abuse
      - Human Trafficking/OSEC

Breakdown of Answers:

- Brgy. VAW Desk Officer:
  - Battered wife and Rape
  - Economic, Verbal and Physical abuse
- Women and Children Protection Desk (WCPD) of the PNP:
  - R.A. 8353 Anti-Rape Law
  - R.A. 7610 Child Abuse Law
  - R.A. 9262 Violence against Women and Children (VAWC)
- City Health Office:
  - Violence against Women
  - Child Abuse
  - Sexual Abuse
- City Social Welfare and Development Office:
  - Physical abuse
  - Sexual Abuse (e.g. rape)
  - Economic Abuse

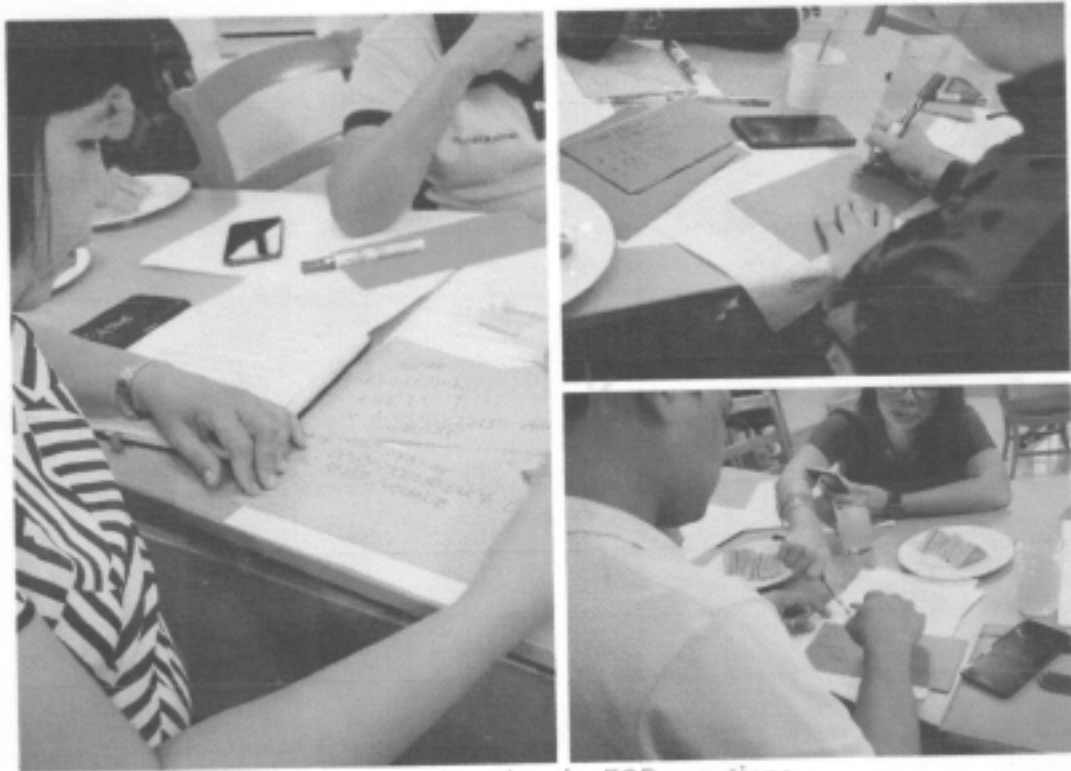


Fig. 3.2 Answering the FGD questions

- Public Attorney's Office:
  - Violations of R.A. Nos. 8353, 7610 in relation to Sections 5 and 10
  - Violations of R.A. 9262, usually in terms of psychological, emotional and economic abuse
  - Human Trafficking/Online Sexual Exploitation
- Office of the City Prosecutor
  - Sexual abuse
  - Physical violence

- Economic Abuse
  - OSEC (Online Sexual Exploitation on Children)
- Which groups 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 (WCPD-PNP, PAO, CSWDO)
    - Women with Disabilities, especially the special child (WCPD-PNP and OCP)
    - Minors or Students (WCPD-PNP and OCP)
    - Housewives and mistresses are mostly affected women group (CSWDO and OCP)
    - All types of women are affected as expressed by both Dr. De Guzman of CHO and PAO representative. However, for PAO representative's experience most women that seek the PAO services are Urban and Rural Poor Women.
  - 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?
    - Incest and the age group for Adolescent are the trends currently involved in the cases. As well as the occurrence of violence on rural women. (CHO)
    - Economic factors, such as having low-income, having unstable or irregular work and having a large family size. (CSWDO)

Factors affecting it are the cultural and economic factors, especially on rural and urban poor women because of the existing culture that fathers/husbands are mostly the sole provider or the only one with work in the family. (PAO)

- What does the service provider consider as difficult cases/s? Why is this?
  - The uncooperativeness of victims like rape victims because they tend to be ashamed or embarrassed about it that they can't provide answers that can help their cases. Also if the victims are minors because they are greatly traumatized as to what happened to them that they must first undergo counseling to clear their minds and to help them file the reports or cases. (WCPD-PNP)
  - Another, the emotional attachment of a victim towards its perpetrator, like in the cases for married couple. The battered wife tends to withdraw the case after her husband pleads for forgiveness. (WCPD-PNP)
  - A difficulty or a difficult case considered by CHO was the sexual abuse by a teacher that had a large number of victims on a rural or far-flung area in the city. Also, with the short staff of only two (2) physicians conducting medico-legal examination, the large number of victims that they must work on had a great toll not only on their bodies but on their mental or emotional states as well. To think that

they must assist around 6 children a day and they get to hear their stories and their experiences. (CHO)

- On how teenage sexuality and prostitution are converted as rape, it was frustrating on the part for the CHO representative that the cases turn to that course.
  - A difficult case for CSWDO would be a sexual abuse case, more so if the perpetrator is the father/family head because the family would tend to make the victim feel guilty by saying that their father is the only provider of the family and such, so that they would not try to file or report such experience to the concerned agencies.
  - Another difficult case would be involving a PWD, like deaf and mute victims and retarded victims. (CSWDO)
  - A difficult case would be human trafficking because it is difficult or hard to prove especially online prostitution. It is hard to prove that the perpetrator itself was the only one using its account and the unit tasked for such crimes to investigate or group with expertise on such matters is only available at the regional level.
  - The worst case handled by the Office of Provincial Prosecutor (OPP), wherein the OCP representative is also involved, was an OSEC where the mother sells her child in the internet.
  - Another difficult case which is similar to the CSWDO is incestuous case because later on the victim becomes unwilling or uncooperative. They are persuaded by their father's relatives that it is only their father who provides for them. Also the cases where the victim and perpetrator lives in one neighborhood. The main concern is the safety of the victim because they would go back to same environment of its perpetrator, especially when the perpetrator is notified about the case filed against them. Moreover, traumatized victims are difficult to handle because it is harder for them to speak out or say what happened to them. (OCP)
- What are the challenges/barriers experienced in:
    - a) Reporting and investigation of cases of GBV (PNP/VAW Desk)
      - Withdrawal of complainants, because the husband/perpetrator would ask for forgiveness and reconciliation from their wife/victim. (Brgy. VAW Desk Officer)
      - Victims are under trauma and are ashamed for the bad experience. (WCPD-PNP)
      - Each social protection implementing agencies, like PNP, CHO and CSWDO, have different statistics from one another and they are still trying to work on that issue. (CSWDO)
      - The lack of personnel practicing child-friendly investigations. (CSWDO)
    - b) Prosecution and legal assistance (Prosecutor's Office, PAO, VAW Desk)



- PAO is mandated to assist VAWC victims/clients on the first level by having legal counseling and they cannot assist as well the accused because there would be conflict of interest.
- A personal challenge for the PAO lawyer present is the emotional attachment or how to disassociate her personal feelings during trial on the rape victims or witnesses, especially when the children are asked or questioned.
- The OCP is struggling with misconceptions on their functions that is why they raise awareness as to what are their functions and capacities in helping the public.
- Another challenge for OCP is when the victims themselves are not ready for trial, be it mentally or emotionally.
- c) Providing support services (MSWDO,CSWDO,WCPUs)
  - A challenge for CSWDO in providing services would be giving the service itself to the victims because they don't own or possess any vehicles. It is harder for them to travel to the victims especially to far-flung areas.
- What are the best practices?
  - The WCPD-PNP conducts information dissemination activities on the rights of women and children such as dialogues, lectures handing-out of flyers to school. Included in the information drives are laws such as R.A. 8353, R.A.7610 and R.A. 9262.
  - The best practices would be that in barangay/community levels there are existing ordinances or resolutions on duplicating and strengthening of VAW desk. Also, in the city level such practices are also done and it is monitored by the DILG.
  - In addition, the ongoing trainings for VAW desk officers and concerned agencies to be child-friendly, gender-sensitive and gender-responsive is another best practice.
  - OCP conducts orientation or awareness on remote areas which resulted on the bulk cases of 21 complaints on a single perpetrator.

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

- What are the entry points for GBV cases to come formally into contact with the government services?
  - The GBV victims would ask for the intervention from the barangay VAW desk officer and if the situation is not settled or changed they would refer it to the CSWDO's family section to have the victims access services appropriate for them. (Brgy. VAW Desk Officer)
  - The victims come from rescue, referrals or walk-ins and they must be catered with the services they need. (CHO)
  - For CSWDO, clients may come in as walk-in, referred, or rescued clients and from outreach programs during their community assemblies.



- Mostly walk-ins asking for legal counseling and assisting in filing of complaint. There are also times that PAO gets referral from other agencies or organization such as CHR.
- What are the available services for GBV survivors provided by the service provider?
  - Counseling and rehabilitation for the victims (Brgy. VAW Desk Officer)
  - Available service would be counseling, referral for other needed services like temporary shelter, transportation etc. (CSWDO)
  - Counseling/ providing legal advice and assisting in filing of complaint (PAO)
- 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?
  - Medical examinations. The factors that might affect their choices may be the CHO advocacies or the education on the barangay because there may be instances that the perpetrator was also hurt and they might went to the same facility to have an examination. The victims may not know that they can ask for similar services from the CHO.
  - The services they mostly access depends on their preference or choice and CSWDO would be there giving them different options to take and advice as to what are the next steps or consequences if a particular service is to be chosen.
  - Mostly accessed service is the mediation/conciliation proceedings for economic abuse because mostly the father is the sole provider and they are not being properly supported by him. (PAO)
- At which point in the process of GBV intervention do women often exit the formal helping system of the service provider?
  - The barangay has no control or idea on it but they provide community/barangay intervention to help the victim rebuild itself and assess on what happened to them. (Brgy. VAW Desk Officer)
  - They exit when they don't see anyone supporting them or the disappearance of a support system and when they already had a settlement or received a settlement money. (CHO and CSWDO)
  - Oftentimes, prior litigation or before going to court. They exit because they see there is no one providing or working for the family. (PAO)

The CHO representative, Dr. De Guzman, stated that there is a flow for the victims of GBV. Nonetheless, she raised a concern that every occurrence of abuse/violence must be considered as an emergency. For it is required to have a request or referral from the PNP in order to conduct a medico-legal but some victims can't easily be granted of it. That is why she accepts anyone who ask for a medico-legal and then tap or refer the concerned agencies, such as PNP and CSWDO, to help and assist the victim in filing or reporting the case. It must be an urgent matter because internal damages are not easily detected from the outside that is why there must be continued effort in asking them and conducting examinations.

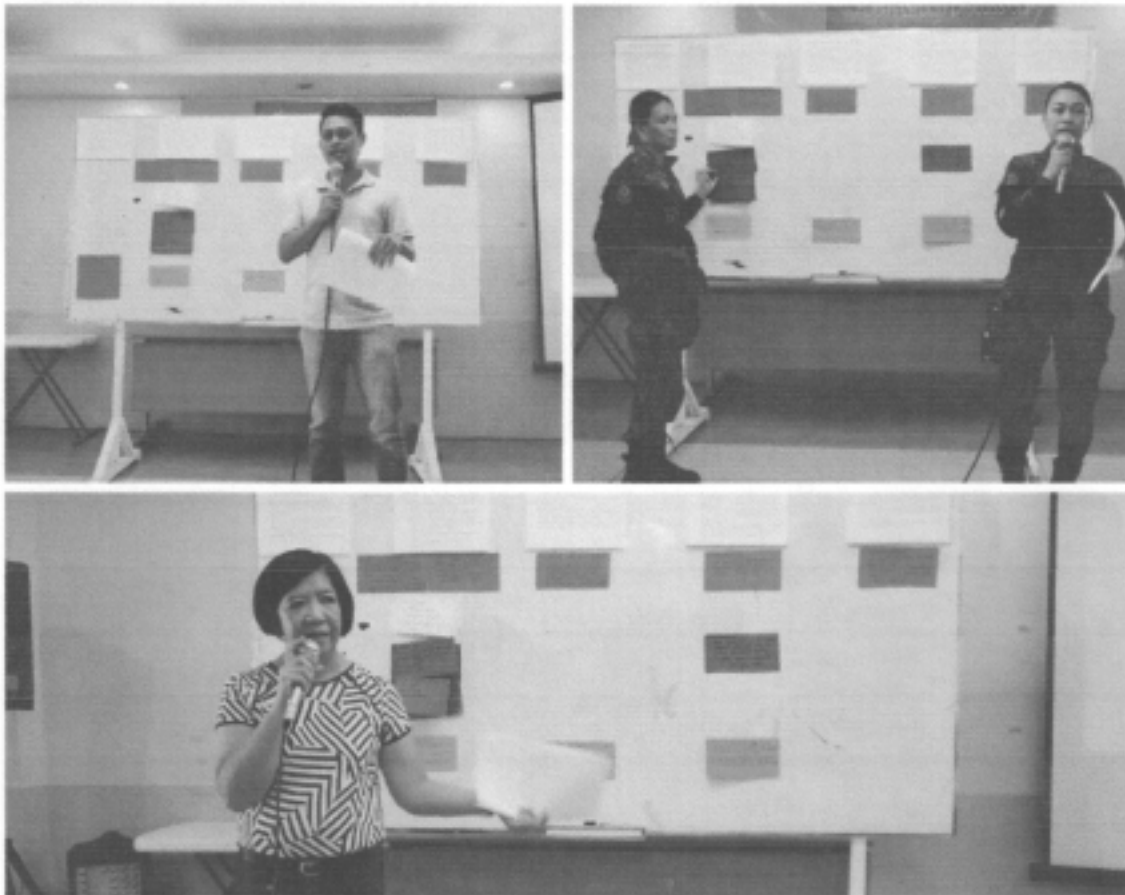


Fig. 3.3 Presentation of first three Government Agencies

#### 4. Documentation

- When does documentation of GBV complaints start (e.g. upon contact with the agency, when the woman agrees to file a case; even “informal” consultations included)?
  - Upon first contact or report to the barangay VAW desk the documentation would start by gathering information from the victim. (Brgy. VAW Desk Officer)
  - Upon contact be it walk-in, referred by other agencies or through outreach the client-worker relationship is established. There would be data gathering, collateral contact of significant others and an assessment as to what would be best for the client’s safety and well-being. The clients/victims are also asked if they want to file a case and they are briefed on what would actually happen, like they

won't get an instant or immediate resolution to it and if they have enough determination to see the case until the end. (CSWDO)

- Upon cognizance of the report the documentation would start especially for the cases for inquest. (WCPD-PNP)
  - Upon consultation/ rendering of advice by PAO lawyer the documentation start for the GBV cases or complaints.
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- Related to above, could we ask for a copy of forms used for this, if any? Or what are the standard information asked of the woman who access the service being provided by the agency? (are current forms ethnicity and disability segregated?)
    - There are forms however the VAWC form or copy that was given to CSWDO were cloudy and not in the best resolution or condition which is another difficulty for the CSWDO. They would use their own forms instead and not the standardized VAWC forms as stated in the VAWC handbook.
  
  - How are these information filed and stored? How long will they be kept on the average? Does the agency have an electronic database for the cases?
    - There are three (3) logbooks in the barangay VAW Desk, first for the RA 9262, the other one is for cases related to 9262 and the last one are for walk-ins or for inquiries. In terms of safekeeping, all documents are filed inside a cabinet with a lock for confidentiality purposes. (Brgy. VAW Desk Officer)
    - The WCPD-PNP has a confidential cabinet that only WCPD teams can access and strangers and be it other personnel in PNP, they cannot access the files. For it is the victim's rights not to let their cases be disseminated.
    - The medico-legal documents like the ITR are all handwritten and there is no back-up data or electronic database for it. It is kept on a cabinet and it is stored for 20 years. Preferably, CHO would want it stored in a cabinet with a lock on it.
    - The CSWDO stores their cases in folders and kept in a drawer or cabinet with a lock and it is kept for 20 years or the prescriptive period. The CSWDO has no electronic database but they have e-copies of different records from concerned agencies. Also, such related cases of GBV are stored separately from other cases of adoption and CICL.
    - The PAO has an electronic database with the central office through Field Operations Statistics Services (FOSS). The special unit that collects data like on how many children and women were served.
  
  - How are these information used? Does the agency publish summaries or reports of cases received?
    - The cases should not be published in different forms of media. However during the discussion it revealed that some media personnel spreads news on cases in the blotter book of PNP which

raises some issues of confidentiality. The situation is inevitable because the blotter book of PNP is for public consumption as ordered by the high ranks. That is why some suggested to have the pink blotter book, which are for WCPD cases, to be confidential and so that others would not gain access over it.

- They have summary reports through their annual accomplishment report and there is no identification or identified information in it. The included data on it are only statistics and the services used. (CSWDO)
- Who can access these files? Are other offices/helping agencies allowed direct or full access to them? Researchers? What is the protocol for this, if any?
  - The barangay would also pass a copy to the police for the filing of a Temporary Protection Order (TPO). (Brgy. VAW Desk Officer)
  - All information of WCPD cases are all confidential but there are agencies concerned on the situation that needs information from the WCPD-PNP that can gain access.
  - The only data that can be accessed are the statistics and there should no identifying marks or details to the given information. (CHO)
  - No other outside parties can access the cases unless they provide a subpoena from a judge. They follow the protocol for confidentiality that is why they would ask a court order from any parties seeking to access a file or case. (CSWDO)
  - The OCP practices confidentiality especially for cases involving women and children.
- Which information are made public and how at the local level, if at all (e.g. website, publications, statistics are used in community education)
  - Only the statistics are made public through the annual accomplishment reports. (CSWDO)

##### **5. Recommendations**

- Are there information on gender-based violence and women's human rights which you feel women vulnerable to GBV need to have more access to?
  - Information drive/ dissemination on basic form of VAWC because there are women who don't know or realize that they are being abused or harassed.

Most of the participants gave recommendations in general rather than giving specific ones. Some as well opted not to give recommendation and preferred to listen to what other would recommend.

- Raise awareness on remote barangays as to what extent the CHR can help them because probably there are undocumented cases of GBV in such areas. For instance, the case of 21 or 27 GBV cases by only one perpetrator. (PAO)

- There should be a clear cut support for concerned agencies on Gender-based violence. Such as providing funds for the Multidisciplinary Team case conferences. (CHO)
- Conducting a child-friendly investigative interview must be practiced to prevent revictimising the children with repetitive interviews conducted. (CSWDO)
- Would like to have more or receive other Information, Education, and Communication (IEC) materials on women's rights, children's rights and human rights and it is readily available. (CSWDO)
- To have more gatherings such as this activities. It is better to prevent such cases happening through trainings, seminars, lecture and information drive. (OCP)



Fig. 3.4 Presentation of three remaining Government Agencies

#### IV. Closing Remarks

Atty. Marjorie Legaspi, the GAD Focal OF CHR RO8, gave her biggest thanks towards the participants who attended the activity. She also invited the said participants in the upcoming event of CHR RO8. Moreover, she parted ideas of having men or the would-be perpetrators to be involved in the discussions as well and not just empower and inform the women. Mostly appreciated as well if there are programs available for women or victims of GBV that could help them support themselves financially aside from helping the victims file cases. And to end the activity the video, supposedly to be shown earlier but met with some technical difficulty, on GBV Mapping was shown to shed light as to why the activity was held. Before having lunch few words were given by the Information Officer I of CHR RO8, Rona Lamuardo, with regards to information drives or dissemination conducted by CHR

RO8. She hopes that they would contact her or the office to conduct seminars on suggested barangays or areas that needs it. After that the group took a commemorative photo and had lunch to end the event.



Fig. 4 Group photo of participants together with CHR