



Consultation with Government on the Situation of Women in Detention and on Mainstreaming the Bangkok Rules

DOCUMENTATION REPORT

**Commission on Human Rights – Central Office
Commonwealth Avenue, Quezon City, Philippines
1 March 2019**

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EXECUTIVE SUMMARY

The Commission on Human Rights under the 1987 Philippine Constitution is mandated to exercise its visitorial powers over jails, prisons, or detention facilities. It is also currently acting as the National Preventive Mechanism (NPM) against torture, clearly bringing within the ambit of the Commission's core mandate the situation and conditions of persons deprived of liberty. As the Gender Ombud under the Magna Carta of Women, the Commission recognizes the vulnerable situation that the women in detention experience and their status under said law as women in especially difficult circumstances.

Jail congestion rate in the Philippines has reached 612% by the end of 2017 as reported by the Bureau of Jail Management and Penology (BJMP). The ideal capacity of jail population is 20,653, however, it has reached up to 146,302 which is 126,493 more than its capacity. This overcrowding of jails does not conform to the United Nations minimum standard of treatment of prisoners such as giving a jail inmate at least 4.7 square meters of space and also to the BJMP Manual on Habitat, Water, Sanitation, and Kitchen in jails. The worsening state of jail congestion could be attributed to the government's intensified campaign on crime particularly on illegal drugs. About 67% of the inmates were detained due to drug-related charges and that 13% of this number are women. While there is no question that men outnumber women in places of detention, women face gender specific risks and vulnerabilities during detention including physical and sexual abuse, mental and health issues and the general insensitivity of prison systems to take into account women's specific needs and experiences.

Despite consistent monitoring of jails, prisons, or detention cells using the Commission's jail monitoring form as well as human rights-based approach scorecard, gaps continue to exist particularly with respect to monitoring the situation of women PDLs and on compliance with the United Nations treatment of women prisoners and non-custodial measures for women offenders or the Bangkok Rules. Most of the stakeholders working with PDLs use the revised United Nations Standard Minimum Rules for the Treatment of Prisoners or the Nelson Mandela Rules which cover prison management and outlines the agreed minimum standard of treatment of prisoners from pretrial to conviction. The nine revisions focus on the following: 1) prisoner's inherent dignity as human beings; 2) vulnerable groups of prisoners; 3)

medical and health services; 4) restrictions, discipline, and sanctions; 5) investigation of deaths and torture in custody; 6) access to legal representation; 7) complaints and inspections; 8) terminology; and 9) staff training.

Existing guidelines notwithstanding, the specific situation of women, including lesbians, bisexuals, and transgenders (LBT) in detention, require specific focus on their gender-specific needs and requirements within the criminal justice system. The Bangkok rules is one of the sources of normative standards for the treatment of women in detention and in custodial and non-custodial setting. It came as a supplement to the existing international Standard of Minimum Treatment and aimed to address gaps on the needs and requirements of women in detention, including the needs of children in prison with their parent.

To provide a space to discuss the gendered gap in the monitoring of places of detention and to explore the possibilities offered by Bangkok Rules in the development of a gender specific monitoring tool, the Commission thru the Center for Gender Equality and Women's Human Rights a consultation meeting with government officials from CIW, BJMP and CHR last March 1, 2019. The discussion focused on the Bangkok Rules and on the situation of women in detention. It gathered experts and various stakeholders on the field of detention monitoring and discussed related issues and comments on the viability of developing a monitoring tool based on Bangkok Rules. While the wardens of city jails agreed that Bangkok Rules can be implemented, they brought to a higher resolution to following congestion-related concerns:

1. Limitation of the detention facilities and lack of buildable space;
2. Under staff. Almost all of the city jails do not have enough doctors, psychologists and even social workers which results to lack of access of PDLs to basic services.
3. Uneven support of LGUs to places of detention; and
4. In relation, uneven capacity of CSWDO was also brought up.

The event likewise surveyed the existing tools used by CSOs, government agencies, and the CHR, and looked into how these will be complemented by a monitoring on the basis of Bangkok Rules. Following the discussions, major recommendations were forwarded:

1. Strengthen coordination between places of detention and key government agencies, like government hospitals, DSWD, DOH, et. al;
2. Increase access to commodities especially toiletries and sanitary napkin;
3. Increase access to reproductive health rights and information.

ABBREVIATIONS

BJMP – Bureau of Jail Management and Penology	MCW – Magna Carta for Women
BuCor - Bureau of Correction	MSWDO – Municipal Social Welfare and Development Office
CHR – Commission on Human Rights	NGOs – Non-Government Organizations
CGEWHR – Center for Gender Equality and Women’s Human Rights	NPM – National Preventive Mechanism
CIW – Correctional Institution for Women	LGU – Local Government Authority
COA – Commission on Audit	PDLs – Persons Deprived of Liberty
CSOs – Civil Society Organizations	PODs – Places of Detention
DOJ – Department of Justice	PPP – Public-Private Partnerships
DICT - Department of Information and Communication Technology	SPDR – Samahan ng mga Pamilyang nasa Death Row
DSWD – Department of Social Welfare and Development	VAW – Violence Against Women
EJKs – Extra-judicial Killings	VAWC – Violence Against Women and Children
LGBT – Lesbian, Gay, Bisexual and Transgender	

PROGRAM OF ACTIVITIES

Session	Activity	Description
8:30 – 9:00 a.m.	Preliminaries	Pre-Event Ceremonies
9:00 – 9:15 a.m.	Opening Remarks	Dr. Renante Basas
9:15 - 9:30 a.m.	Introduction and Expectations	<ol style="list-style-type: none"> 1. Introduce the objectives 2. Program Overview 3. Introduce participants, and identify expectations & set house rules
9:30-10:00 a.m.	Review of the Existing Monitoring Tool for Jail Visitation	Atty. Brenda Canapi Chief, Visitorial Division Protection Office
10:00-10:30 a.m.	Review of the Bangkok Rules	Atty. Krissi Shaffina Twyla A. Rubin OIC, Center for Gender Equality and Women's Human Rights
10:30-12:00 n.n.	Sharing by government duty bearers/CHR concerned offices on the Existing Tools used to monitor human rights situations of women in detention; Sharing of issues of women in detention and specific recommendations; Comments on the	Government duty bearer participants

	need for a Monitoring Tool Based on Bangkok Rules	
12:00 -1:00 p.m.	Open Forum	CGEWHR
12:00 -1:00 p.m.	Lunch	

PROCEEDINGS

OPENING REMARKS by Dr. Renante A. Basas

Dr. Basas welcomed the representative from government agencies working detention facilities (see Annex for the full list of attendees). The introduction of the Human Rights Centers Management Office and the respective mandates and functions of each centers immediately followed. Dr. Basas mentioned that according to the U.N. Bangkok Rules on Women Offenders and Prisoners, more than half a million women and girls are in prison serving a sentence following conviction or awaiting trial. Criminal justice system routinely overlooks the specific needs of these women and girls, who present an estimated two to nine percent of National Prison Population.

Dr. Basas also mentioned that in 2008, the UN's independent expert on torture raised the bar for women by asserting that, in the context of detention, poor conditions can affect women more adversely compared to men. And since 2010, the Bangkok Rules have addressed these issues and boosted the largely gender-blind protection given by the original standard minimum rules for prisoners. The UN Human Rights Treaty Bodies often express concerns about conditions of detention in their concluding observation to states, and sometimes addresses women's particular conditions. Yet, their references remain poor, with little to no reference to the Bangkok Rules or the particular needs and vulnerabilities that they address.

Dr. Basas then gave the rationale of the consultation. He emphasized that the consultation aims to consult the government experts and various stakeholders on the field of women in detention. It also aims to consult them in their ongoing programs on women in detention as well as the tools that they are using for the monitoring. The discussion shall also tackle if there is a need to develop a separate monitoring tool specific for women. Alongside networking and meaningful dialogue on the situation of women in detention, the discussion shall also provide a platform wherein the visitorial office of the Commission will share its work.

MAINSTREAMING BANGKOK RULES by Atty. Krissi Shaffina Twyla A. Rubin

According to Atty. Twyla, as Gender Ombud under the MCW, the CGEWHR is tasked to protect the rights of women and persons with diverse SOGIE. She clarified that the role of the Commission is not lodged under the Center but in all units of the Commission. She also mentioned the three

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clusters: policy, promotion and protection clusters under which the all work of the Commission, as Gender Ombud, can be subsumed. She then stressed that under the Magna Carta for Women, women in detention are considered as **Women in Especially Difficult Circumstances**. Local Government Units are therefore mandated to deliver the necessary services and interventions to WEDC under their respective jurisdictions.

Atty. Twyla discussed that based on the 2017 COA findings. As of December 31, 2016 the BJMP (Bureau of Jail Management and Penology) has a total jail population of 126,946 which exceeded the total ideal capacity of 20,746, having a variance of 106,200 or has a total average of 511 percent of congestion/overcrowding or clogging. The audit body said this overcrowding in the country's district jails, city jails, municipal jails, extension jails, and female dormitories violates BJMP's own "Manual on Habitat, Water, Sanitation and Kitchen in Jails" as well as the United Nations' "Minimum Standard Rules for the Treatment of Prisoners.

She then proceeded with clarifying why there is a need to look into the situation of women in detention for several reasons. For one, she mentioned that prisons and prison regimes have been designed for the majority male prison population – from the architecture of prisons to security procedures, healthcare, family contact, work and training. And that gender-specific needs and backgrounds of women in prison have largely been overlooked. Hence there is a need to look into the situation of women in detention, as studies have shown that women are placed in detention due to mostly non-violent or economic or crimes of honour. She also mentioned several gendered perspectives to be used when we look into detention. They are the following:

- Type of Offenses (usually non-violent)
- Physical Characteristics (panoptic institutions as designed for male where specific needs for women are neglected, e.g., lactating mothers or pregnant detainee)
- Experience Violence
- Economic Disadvantage (no money, no lawyer which will contribute to longer stay in places of detention)
- Family Matters
- Other Typical characteristics (drugs abuse, young offenders)

Hence, the United Nations adopted the Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the 'Bangkok Rules') to give guidance on how to meet the specific needs of women in prison. In relation, Atty. Twyla mentioned the two programs being undertaken by the Center. The programs specific for women in detentions are as follow:

- FGDs and Consultations with CSOs, Gov't, and CHR Staff on the possibility of developing a monitoring tool based on Bangkok Rules;
- Inside Stories: Situation of Women in Detention (FGDs with women, LBTs, and elderly women in NCR and CHR's 16 regional offices).

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Atty. Twyla proceeded with reiterating that the Nelson Mandela Rules are the main international standards used by CHR jail visitation teams when monitoring the conditions of places of detention (POD). She also stressed that the Nelson Mandela Rules contain certain provisions that specifically pertain to female persons deprived of liberty (PDL), like prenatal and postnatal care. She then stressed Rule 11 and 81. Rule 11 states that Men and women shall, *so far as possible*, be detained in separate institution, an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate. Rule 81 prescribes that women prisoners shall be attended and supervised only by women staff members. This does not, however, preclude male staff members, particularly doctors and teachers, from carrying out their professional duties in prisons or parts of prisons set aside for women.

• Bangkok Rules were thoroughly discussed hereafter:

Table 1: Important Concepts on Mandela Rules

Sections	Who do rules apply?	What do rules cover?
<ul style="list-style-type: none"> • Section 1: General management, applicable to all categories of women deprived of their liberty as well as women subject to "security measures" or corrective measures ordered by a judge. • Section 2: Applicable only to the special categories • Section 3: Additional rules for the treatment of juvenile female prisoners • Section 4: Rules covering the application of non-custodial sanctions 	<ul style="list-style-type: none"> • Women under arrest awaiting trial (pre-trial detention) • Women prisoners serving sentence • Women subject to non-custodial measures and non-custodial sanctions (post-convictions) • Women offenders subject to corrective measures • Women detained under protective custody 	<ul style="list-style-type: none"> • Admissions (contact, register children, allocation) • Personal Hygiene • Healthcare services (medical screening upon entry - STDs, SV's; gender specific; preventive health care); • Safety and security (searches, restraint) • Discipline and Punishment • Parental Responsibility

<ul style="list-style-type: none"> • Section 5: Rules on research, planning, evaluation, public awareness-raising and sharing of information, applicable to all 		<ul style="list-style-type: none"> • Contact with the outside world • Classification and individualisation • Rehabilitation and reintegration • Personnel and Training
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To give a brief overview of the Bangkok Rules, Atty. Twyla showed a [video documentary](#). After her presentation, she asked the participants from BJMP and CIW to share the status of their detention facility in relation to their compliance to the Bangkok Rules. The input from BJMP and CIW were captured below:

Table 2: Status of Detention Facilities and Compliance to the Bangkok Rules Matrix

ISSUES AND CONCERNS	DISCUSSIONS (who said what)
<p>Atty. Twyla: Contact with legal representation should be assured as both Bangkok Rules and Standard Minimum Rule require that we allow conjugal visits equally to both men and women. I am not sure if there is a conjugal visit available for the entire country for women.</p>	<p>Taguig female dormitory: No facility allows conjugal visits because we are restricted with the availability of facility for that but if ever we have availability, we can have that.</p> <p>Atty. Twyla: Good, because women are also requesting for that.</p> <p>Taguig female dormitory: Yes, some of them but what we are requesting is for them to visit their husband who are co accused, but there should be no physical contact.</p>

<p>Taguig Female Dormitory: We only have one building. We can accommodate the needs of PDLs but our problem is the lack of facilities. The women's center is located at the 5th floor. So what we do for the husband and wife is for them to have a family day every Friday because there is no visitor on that day.</p>	<p>Atty. Twyla: Do we use the revisions policy making as disciplinary measure?</p> <p>Taguig female dormitory: No. What we implement is that when there is a violation, we talk about it with the board if for that month they will not have a GCDA.</p>
<p>QC Female Dormitory: Our number one challenge is also facility. But with the near completion of the new building constructed by our LGU, a 4-storey building, we are hoping that we can incorporate the Bangkok Rules in the new facility. Right now, we have 1077% rate of congestion. It is very challenging to incorporate the Bangkok Rules now given the capacity of our facility,</p> <p>I am very willing to incorporate the Bangkok Rules in our facility. It will be observed in Quezon City. But rest assured that right now we are already observing the other rules.</p>	
<p>Marikina City Jail Female Dormitory: Our problem is also facility. We only occupy 1 floor in the Justice Hall Building. Last year, our LGU is planning to have a new facility for male and female. For the new building, they want to make it a model. Our target is to follow the standards and make that new facility ideal.</p>	
<p>Pasay City Jail: With regards to the implementation of Bangkok Rules, BJMP have already established policy on conjugal policy. Provided</p>	<p>Atty. Twyla: Do you have an arrangement for lactating mothers? Do you have a lactating or a breast pump area? Because these facilities are</p>

<p>however that they will comply the conjugal role and coordinate with the LGU.</p> <p>Same with CIW, our problem is funding and facility also. In Pasay, we have 358 detainees, but the capacity is only 36 with three small cells. We are lobbying to the LGU for the construction of a new building. We are offered a portion somewhere in MOA. But for now, we haven't identified our land choices yet. The Muntinlupa Female Dorm is also located in the first floor of an old 4-storey building.</p> <p>For the newborn babies, what we do is that right after birth, we coordinate with DSWD or their relatives. So far, we cannot allow the baby to be in the facility due to our facility limitation.</p>	<p>important especially that there are also pregnant women in the facilities. When you take the child from the mother, they are disabled from breastfeeding their baby. Maybe we can provide them a room or facility so they will be able to breastfeed.</p>
<p>Paranaque Female Dorm: On prenatal: Since the detention facility is near to the hospital, we ask for a court order so we could have the pregnant PDL brought to the hospital. This is also the address the prenatal and postnatal care. If the PDL has an attorney, she has a choice on which hospital to go to. The LGUs recently decided to build a new facility for the female dormitory. The plan has been plot out as well. I told the architect to follow the standards mandated in the Bangkok Rules. I hope they'll follow it.</p>	<p>Atty. Twyla: When is the target for the new facility / building?</p> <p>Paranaque: We're not yet informed on that but we have an area already which is near to the current facility.</p>

<p>Muntinlupa Female Dorm: Upon hearing the presentation, I could say that all the programs of Bangkok Rules from admission to integration are already being practiced in our country, even in CIW. It just so happened that they have it institutionalized and showed to the world that they have a good program. In the Philippines, the challenge is the political will. The BJMP and BuCor have planned programs but these are delayed and not fulfilled due to lack of funding and support. We are not an income generating agency, that's why we are really hoping for our LGUs to look on our situation and needs. We only have a 50 sqm facility but we have to keep 250 PDLs in that small cell. We need to wake up the LGUs. Hopefully, through the help of CHR, we can have a dialogue with the LGUs. Actually, even if we try to talk to them now, they will just face these concerns if and only if they win the upcoming election.</p>	
<p>San Juan Female Dorm: We have a children's day weekly. We also have a policy that allows 7 years old and above to visit our facility any time during the day. We have an approved budget for the building of a new facility in San Juan. We will also include a clinic and room for ALS in our facility. Our capacity is only 40.</p> <p>Our problem now is the nursing care. We cannot allow the babies inside our facility due to facility limitation.</p>	
<p>Pasig Female Dorm: BJMP Pasig is already implementing some parts of Bangkok Rules. We have policies in place but we cannot implement all of them but we are limited because of lack of human resources and facility.</p>	

<p>In BJMP Pasig Female Dormitory, we accommodate postnatal care but we do not allow babies inside our facility. Same with others, we ask for a court order when needed. Even though our facility is relatively new, we still have 608% congestion rate. We need support from the government especially from the LGU. We are heavily dependent on LGU for jail improvement.</p> <p>All of these programs / rules are implementable. It really relies on the support of the LGUs.</p>	
<p>CIW: The Bangkok Rules are already being implemented in CIW. We also see to it that we do not deprive and that we accommodate children in our facility. We allow them sometimes even 5-10 minutes for children to visit their mother/grandmother PDLs. For below 1 year old babies, we allow up to 20 minutes in the holding area.</p>	<p>Atty. Twyla: Do you allow children in your detention facility?</p> <p>CIW: Yes, we have adopted it long ago. What we do is that we separate and locate them in the mother's ward. Once the child is over a year old, our Social worker/s will coordinate with the family or if there's no family/relative, to DSWD.</p> <p>Atty. Twyla: We want to see the policy in this, especially that our female detention facilities have limited spaces.</p> <p>CIW: Sure Ma'am. In fact, we face the same problem. Our population is 3,164. We have more incoming PDLs than outgoing. We are doing efforts to decongest our facility. The trending of prison population sa female correctional ay from 2014 ay from 5.89%, 2015-2016, 7.2%, 2017, 10.2%. The rate is not only increasing, but it is accelerating. On the average, over the five year period 8.24%. If the rate will not change, our present</p>

population of 3154 will reach 5000 in just five years. More and more women are being engaged with crime. It is a social problem. It is a very interesting topic for those who are writing dissertations.

PDLs are not deprived from visits, they can always be visited. But erring visitors will be barred and deprived from visitation. We want it criminalized, not just an admin case. Unless it's drugs because there's a legislation for that. If the PDL is caught in connivance with the visitor, we penalize the person but at the same time, we have laws of entitlement.

Please note that GCTA in CIW is not being deducted.

We also have mother's ward. It is our only room that is not congested.

On conjugal visitation, they can enjoy it once in a while by men. But for women, we cannot allow it to avoid pregnancy. The government is not ready to handle it. They need to hire more gynaecologist and paediatricians to accommodate this need. Right now, the ratio is just 1 doctor every 3,000 PDLs. In muntinlupa, even our doctor is on maternity leave but of course, we are coordinating to have substitute doctors who can visit at least 2 times a week.

Let's think that after one year, where would the child go? It is likewise an economic issue.

Actually, we are the least congested who are here, our rate is just 106%. But given the trend I said earlier, it will become congested soon and we have no space for expansion because the space where CIW is not ours but DSWD's. We do not have a budget for that yet. Although before, the senators gave us 300 million but it only helped to alleviate the situation insignificantly. Tama po ung sinabi nila na we can do only the doables pero di po sa level naming ang budgeting. Rest assured that for doable

Atty. Twyla: You have quite an advanced programs and facilities in CIW. How about the tracking of children upon intake as part of the Bangkok Rules?

CIW: That is not part of our program in our facility. Right now the ratio of correction worker to PLD is 1 is to 123. We cannot fulfill our mandate if we are heavily understaffed that is why cannot let children stay in our facility longer..

Atty. Twyla: In your intake form, do you indicate the date?

CIW: Yes we have a social case history. Also, Our social worker is 1 every to 3000 children. That is the challenge, personnel and facility.

CIW 2: Our rate is 1 is to 123 PDLs. It is not within the mandate of CIW. We cannot handle the intake of children.

<p>LGU Makati: I am a social worker. I have no idea about the facility of the jail. I am from Women's Welfare Section. We send social workers to MCJ who provides services to us.</p> <p>We are also catering the needs of women offenders. We ensure their situation, from the survival, are observed. For development, we have services and programs. On participation and benefits, we give it to women. We have close coordination with Makati City Jail for our pregnant PDLs. We have 2 centers in Makati, 1 for women and children and another for CIC. We ensure that the baby will not have to stay in jail. For after care, we have prepared programs.</p>	<p>Atty. Twyla: We also observed the uneven support of LGUs to jail management. Also capacity of CSWDO it's also uneven across LGUs. Some PDLs enjoy the yellow card, some are not.</p> <p>LGU Makati: We have 40 social workers in Makati. We cater to persons with disability, to elderly women, and others. We also issue yellow card to PDLs. We have social workers assigned to cater the needs of women PDLs. We also have continuous counselling. We also have referral system in place to monitor them during reintegration. We have outpatient monitoring. We also give them livelihood and after-care support.</p> <p>Like in Thailand, part of the case management is to check PDLs who have health problems. Jails have close coordination with hospitals.</p>
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After the jail status updates, Atty. Twyla invited the participants from the CHR visitorial office. The following issues have been raised:

Table 3: Issues-Discussions-Agreements Matrix

ISSUES AND CONCERNS	DISCUSSIONS (who said what)	AGREEMENTS (if any)
<p>Visitorial Office: We cater for women under probation. We now have a sex-aggregated database. What we found out is that we used to only have few women clients but it increased significantly during the past few years due to</p>		

drug-related cases. Some of them have also partners or have been linked to people associated with drug abuse.

How do we deal with our female clients?

One, we have integrated modules for piloting. Once placed under probation, we have a classification on what kind of treatment that we will give them. We have minimum, medium, and maximum supervision. With that, we are as well embarking on gender sensitization. We have done the pilot test modules to women, both old and new clients. The module is now approved but there are still diversions. It is easier once they are in the community. But we can only give the women awaiting trial to our officers. As director, I haven't gone around our facilities.

CIW is really good. Paranaque is also good and supportive to our events.

I have visited jails for women in Japan. There are individual dormitories, skills training, computer programming training, etc. Their rooms are not crowded, they have around 5 prisoners per

<p>room. When they are released, they are hired easily, job opportunities are provided to them. Everything is provided from soap to shampoo.</p> <p>The receive medical treatment from doctors who visit regularly. Their food is well provided. I hope someday, we'll recognize the rights of everyone especially of women. I also hope that with the change of leadership, things will change,</p> <p>In our facilities, dignity is being stripped down, women are deprived especially those who are women offenders. I hope that funds for them will be allocated.</p> <p>We have tie up with DPWH in Region VI. We opened a facility in that region because we received a donation of property. While the land is donated, the building funds were provided and allocated by the DPWH.</p> <p>Coordination between agencies and detention facilities are important.</p>		
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<p>For women undergoing imprisonment whether under probation or applying parole, we can only fast track their records. The problem sometimes is the delay of prison records which causes delay on the release of parole as well.</p>		
<p>Kuya: I'm the one who receives our email inbox. The usual problem that I encounter is the delay in transmission of documents/response from BuCor. Do you have a liaison officer that follow up on the cases and court administrators?</p>	<p>Yes. We have a liaison officer. Our records section will write it if they have pending cases in court. Then the papers will be forwarded to MBB Central Office since they also facilitate it.</p>	
<p>Can it not be personal? In fact there is an appeal from 2008 that until now I am still following up from your office.</p>	<p>We have a person working on the appeals and follow ups. When there is an appeal, we need an entry of judgment but sometimes, it's only the resolution that we receive first. After the appeal, we need an entry of judgment.</p>	
	<p>Visitorial: That will be solved if National Justice Information System (NJIS) is fully supported. I believe they have allocated budget for this.</p> <p>CIW: Our criminal judgment is weak, because when we think about it, we only have 1.7 judges against a 100,000 population.</p>	

<p>Twyla: We have our Visitorial Office for consultations, and based from the responses from them, many have already responded to Bangkok Rules, specifically on the new monitoring tool and other issues that they want to highlight.</p> <p>Do you think we need our own Bangkok rules or do we need to integrate?</p> <p>Atty. Brenda: In terms of discipline and punishment, we received an anonymous complaint last December 2017 and we elevated</p>	<p>No, it cannot be personal because there are 45,000 PLDs. We cannot take it personally and we based them in letters. We might be called out as disinterested party.</p> <p>Leah: I've been hearing about NJIS long ago, even when I was still with DSWD. They have not perfected the system until now.</p> <p>Someone: The latest that we heard is that they are tapping DICT, a service provider to improve NJIS.</p>	
	<p>Superintendent Marquez: If there's a situation like that, we, together with IAS, investigate the complaints. We have an investigation section that investigates possible breach of discipline. There is a provision that there should be no physical assault on the PDLs. Everyone is subjected to the same standards as in NHQ. They are also liable to admin cases. We have IAS in NHQ.</p> <p>If there are cases about bridge of discipline, we really take our time to look into it.</p> <p>If there is that report, they can elevate them to the higher ups. We will also look into that.</p>	

<p>them to Director dela Rosa. We wanted BuCor to address it. After the investigation of complaint, their report said that <i>this investigation reserves the right to the active superintendent CIW to initiate disciplinary actions against the complainants for accusing MBP BuCor officials of serious misconduct without any concrete proof to substantiate their claim.</i> So without going to the facts of complain, we are finding a way to prevent reprisal in case there are complaints filed by an inmate. Following the Standard minimum rules, they have the right to lodge a contempt before the authorities. Another is to safeguard victims to ensure prisoners can make request or complain safely. A prisoner must not be exposed to any risk of retaliation or intimidation or any negative consequences as a result of having submitted a request of complaint. How do we prevent a reprisal if there is a complaint?</p>	<p>Someone: They can write a request letter and out Kaagapay center will help them through counseling.</p> <p>Twyla: Is it true with other institutions? Have you posted reporting mechanism for PDLs information?</p>	
<p>Atty. Brenda: How about Napoles' special treatment? Isn't this against the principle of non-discrimination?</p>	<p>Marquez: This is accordingly a preventive mechanism of the institution. Napoles is still a high value prisoner. 10.3 billion pesos will die with her if somebody will kill her. Assassination is always a possibility for her case since a lot of big personalities are involved. The case will become</p>	

	<p>weak if she is silenced. This is a high profile case, and there is also high risk. She is currently and temporarily in mother's ward.</p> <p>Actually, Napoles is angry with me as I have not allowed visitation and calling during New Year's Day. Because it is not visiting day and telephones are used for emergency purposes. I reiterated that it is according to the rules. We may have given her a special consideration by letting her stay in the mother's ward but we will not allow her disobey the policies of the institute.</p>	
<p>Do our social workers visit the PNP? We want to know if there are police stations who do not turnover minors.</p>	<p>We work closely with PNP. If a minor is apprehended or rescued, we check the minor's discernment. If it is okay, he/she is brought to Makati Youth. There are no minors staying in the PNP.</p>	
<p>How many clients under probation have standing?</p> <p>Visitorial: For my dissertation for MSA, we checked the success rates of PDL under probation. We found out that success rates are low in our country.</p>		

<p>We don't have a study on after-care yet but of course we are promoting it.</p> <p>Just to share with you, there is a case of a probation officer who asked me ever visited places of detention. She said she is afraid because she might be raped in PODs. They don't do their duties and trainings. Then we had 3 months immersion for all probation officers to undergo ng trainings, aside sa completion of reports. There is no excuse now.</p> <p>During jail visits, we see the potential of our clients especially those with pending cases of parole. But under the amendment, they can now be released.</p> <p>We have reinforcing activities where we include gender trainings, livelihood trainings. We have forms, MPDP (My personal development plan).</p>		
<p>It is alarming that you only have 1 social worker in CIW. But of course, allow me to say that I appreciate the development ng BJMP from security to development on community modality and behaviour modification. Even also in BuCor, they have therapeutic activities. I hope</p>	<p>Marquez: You're right Ma'am. When RA 91057 was signed last 2013, it was only just implemented year 2017. First phase covered salary upgrades. During the 2nd phase, is to achieve the ratio of 1 is to 7. We hope to achieve this in four years. We understand the situation of our social worker, it is really hard.</p>	

<p>they recognize the importance of a social worker. I hope they'll hire more given the great task that she has to accomplish. Counselling can take an hour or more, how will she counsel them if CIW has over 3000 PDLs. That would be impossible. Also, counselling women is not simple because many issues are being raised. I hope you'll be able to lobby the need for more social workers.</p>	<p>Even the social worker can get sick, and if he/she does, no one replaces her post. Upgrade of salaries po ung first phase. 2nd po ung ratio na 1 is to 7. Our Psychologist's ratio. 1 is to 9000 PDLs. Aside from counselling thousands of women, he/she would still need to prepare diagnostics. It is humanly impossible.</p>	
<p>CHR: All of us lack manpower in our agency. But I see the need of having a support system by empowering the family members of PDLs. The family helps in processing the PDL's documents. The social worker can work on both empowering PDL and empowering families. This is also part of reintegration, as it will strengthen the engagement of PDLs to their family members as well as to lessen the burden from our own institutions.</p> <p>How do we plan our rehabilitation programs to prevent recidivism? Most issues of women are related to poverty. Do we provide livelihood programs? What is our safety plan to ensure that they will not reoffend once released?</p>	<p>Twyla: While we recognise the sexual rights, there should be a corresponding access to commodities, access to RH and access to information.</p> <p>Someone: What about STD and HIV?</p> <p>Atty. Twyla: Yes, that should also be monitored. Just now, I realized that we should coordinate with male dormitories who allow conjugal visits and its impact on women.</p>	

<p>In the community, children whose parents are in detention center are usually left alone. Women visitors, are often impregnated after visiting their family members. This is saddening. I know that they have rights over the decision of being pregnant but I'm asking that we should also capacitate them on responsible parenting.</p>		
<p>Atty. Brenda: Do you give regular sanitary kits to PDLs?</p>	<p>Supt. Marquez: We give grooming kit which includes napkin, comb, soap etc. As much as possible, we provide them regularly.</p> <p>Atty. Twyla: Are there times where sanitary kits are not enough?</p> <p>Supt. Marquez: It depends, sometimes. But for this year, I will assure that there will be a sufficient supply of toiletries. Because women really need toiletries.</p>	
<p>Atty. Twyla: During admissions, we also comply much but there is a gap in tracking the PDLs' skill sets. Since there is a lack of Social workers to assist your population, do we give them livelihood support? Is there a continuing supervision for their needs?</p>	<p>Supt. Marquez: In BuCor and CIW, we have 5 days quarantine and a 60-day period to conduct a series of psychological, IQ, emotional, medical and evaluations (for literacy, etc.) for ALS and HS. Last February, 16, they took the ALE given by DepEd. For livelihood, we have bakery, beauty parlor, beads, and rag making. I believe it's sufficient.</p>	<p>Atty. Twyla: From the center, we really want to thank you. We appreciate your presence, wardens. Thank you for responding accordingly to this invitation. I would have to say that Makati is our model in terms of providing social services. We are in the process of studying of the situation of</p>

	<p>San Juan: We also have ALS and Junior HS. In the intake form, we ask PDL for their educational attainments. For livelihood, we have LGUs supporting our jails. San Juan LGU provided our livelihood programs.</p>	<p>women in detention. We have and we will be conducting FGDs and capacity buildings around the Metro. In fact, we want to coordinate with you if you can accommodate us when we conduct these initiatives. We are okay to do the FGD anywhere, we only need a space since there will be three FGDs happening simultaneously. We will be asking them questions to understand their situation inside the detention facility.</p> <p>Apart from the needs and voices of women and general, we also want to hear the voices of the older women PDLs. We will ask them their special concerns on the availability of specific facilities and medicines.</p> <p>Atty. Brenda: We should look at Thailand as a model. They are not a very rich country but they managed to have the model jails. We hope to continuously improve our services everyday. And later on, the human rights situation of PDLs.</p>
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ANNEXES

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A Documentation Report