

**MAKING DATA WORK FOR WOMEN: MAPPING
OF LEGAL REFERRAL MECHANISMS ON
GENDER BASED VIOLENCE**

**Focus Group Discussion on 10-11 October 2019 at
Bunawan and San Franz, Agusan del Sur**

Overview

Passed in 2009, the Magna Carta of Women has since designated the Commission on Human Rights as the Gender and Development Ombud. The law sets out its specific mandates for the Commission which the Commission must faithfully and fully implement: among them, promoting and protecting women's rights through creative approaches in education while honing investigation of rights violations committed by persons not only from the public but equally from the private sectors. As the Commission capacitates itself in the investigation of such violations, its recommendations of appropriate remedial measures to other agencies of government must be closely monitored to ensure effective implementation.

The Commission introduced the Gender Based Violence Project in the community women with the objectives stated hereunder to wit;

- Harness the capacities of the Commission's 16 Regional Offices in monitoring functionality of referral mechanisms, providing recommendations and influencing enhanced functionality and responsiveness of local inter-agency mechanisms to respond to VAW; It aims to strengthen Commission's mandate as Gender Ombud;
- Gather regional data on GBV, particularly highlighting issues faced by the most marginalized and 'excluded', a focus on intersectionality, and an analysis that looks into women's lived experience of GBV.

After the objectives has been laid down, the facilitator Atty. Aurora Cembrano seek the consent of the women participants, explained the data privacy compliance notice of the Commission and introduced the consent and profile forms that the participants are requested to fill up.

Morning Session (Service Providers)
 Started at 8:10am
 Location: PASAKK, Bunawan, Agusan del Sur

Profiling of Participants

Name	Organization
1. Antonio M. Lozada	Brgy. Consuelo
2. Emma D. Enriquez	Brgy. Kagawad, San Teodoro
3. Marivel O. Ayala	Brgy. Kagawad, Mambalili
4. Leonarda G. Uy	VAWC, Poblacion
5. Jonafe D. Julzan	WCPD, PNP
6. Shirley Siploc	Brgy. Kagawad, Brgy. Imelda
7. Rosa M. Genotiva	SWO-I
8. Ma. Jerry Delda	MWF
9. Lorena G. Dunga	Brgy. Kagawad
10. Thilda P. Palsen	Brgy. Kagawad, Libertad
11. Carmela D. Dela Rosa	Brgy. Kagawad, San Andres
12. Erlinda C. Pineda	Brgy. Kagawad
13. Nilgie C. Villaganas	Public Attorney's Office
14. Rogelio M. Galendez	City Mayor's Office
15. Annaliza D. Miros	Brgy. Kagawad, San Marcos
16. Dengis P. Pulmon	
17. Alex C. Salo	Administrative Officer V, Fiscal's Office
18. Junnette B. Nora	RHU
19. Rogen B. Bayagas	R.B
20. Junjie H. Polangco	PASAKK Training Officer
21. Rena P. Davis	KPAKK Youth
22. Jonathan A. Ancheta	PASAKK Staff
23. Divinagrace D. Awitin	PASAKK Staff
24. Darwin C. Guibao	PASAKK Staff

Summary of Discussions

- ✚ **Mrs. Leonarda G. Uy** shared that VAW cases are resolved right away within the barangay level. Most women believed in the sacredness of marriage.
- ✚ **Hon. Erlinda C. Pineda** as SB Member shared that equality is well-observed in their barangay where barangay council respect each other's opinions and women are given equal opportunities, rights and are fully involved in decision making. She also asked for an advice on what action should be taken relative to her

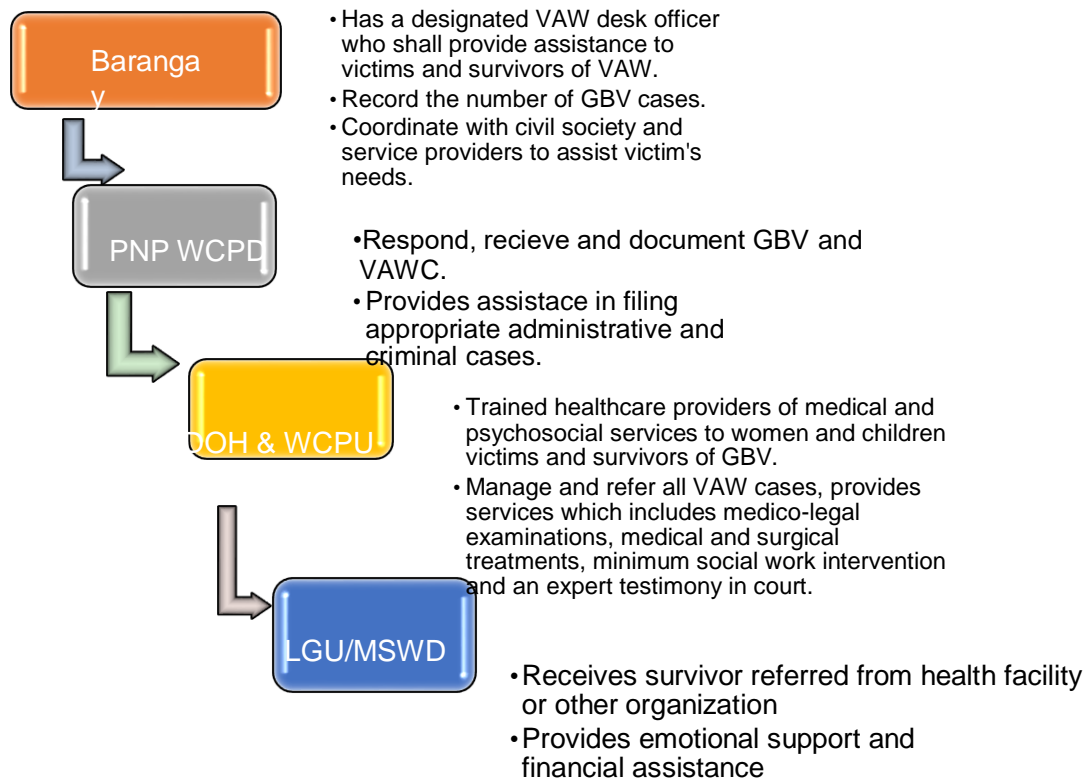
neighbour's experience wherein the husband often embarrassed her wife in public places, throwing words like "Bwesit ka! Kapangit raba nimo".

- ✚ **Hon. Marivel O. Ayala** shared that they have two women members in the council and both has equal opportunities, benefits and were treated equally with men in all stages of procedures and decision making. Last 2017, there were VAW cases filed in the barangay and was immediately acted and resolved by the council. One incident happened in a certain purok of the barangay wherein the husband intentionally hacked his wife using a butcher knife. Barangay council's often tried to encourage the victims on filing cases against their husbands however most victims are not persistent enough to continue the procedure on filing a complaint due to economic factors. Most victims are housewives who cannot sustain family basic needs and are usually dependent on their husbands. Despite of the fact that barangay councils have not undergone any training on counselling VAW victims, they still try their best to share good practices and values to strengthen family ties.
- ✚ **Hon. Emma D. Enriquez of Barangay San Teodoro** as SB member encountered some problems in the issuance of Barangay Protection Order (BPO), most victims who were issued BPO return home to their husband not later than fifteen days so filing of complaints are not continued. They also conduct free counselling to VAW victims and offer one thousand pesos as mandatory burial assistance to indigent people.
- ✚ **Hon. Thilda P. Palsen of Barangay Libertad** as the only woman member in the barangay council enjoy the same benefits, opportunities and is being heard fairly in decision making procedures. Most VAW cases are being resolved immediately in barangay level. She added about the two incidents happened in her neighbourhood wherein one husband and wife often fight at night which caused nuisance to their neighbours and the other incident was a battered wife being hunt by her husband. Both victim did not file any case for economic reason. In terms of documenting incidents and persons involved, they have logbooks to be filled out by the officer in charge. Information includes; personal information of the complainant, name of the respondent and the complaint.
- ✚ **Hon. Shirley Siploc of Brgy. Imelda** as the one and only woman member in the barangay council also enjoy the same treatment. Most VAW cases are immediately responded by the barangay council and they always coordinate with the Police VAW desk officer to assist victims in filing complaints.
- ✚ **Hon. Annaliza D. Miros of Barangay Marcos** shared that they have two woman member in the barangay council and the same with other resource persons, they enjoy equal opportunities and benefits in their barangay. Most VAW cases are settled in the barangay level.
- ✚ **Ms. Rosa M. Genotiva, a social worker of Bunawan District Hospital** shared that they have an accredited physician for VAW victims/patients. They also have an

active coordination with PNP in filing VAW cases. Their hospital also offers free consultation and medicines for victims. They have an initial assessment form which is kept in a folder and is treated highly confidential.

- ✚ **Mr. Alex C. Salo of DOJ** added that most VAW cases are not filed due to economic reasons. They also disallow desistance, once cases are filed, there will be no withdrawal of cases allowed. For this reason, most victims are being assessed on their eagerness to continue filing such case. For purposes of documentation, they interview victims to assist in writing a formal complaint.
- ✚ **Atty. Nilgie C. Villaganas from the Public Attorney's Office** agreed that the common reason why women tend to terminate VAW cases is due to economic reason. Most VAW victim and survivor are unemployed and are only dependent to their husband.
- ✚ **Mr. Rogelio M. Galendez of City Mayor's Office** highlighted their programs and services offered to VAW victims. They have rehabilitation center, has an existing ordinance relative to curfew hours for minors, consideration of stores' selling liquor from church and schools, they also offer Assistance for Individual Crisis Situation (AICS).
- ✚ **Jonafe D. Julzan of PNP** immediately respond to VAW victims' complaints. They have logbook and database for profiling and recording of complaints. Most cases are not filed to court because victims often prefer to have an amicable settlement with their husbands.

Most common referral system mechanism:



Consolidated issues and barriers on Legal Referral Mechanism The

following issues were identified in reporting GBV cases:

- Lack of facilities particularly in remote areas
- Inadequate capacity of frontlines in dealing with complex crimes involving GBV
- Absence of personnel found in VAW desks
- Absence of specialized services specifically psychologist and psychiatrist
- Inadequate resources to provide full and direct legal assistance
- Strong implementation of the issuance of Barangay Protection Order (BPO)
- Misused of GAD funds

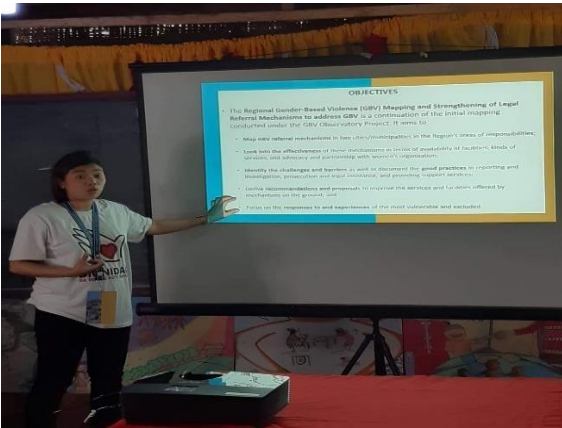
Recommendations

Participants raised these following recommendations:

- They wanted CHR to conduct seminar workshops relative to VAWC in their respective areas.
- They emphasized the need for a CHR sub or provincial office in Bunawan, Agusan del Sur.
- The creation of Bahay Pag-asa for GBV and VAW victims and survivors.

End: 11:45am

Photo Documentation





Afternoon Session (Women Organization Representatives)

Started at 1:15pm

Location: PASAKK, Bunawan, Agusan del Sur

Profiling of Participants

Name	Organization
1. Respondent A	Pob. BADS
2. Respondent B	Consuelo
3. Respondent C	Mambalili
4. Respondent D	Mambalili
5. Respondent E	COE
6. Respondent F	President, Women's
7. Respondent G	Mambalili
8. Respondent H	Mambalili
9. Respondent I	San Teodoro
10. Respondent J	Federation Secretary, San Teodoro
11. Respondent K	Municipal President, Women Fed
12. Respondent L	MWFA President
13. Respondent M	Women's Organization
14. Respondent N	San Teodoro
15. Respondent O	Women's President
16. Respondent P	Women's
17. Respondent Q	
18. Respondent R	
19. Respondent S	Women's
20. Respondent T	Women's
21. Respondent U	COE
22. Respondent V	CDWA President
23. Respondent W	TRNG-Officer
24. Respondent X	KPAKK Youth
25. Respondent Y	PASAKK Staff

Summary of Discussion

- ✚ **Respondent J of Brgy. San Teodoro** shared that their barangay have GAD budget allocation for women's month celebration. They have activities such as fun run and zumba with free coffee and bread. Although they have a GAD budget allocation for women's month celebration, still the 5% mandatory allocation was not realized. She also added the problem on the absence and availability of VAW desk officer found in the barangay.

- ✚ **Respondent O of Brgy. Imelda** expressed her disappointment on the present administration of their barangay who only helped those voters who supported them during elections. The lack of designated VAW desk officer and no focal person/ SB member committee on VAWC was also brought up. She also had an experience on assisting VAW victim but complaint was not filed because wife is afraid that her complaint might affect husband's employment at PhilSaga.
- ✚ **Respondent I of Brgy. San Teodoro** opened up about the absence of VAW desk officer in their barangay.
- ✚ **Respondent C, President of Women's Organization** shared about her experience when she assisted one battered wife whose clothes were burned by his abusive husband. She coordinated with PASAKK but case was not filed because their children did not want their parents to separate.
- ✚ **Respondent X of KPAKK Youth** expressed her disappointment on helping VAW victims. Volunteers exert time, effort and sometimes spend their own money just to help victims/survivors file a formal complaint. What happens very often during the filing of complaint is when wife refuse to continue the case for economic reason and unconditional love to their children who are the ones who will be affected the most.
- ✚ **Respondent B of Purok 4 Consuelo** shared her daughter's traumatic experience who was a victim of an attempted rape. The case was filed before the Prosecutor's Office by the help of the organization of PASAKK, unfortunately there is no update of the status of the case up to present.
- ✚ **Respondent K as VAW desk officer** shared the recent VAW case filed before their office. The victim is 18 years old who was physically abused by her live-in partner. The incident happened two weeks ago at their neighbour's sari- sari store wherein the victim was hardly beaten by his husband causing her to collapse. We rescued the victim and immediately brought her to the nearest hospital. Day after, the victim decided to file a case against her partner, the organization of PASAKK offered to let the victim be under their custody for her security while the case is on-going. Days have passed, the victim decided to terminate the case. The frustrations it caused the volunteers who exerted much effort and time often affects the willingness of the volunteers to help VAW victims and survivors who may seek their help in the future.
- ✚ **Respondent T of Brgy. San Teodoro** expressed her discontentment to the service providers who give unclear instructions as to the requirements needed in filing complaints. Her daughter was once a victim of being physically abused by her husband, they seek help from DSWD but they were not entertained properly. They decided to go to PASAKK and was then catered and action has been made immediately, they acquired a Barangay Protection Order (BPO) from their barangay. They filed a case against her daughter's husband but in

consideration with her grandchildren they entered into an amicable settlement with condition.

✚ **Respondent U of Brgy. Consuelo** also shared her experience when one Barangay Council intentionally slapped her daughter in the face. Many have tried to convince her on not filing a case but she was determined enough to fight for what is right. She went to PAO for a legal advice and found a lawyer who helped her file the appropriate administrative and criminal case. Months passed, a warrant of arrest was issued to the said Kagawad however it was not served. Month of January, she was invited to the municipal office to talk to SP X, he wanted her to dismiss the case. Weeks passed, another police officer visited her at home and offered cash in exchange of her desistance. She did not accept any money, she just want to escape from chaos and live a peaceful life, she filed desistance and case was dismissed.

✚ **Respondent P of Brgy. San Teodoro** shared the incident happened seven years ago wherein her 11 year-old son was gang raped by four gays. Month after the incident happened, her son was diagnosed having Sexually Transmitted Disease (STD). She was not able to file a case against the suspects because after the incident happened they were nowhere to be found.

Programs offered to GBV and VAW victims and survivors

- Given the chance to be employed at Municipal Social Welfare and Development
- Livelihood Programs
- Financial assistance

Recommendations

- Monthly Seminar on VAWC awareness and Women's rights
- Monitoring on the availability and duties of VAW desk officer
- Social intervention, seminar and rehabilitation of VAW victims and survivor
- Orientation seminar for front-liners dealing with VAW victims and survivor
- Free medico legal services

End: 3:38pm

Photo Documentation





Morning Session (Service Providers)
Started at 9:07am
Location: San Franz, Agusan del Sur

Profiling of Participants

Name	Organization
1. Jane B. Andog	RHU
2. Irene T. Llana	SWO I
3. Jennelyn M. Lubang	VAWC Alegria SFADS
4. Arief A. Mamao	PAO/Public Attorney
5. Alex C. Salo	AO V
6. Rachel G. Calang	PNP/ PCPI
7. Retchellie L. Pulmon	Mayor's Office/Admin Secretary
8. PSSg Janice C. Cabardo	NCPO PNC0

Summary of Discussion

- ✚ **Ms. Jennelyn M. Lubang, VAW Officer**, shared that the most common barrier on filing VAW cases is due to economic reasons. Most cases are settled immediately within the barangay level. Their barangay has an existing ordinance relative to curfew for minors and has included women's activities in the GAD Budget Plan. They also have programs such as symposium for women's right awareness and marriage counselling.
- ✚ **Ms. Jane B. Andog of MSWDO**, has a monthly report and profiling of incidents which are treated highly confidential. Records are kept in a filing cabinet and are disposed after 5 years. Has a functional data base for updating of records. Offers free medical assistance to VAW victims and survivors.
- ✚ **Atty. Arief A. Mamao of the Public Attorney's Office**, when VAW victims visit their office for legal advice, they always make sure that the victim is determined enough to file a case. They also have monthly report on VAW cases catered by their office. There were also problems encountered in catering legal services such as lack of available lawyers who will counsel the accuse, often they refer to the members of the Integrated Bar of the Philippines (IBP) for pro-bono cases, sometimes if the IBP cannot provide lawyer, they refer them to the PNP, WCPP. The same with the grievances of other VAW volunteers, it is also frustrating for the lawyers when victims terminate the case after exerting efforts and time in filing such case. Atty. Mamao recommend to empower women on financial capacity to support oneself and her family.
- ✚ **Mrs. Irene T. Llana, a Social Worker** has services being offered in celebration of the Women's month, they have activities like conducting seminar on women's right awareness. They also have a trained barangay VAW desk officer, offers financial assistance and livelihood programs to VAW victims and survivors.
- ✚ **PSSg. Janice C. Cabardo of WCPD, PNP** shared her experience in handling GBV and VAW cases, most cases were not filed in court due to financial constraints, they also offer free seminar and orientation relative to VAWC.
- ✚ **Mr. Alex C. Salo from Fiscal's Office** agreed that the number one reason why VAW victims refuse to continue filing cases is because of economic factors. Wives are very dependent with their husbands and are afraid to be left alone unemployed taking full responsibility of her family. He also recommend that a citizen's arrest be allowed especially if the victim is under the Barangay Protection Order (BPO).
- ✚ **Ms. Retchellie L. Pulmon from the Mayor's Office** has shared their services being offered to these kinds of victims, they conduct trainings for their front liners on dealing with GBV and VAW victims and survivors including trainings for barangay officials and tanods on serving BPOs.

Most Common Problems involving Psycho Abuse

- Lack of Psychologist
- No budget allocated for Psychologist Fee

Recommendation

LGU-San Franz

- Conducts wellness programs such as livelihood projects PNP
- To have a proper training on counselling VAW victims and survivors
- To have a rehabilitation center/ temporary shelter for Psycho Abused victims

MHO

- Free medicines to Indigent patients
- Accessibility of birthing homes accredited to PhilHealth
- Provide a temporary shelter near the birthing clinics for pregnant women who came from far flung areas

PAO

- A strong information drive on women's rights

They also request that the CHR should conduct trainings on marriage counselling, gender sensitivity and VAWC lectures.

Most common profile of VAW victims and survivors are plain housewife.

Documentation

The most common form of documentation used by the service providers is the logbook and the intake form. They only allow parties to access their records if they have a written request or a court order.

End 11:42am

Photo Documentation



Afternoon Session (Service Providers)
 Started at 2pm
 Location: San Franz, Agusan del Sur

Profiling of Participants

Summary of Discussion

Name	Office/Position
1. Respondent A	CLA
2. Respondent B	SIKAP, Inc.
3. Respondent C	CLA
4. Respondent D	CLA
5. Respondent E	CLA
6. Respondent F	CLA
7. Respondent G	Women's Federation
8. Respondent H	FDAI
9. Respondent I	Women Leader
10. Respondent J	Women SFADS

- ✚ **Respondent G as VAW desk officer** shared that most VAW cases are immediately settled within the barangay level. They also have an existing barangay resolution for the budget of women's, PDWs and for Elderly activities, also has an existing ordinance relative to curfew hours. She also added that they conduct seminar on Gender Based Violence.
- ✚ **Respondent C of Brgy. Kaimpugan** has an existing ordinance and are cascaded to Purok levels. Barangay has no VAW desk officer.
- ✚ **Respondent I of Barangay Bitan-Agan** has 5% allocated budget for women's month celebration and also has the same ordinances.
- ✚ **Respondent J of Barangay Buenaswerte** also has an existing ordinance, offers limited financial assistance, has no specific sector mandated to help VAW victims.
- ✚ **Respondent K of Barangay Lapaz** conducts symposium on child protection awareness to each and every purok in their barangay.
- ✚ **Respondent H of FDAI, San Franz** has GAD code. San Franz is very well represented with women leaders. Has a visible VAW desk with an officer on duty, however most victims seek help directly to the barangay captain.
- ✚ **Respondent B of SIKAP, San Franz** has an existing municipal resolution and ordinances relative to women's rights. No VAW desk found in the barangay.
- ✚ **Respondent A of Barangay Talacogon** is proud to have low crime rates. Most VAW cases are being settled immediately within the barangay level, they

conduct counselling to parents and children. Has an existing ordinance relative to curfew hours for minors.

Most common violence:

- Physical abuse (VAWC)
- Psychological Abuse
- Child Abuse

Barriers on accessing services:

- Personal reasons
 - Humiliation
 - Denial
 - Financial Incapacity
- Some service providers tend to discourage victims to file such case.
- Victims are often advised to sign a waiver composing the refusal on filing the appropriate administrative or criminal case. The purpose of such waiver is often improperly explained to the victim.

Most common victim of VAW:

- Housewife
- Farmers
- Illiterate
- Unable to attend seminars on women's rights

Documentation

Most common is the use of logbook.

Best practices on handling GBV and VAW victims and survivors:

- Brgy. Captain acts immediately and often accompany victims to PNP for police blotter.
- Brgy. Captain often invite both party for an amicable settlement. If unsettled, issues BPO and assist victims on filing a case.
- Barangay vehicles are always available for transportation.
- Has a pink room for the victims to feel calm and safer.

Recommendation

- Strengthen law enforcement
- VAW desk visibility
- Trainings for front-liners

- Lectures on VAWC
- Incentives to increase attendance during seminars
- Visible flow chart on referral mechanisms
- Livelihood programs for VAW victims and survivors

To CHR:

- Lecture on Magna Carta of Women
- Power point presentation used during lectures should be in layman's term, vernacular language
- CHR Office in Agusan del Sur

End: 4:57pm

Photo Documentation

