

GBV Mapping Ro IX

FGD on Gender Based Violence

Service Providers

Dapitan City

Philippines

30 July 2019

Preliminaries through an Audio Visual Presentation presented by Ronaale Ventus
Introduction by Ronaale Ventus on why CHR in the community conducting the Mapping of
Legal Referral Mechanisms on GBV highlighting what is the current process of referral
thereafter introduced the CHR Staff present in the FGD. Opened the floor for participant
introduction.

Participating Agencies:

City Livelihood Coordinator and GAD Focal Person
Member of the Sangguniang Panlungsod
Chief WCPD of the Dapitan Police Station
City Social Welfare and Development Office
Medical Social Worker – WCPU – Dr. Jose Rizal Memorial Hospital
City Vice Mayor's Office

Definition of Terms:

BPO – Barangay Protection Order

IRR – Incident Report

BRGY – Barangay

AVP on the Overview of the Human Rights Observatory Project on GBV to help improve the
process and services of the government agencies in handling GPV cases. Sighting Zamboanga
City as an example wherein the common issues identified is on the "ping-pong effect" of
referral.

Welcome Remarks by Atty. Judelyn Macapili and Atty. Kenny Sabellano

"Unsa man ang data na makuha today..." Will be a huge part of the bigger
activity...Reviewing the process flow and referral mechanisms and identify the issues and
concerns of the service providers to later on address the gaps and barriers to be able to give
better services to them (clients) and also "unsa gaha ang atoang ginabuhay nga maayo nga
puedeng sundon sa laing agencies..." later on, we will make necessary recommendations
before we end our activity.

FGD Proper

Facilitated by: Atty. Judelyn Macapili and Atty. Kenny Sabellano

. Gender equality situationer in the city / municipality

All cases handled? Mostly Women...

Police: included in the monthly report to include SOGIE "naay case ang tomboy gi abuse siiya saa iya kauban nga bayi pud...so included siya sa SOGIE nga victim." Naa siya sa monthly report unsa status ug

Ff up question: Data asked how many SOGIE victims.... Is it being asked? They said, yes. Police has national policy to use SOGIE part data.
The rest of the Agencies are male female disaggregation.

LGU ordinances on Gender?

GAD Code 2015 not changed and VAWC desk ordinance on going ang drafting sa magna carta for women

Functionality of VAW Desk? DILG montiroing? Yearly? Are we aware?

Pax not aware, "naa sa City Council Protection for Children"
Separate BCPC

All brgys in Dapitan City has VAW Desk

In brgys are there focal? Kagawad usually or committee on Women

GAD Budget? Utilized for GAD programs?

ABC: Used, 3% because not all year...By quarter... at the end of the year consumed is more than 5%.

What kind of activities on GAD?

ABC: Meetings

LGU: Celebration of Women's Day; "November nga END VAW"

LGU: Only celebrated once. This October pink October (breast cancer) and end vaw for November

Daghan gihapon vawc cases?

Police: Mostly 9262 later on dismissed...when detained and file case... "maluoy ra pud sila kay wala mubayad sa utang, ga skwela pa ang bata...gamay kayo ang ma prosper sa 9262 bahin ana...ang complaintant mu atras...ilaha gyud pasayluon... usually assistance through the fiscal for resolution..." cases forwarded to the fiscal.

Do we have actual number of VAWC cases in the Police? Yes, there is but to follow.

Naay cases foreigner ang respondent?

PNP: Korean national. Drunk. Nag wild sa balay. But only detained. Disobedience also in the police pero pagka ugma gipasaylu ra pud...dismissed case because of resistance of complainant...

Same process whether foreigner or local....? Unsa next step?

PNP: Medical, then file case...

Kanus.a ni sulod re embassy? Clarification because of verbal advise.

What are the common forms of GBV received by the service provider?

9262, Rape, 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)?

LGU and POLICE: Housekeepers and unemployed. *Talagsa ra professionals – mga teachers... gina atras ra gihapon...*

Police: PWD-Retarded, Rape Case,, Taga pinan, reported in pinan but incident happened in polo...so PNP took action by taking over the case...

Gi.unsa pag file sa Retarded woman? Filed by parents with the presence of DWSD. Interviewed by PNP...

LGBT – vawc by partner; "So far wala for mga bayot"

PNP: PWD Child was raped... Deaf but challenged because the victim was not educated with proper sign language...so it's the mother who was trying to communicate using informal sign language...

What are the challenges/ barriers experienced in:

- a) reporting and investigation (PNP/VAW Desk)
- b) Prosecution and legal assistance (Prosecutor's Office, PAO, VAW Desk)
 - PNP: Fiscal's concern is that it must go through Brgy looking for documents such as BPO and Certificate to File Action or any agreement or documents from brgy level asked by fiscal;
- c) Providing support services (MSWDO, CSWDO, WCPUs)
 - Medical - issues? Compliment sa mental health professional...Psychologist and psychiatrist...Sa reporting ang usually ang challenge kay ipabutang ang healing period sa medical certificate... physical abuse can be determined but for emotional and psychological does not... Fiscal...
 - Medical: Challenge is availability of the doctors...But, medical certificate is provided only upon duty of the attending physician. Usually, it's the court who requests from the hospital.

- PNP: fiscal mangayo ug psychological findings...
- Medical: No experience that fiscal did not accept case due to psychological assessment... still moved to court... usually it's the fiscal or court who requests the psychological assessment...
- Medical: No case pa that there is psychological abuse. Usually it's the court who requests

(confusion between VAWC case and injury)

"Ipasa pasa pud kay kung sa barangay dako o ginagmay lang ipasa dayun sa police... Unya kung kame sa pnp, kung gamay ra ang kaso ipasa ra namo balik sa brgy..."

"Forum on VAWC given to 48 brgys in the city... given by LGU... "aware na nasila nga naay vawc...informed sila..."

"Dependent kaayo mu sa imung bana..." (hence not filling a case even victim of VAWC)

LGU: VAWC Desk in the Brgy. Basin dili pa sila kabalo unsa ilahang role dira...kasagaran dili mi ientertain kay maglangan langan sa trabaho kay mag reklamo dayun mag holding hands ra man pud... mao to sa police kay para ma areglo didto...

SP: Magkuha ug VAW Focal nga dili official para kato ra jud ang focus niya anyway naa may funds nga magamit...at least dili makatubag nga busy ang kagawad...ang kapitan... for as long as included siya sa annual budget sa brgy.... Kuha sa lupon...

Are there agreements from Brgy level?

ABC: Ang Barangay Captain ang gasulat sa agreement for VAWC cases. They have forms to fill up which usually is compiled by the secretary.

Atty. Macapili: But not honored because power of brgy is limited to issuance of protection order... settlement and mediation should be done through a private lawyer or hall of justice... diretso sa family court.

PNP: So diretso na sa police?

CHR: Mu agi ug brgy for protection order... then assist sa pag file ug complain sa police....

PNP: DSWD is issuing agreement... especially on custody...

Atty. Sabellano: explained the proper process of referral for cases from the brgy level...

PNP: Cases are usually dismissed because of non-appearance to court hearings due to economic reason (no pamasaha...)

Atty. Sabellano: It is still a practice that grave cases, if settlement requested by the woman, so the complaint is not referred to the PNP or the court....

ABC: Mag uli ra sila dayun so dili ma abot sa pnp kay layo o gasto pud...Kulata...gigukod ug sundang... usually hubog...

Naa bay case nga balik balik sila sa brgy same case?

ABC: Gina ingnan ra nga sa sunod diretso na sa police...

LGU: Naay case nga na preso ang bana... all 9262 violated...

Ms. Vela: Naay instance naghatag ug protection order...Unsa basis sa brgy para maka release of BPO?

LGU Recamara: Wala gyud na...Kay ngano? Wala na silay hanaw kung unsay nahitabo nila kay sila pud dili mu attend sa mga... (biktima) unaware sa balaod...

Atty. Macapili reminded them that what is important is that the duty bearers are more aware of the laws to be able to assist the victims.

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?

PNP: High School level, elementary, teenagers, wives

Factor: Husband is primary supporter

Challenging cases to handle?

PNP: Children who are difficult to interview. Usually witness if there is but if none, referred to CSWD.

Best Practices:

PNP: Continued Barangay Schools visitation for awareness (educational awareness)

Hospital: Services are still being developed such as facilities and personnel

DSWD: Counselling and refer to other agencies and financial assistance through the Mayor.

Atty. Macapili: Naay network with NGOs or women orgs that they work with to help on VAWC?

DSWD: None so far.

GAD Focal: LGU created Livelihood project on production of Chips in composed of women as majority... So women now are earning...

Recommendations:

Hospital: One stop shop

What are the entry points for GBV cases to come formally into contact with the government services?

Barangay or Police

What are the available services for GBV survivors provided by the service provider?

PNP: Physical abuse cases usually medical... Even the next incident, medical service gihapon..

Medical: Free medication (all) including referral to doctor for psychological tests...free even issuance of documents... But limited to availing but does not proceed to the filling... (kasagaran)

Atty Macapili: Shelter service from DSWD?

CSWD: None.

Home for women?

CSWD: None. Kasagaran sa pariente...

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?

At which point in the process of GBV intervention do women often exit the formal helping system of the service provider?

- Dependent sa bana

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)?

Barangay? Do they have record or log book?

ABC: Naa sa VAWC Desk including informal cases or seeking for advise

PNP: With records pero wala na informal cases even seeking advise

CSWD: If victim asks for legal advice, referred to PAU or Fiscal.

Atty. Macapili: Is there a form for blgu given by DILG?

ABC: None, so we create our own.

PNP: IRF

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?)

PNP: Stated in the IRF (incident record form)...Online per region... SOGIE is only on monthly report... IRF only male and female segregation... SOGIE is via excel during monthly report...not narrative...

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?

Only PNP

- How are these information used? Does the agency publish summaries or reports of cases received?
- 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?

PNP: Not available to public. Only investigators. Only NUP can also access. Data is given to public upon request such as students or teachers for research purposes.

Same with CSWD. Or sometimes photo scan.

- Which information are made public and how at the local level, if at all (e.g. website, publications, statistics are used in community education)
- BLGU, LGU and PNP but more on celebratory info.

No vawc information and child abuse via facebook

But BLGU, posted in the bulletin board VAWC Information and Child Abuse

Atty. Macapili: How is reported to the DILG?

ABC: report prepared by secretary to the DILG based on the VAW Desk officer report...only VAWC desk officer who can handle and view the information... But, submitted to the Secretary...Secretary submitted to DILG...

Racamarra: But, usually there are no VAWC cases because the practice is VAWC cases referred to Police....

PNP: Distributes flyers in bisaya language... and tarpaulins posted in various brgys
Radio advocacy also on VAWC... (50 brgys)

Media: Also an advisory council member... both radio and tv.

Recommendations:

- Are there information on gender-based violence and women's human rights which could be of use to, and you would like to be available to your agency?
 - 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?
 - Are there information on gender-based violence and women's human rights which you feel the local population in general need to have more access to?
 - Other recommendations for the CHR as the gender ombud as mandated by the Magna Carta of Women.
1. CHR must have an office in Zamboanga del Norte to access services of CHR;
 2. Capacitate the personnel brgy and pnp;

assured that the services of CHR can be extended even brgy level but through writing letter...

Open Forum:

Mga victims nga dili mu storya... Puede mi mu intervene pero ang brgy mismo ang mu file?

Atty. Macapili: Kung bata, puede... Pero if VAW, dapat ang victim jud... The most that we can do is to advise the victim...

Atty. Kenny: Puede mo mag implement ug mga programs regarding sa concern as GAD activity fro the GAD budget...

PNP recommends that to include PNP as speaker in FDS of 4Ps.

Closing Remarks: Atty. Kenny assured that it will be reflected in the national scale on how to address women's concern.

*** END OF DOCUMENTATION ***

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Photo Documentation:



Atty. Sabellano, Mr. Paculanang and Atty. Macapili facilitated the Focus Group Discussion.

The representative from the Local Government of Dapitan City as she expressed the Livelihood program for the women in the City addressing Gender and Development.



The participants in a group photo with the Commission and Human Rights Regional Office IX team.