



INSIDE STORIES: FGDs on the Situation of Women in Detention and Capacity Building on UN Bangkok Rules

DOCUMENTATION REPORT

**Pasig Female Dormitory
Pasig City, Philippines
18 March 2019**

CONTENTS

Executive Summary.....	3
Abbreviations.....	5
Program of Activities.....	6
Proceedings.....	7
Annexes.....	27

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.

As part of the Commission's mandate to promote and protect women's human rights, the Commission, through the Center for Gender Equality and Women's Human Rights conducted a forum focusing on the situation of women in detention. Recognizing the vulnerability of women in detention and recognizing their status under the Magna Carta of Women as women in especially difficult circumstances, the Commission held a discussion forum titled "*Focus Group Discussion on the Situation of Women in Detention and Capacity Building on UN Bangkok Rules*" on 18 March 2019 from 9:00AM to 4:00PM at the Pasig Female Dormitory. The discussion gathered PDLs and government duty bearers and provided a venue to surface human rights issues facing women in detention.

Morning sessions were focused on a more thematic discussion on the current situation of women in places of detention. 24 PDLs were divided into three groups - women in general, elderly women, and Lesbians, Bisexuals, and Transgender (LBT). The discussions were facilitated by the staff of CHR Central Office and NCR Office and were focused on tackling different human rights issues that women in detention experience in their day-to-day life.

For the afternoon sessions, police officials from the Pasig City Jail Female and Male Dormitory participated in the Capacity Building on UN Bangkok Rules. Jolly Torres of CHR-NCR presented a brief refresher on the Nelson Mandela Rules or UN Standard Minimum Rules. This was followed by a video presentation and a discussion on the UN Bangkok Rules by Atty. Rubin of Center for Gender Equality and Women's Human Rights. The UN 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 parents.

This documentation report for the morning sessions, however, is **limited to the discussion with older women only**. The discussion brought to a higher resolution the following concerns of older women in detention:

1. **Slow progress in their legal cases specifically in Branch 154.** Most scheduled hearings did not pushed through because judges are in seminars and workshops.
2. **Lack of access to water.** This is related to the water shortage that Metro Manila is experiencing at present.
3. **Lack of toiletries.** In relation, PDLs also reported many incidences wherein their toiletries are stolen by other PDLs.
4. **Longing to bond with their family.** Frustration due to missing out important milestones of family members.

ABBREVIATIONS

- BuCor** – Bureau of Corrections
- BJMP** – Bureau of Jail Management and Penology
- CHR** – Commission on Human Rights
- CGEWHR** – Center for Gender Equality and Women’s Human Rights
- CIW** – Correctional Institution for Women
- CSOs** – Civil Society Organizations
- DSWD** – Department of Social Welfare and Development
- EJKs** – Extra-judicial Killings
- LBT** – Lesbian, Bisexual and Transgender
- MCW** – Magna Carta for Women
- NGOs** – Non-Government Organizations
- LGU** – Local Government Authority
- PCGH** – Pasig City General Hospital
- PDLs** – Persons Deprived of Liberty

PROGRAM OF ACTIVITIES

Session	Activity	Description
10:30 – 11:00 a.m.	Preliminaries	Pre-Event Ceremonies
11:00 – 11:12 a.m.	Opening Remarks Introduction and Expectations	Atty. Krissi Shaffina Twyla A. Rubin OIC, Center for Gender Equality and Women's Human Rights <ul style="list-style-type: none"> • Introduction of CHR as Gender Ombud • Introduce the objectives
11:15 a.m. – 1:00 p.m.	Simultaneous Focus Group Discussions (3): <ul style="list-style-type: none"> • Women in Detention • Elderly Women in Detention • LBTs in Detention 	<ul style="list-style-type: none"> • Program Overview • Introduce participants and identify expectations • FGD Proper • Working Lunch
1:00 – 2:00p.m	Capacity Building to Pasig City Jail Male and Female Dormitory Officers	Jolly Torres CHR-NCR
2:00-3:30 p.m.	Review of the Bangkok Rules	Atty. Krissi Shaffina Twyla A. Rubin
3:30-4:00 p.m	Closing Ceremonies	Atty. Krissi Shaffina Twyla A. Rubin

PROCEEDINGS

OPENING REMARKS

Atty. Twyla Rubin of the Center for Gender Equality and Women's Human Rights gave a brief introduction of CHR and its mandate to visit and assess the present situation of women in detention by doing regular jail visits. She discussed that through the Magna Carta of Women, CHR is designated as the Gender Ombud and that it promotes women's human rights, including the rights of LBTs, Women with disabilities, and elderly women.

She discussed that CHR-CGEWHR together with CHR-NCR will conduct the three FGDs. Women were divided into three different groups because it is believed that each woman has different needs and struggles and therefore each have their own stories to tell. The issues and recommendations that will be gathered in this FGD will be collated with other data in the CHR's Situationer Report on Older Women. She assured that the discussions would be done in confidentiality for the security of the participants. She ended by thanking everyone who waited and welcomed CHR in Pasig City Female Dormitory.

FOCUS GROUP DISCUSSIONS ON ELDERLY WOMEN

The focus group discussion began with a brief introduction of the eight (8) elderly women in detention. The facilitators, Marijoy Liwag and Macky Papa, distributed the consent and personal information forms which were filled out by the participants. The forms included their names, age, civil status, highest educational attainment, ethnicity, and among others. The FGD program flow, its objectives, and the house rules were discussed right after.

Objectives of the Focus Group Discussion

1. Gather information on the situation of women in detention.
2. Provide an avenue for women to discuss their experiences when it comes to (a) situation in detention, (b) security and protection from violence, (c) health needs, and (d) needs of mothers and their children

3. Identify if the government fulfills its duties to protect women and to abolish all kinds of violence at home and in the community
4. Provide an avenue for women to express themselves and their dreams in a creative way.
5. To listen to the people in marginalized sector. PDLs women are considered women in especially difficult circumstances.

House Rules

1. One person at a time. If you have questions or reactions, you may wait for the person currently speaking to finish. *(Isang tao lang ang maaring magsalita kada pagkakataon. Kung may mga katanungan o reaksiyon maaaring patapusin muna ang nagsasalita.)*
2. Everyone will be given a chance to speak and ask if they have clarifications. *(Lahat at may bibigyan ng pagkakataong magsalita at magtanong kapag may hindi nauunawaan.)*
3. There is no right or wrong answer. All answers will be part of the data. *(Walang tama o mali na kasugutan. Lahat ng kasagutan ay magiging bahagi ng datos.)*
4. There's no particular order when speaking. Raise your hand if you want to say something. *(Wala partikular na pagkasunod-sunod ang sasagot sa tanong. Maaaring magtaas lamang ng kamay kung gustong magsalita.)*
5. There is no need to agree to others' opinion. If you have a different opinion, do not hesitate to speak as long as there is respect in the discussion. We recognize the importance of listening to each other's opinion with respect and understanding. *(Hindi kailangang sumang-ayon sa opinyon ng iba. Kung may sasabihin na taliwas huwag mahiyang magsalita ng may pagrespeto. Mahalaga na madinig ang pananaw ng bawat isa ng may respeto at pag-unawa.)*

PARTICIPANTS' PROFILE

Eight (8) PDLs joined the Focus Group Discussion. Their age ranges from forty-three (43) to fifty-seven (57). Six out of eight PDLs have drug-related cases while the remaining two were involved in qualified theft. Their stay in detention center ranges from 7 months to 7 years. All 8 PDL participants are married and have children.

QUESTIONS	DISCUSSIONS
<p>A. Alin sa mga emosyon ang iyong pangkarinawang batid sa pang-araw araw dito sa bilangguan? Bawat babae ay may 5 sticker, ilagay sa emosyon na madalas nararamdaman sa loob ng kulungan)</p>	<p>The activity showed that majority in the group feels nervous (kinakabahan) and afraid (takot) because of the slow progress of their cases and the uncertainty of what could happen. Some put stickers on excited (sabik) because they miss their families and that they are no longer visited by their relatives. Some of the participants said that they are tired because of the duties they need to do inside the detention facility.</p> <ol style="list-style-type: none"> 1. Sabik sa pamilya po ang nararamdaman naming, hindi na kasi sila dumadalaw. 2. Nakakainip, wala kaming magawa dito eh. Kapag may gawain, kumikilos kami talaga agad ng maaga. Lahat pinapatulan ko na para lang may gawin. 3. Gusto ko na makasama ang anak ko, gusto ko siyang alagaan dahil may sakit siya. 4. Hindi naming alam kung makakalaya pa ba kami sa bagal ng proseso dito sa 154.
<p>B. Bilang isa sa mga matandang babae sa kulungan, ano ang pinaka-maigting na issue ang iyong kinakaharap sa loob ng kulungan?</p>	<ol style="list-style-type: none"> 1. Dahil ako ang pinaka matagal, ang isyu ko po ay ang matagal na pagbaba ng hatol inabot ako ng 1 year and six months sa Branch 154. Yung iba po na branch gaya ng Branch 151 ay 15-30 na araw lang.

2. Qualified theft po ang kaso ko, accountant po ako by profession. Magli-limang taon na po ako dito. Ang nararamdaman ko po talaga ay pagkainip at pagkasabik sa aking pamilya. Sa 5 years ko, walang hearing ang natuloy. Laging may seminar ang judges at ang lawyers. Palaging reset ng reset. Lumipas ang halos limang taon na walang nangyari sa kaso ko. Yung term na PDL, totoo po iyon. Napakahirap. Mapabilis lang po ang proseso, malaking tulong po talaga. Yung judge naming, ang tagal bago napalitan. Sa tagal ng proseso, parang talo na rin ako dahil sa tagal ng nilabi kong oras dito. Ang nanay ko may sakit pero pilit akong hinihintay kahit 84 years old na siya. Ang sabi pa niya, na kung makalaya ako ngayon, kahit bukas kunin na daw siya ni Lord, okay lang. Sabi nga *justice delayed is justice denied*. Iyan na po talaga ang kinakaharap naming lahat dito.
3. Hindi ko po talaga ginawa iyan. Ang target po nila yung bayaw ko. Yung anak ko po, natatakot ako, dahil may butas ang puso niya, siya lang ang witness ko nung oras nay un. Siya ay anim na taong gulang. Ang asawa ko po ay seaman. Ang anak ko ay sampung taon na po sya, pero hindi pa po sya naooperahan sa apat na taon. Hinihingan siya ng pirma ng magulang sa ospital, hindi ko maibigay at mapuntahan dahil nakakulong ako. Sa isang linggo po, minsan limang beses sya naoospital. Two years na po akong naghihintay yung desisyon, tapos na po ang prosecution pero hindi pa din ako pinapalaya.
4. Ang kaso ko po ay drugs. Sa ngayon, nakipag plea bargaining po ako, 4 years and 4 months. Nag apply na rin po ako ng probation. Wala pa po sa amin ang nakalaya pa sa probation. Hindi ako madalas dinadalaw. Ako gusto ko talagang dumalo sa kahit anong usapan kasi nakakainip dito eh, gusto ko rin matuto. Ngayon puyat ako kasi nagrosary ako ng alas tres ng umaga. Sa sobrang sabik naming sa mga gawain, alas otso pa lang handa na kami sa pagdating nyo. Dito sa Branch 154 po, matagal ang

	<p>proseso. Ang dami nila na pending pero wala pang naging successful sa buong stay namin.</p>
<p>Sapat ba ng supply ng pagkain at tubig sa loob ng kulungan? Ang Espasyo?</p>	<ol style="list-style-type: none"> 1. Maayos naman ang pagkain namin. Wala namang problema. Sa tamang oras kami kumakain, mula almusal hanggang hapunan. Puro gulay ang hinahain sa amin, pwede na rin. 2. Meron naman pong mineral water, yun po ay binibili po namin. Kanya kanya, problema lang po pag walang pera. 3. Ang budget po sa amin ay 20/meal o 60/day.
<p>Ang tubig panligo po ba ay sapat?</p>	<ol style="list-style-type: none"> 1. Ngayon, kulang ang tubig. Sa lahat naman dito sa Manila ay hirap. Temporary lang siguro. 2. May oras din po ang pagligo naming kagaya ng sa ibang selda. 3. Bawal pong sumabay ang homeboys (lesbians) sa aming mga babae. May sarili po silang oras ng pagligo.
<p>Mayroon ba kayong sapat na espasyo?</p>	<ol style="list-style-type: none"> 1. Medyo maluwag na po kami, di tulad ng dati. Sa isang selda, 83 po kami. Mixed po kami. Pag matanda, nasa baba po ang kama. 2. Mas okay po kami ngayon, at natatanaw namin yung labas. 3. Tuwing lunes po ang aming araw ng paglilinis.

<p>Maayos ba ang inyong palikuran?</p>	<p>1. Wala po kami talagang problema sa ngayon dahil kakalipat lang po namin dito sa bagong building noong February 18. Isang buwan pa lang kami dito kaya maayos pa.</p> <p>2. May schedule po ng paglilinis, pero kami inaaraw araw namin.</p>
<p>Paano ka naapektuhan bilang older woman (matandang babae) sa kondisyon ng kulungan?</p>	<p>1. As you grow older, you become more sensitive. Minsan mahirap matulog kasi marami kami, napakamaingay. Yung bulong lang, kahit konti, pag pinagsama-sama, maingay yun.</p> <p>2. Mahirap po kapag nagkakawalaan ng gamit. Ganun po kasi ang nangyayare dito. Kadalasan kapag walang dalaw ung iba, nangunguha sila sa gamit namin. Kinukuha ang sabon, shampoo, minsan pati po panty.</p>
<p>Nakakakuha po ba kayo ng gamot kung kayo ay may sakit?</p> <p>Ang gamot na binibigay sa inyo ng pamilya ninyo ay nakakuha niyo ba ng kumpleto?</p>	<p>1. Libre po ang gamot namin dito.</p> <p>2. Ang pamilya po, binibili yung gamot ko kasi hindi ako tinatabian ng generic na gamot. Nakukuha ko naman po lahat basta ipakita lang sa nurse.</p> <p>3. Kailangan lang ay may reseta.</p>
<p>Ano pa po ang inyong gustong idagdag?</p>	<p>1. Yung pagdalaw po. Nasa 4th floor po. Ang nanay ko po, 84 years old na, hirap po dumalaw sa 4th floor.</p> <p>2. Minsan po sa mga walang dalaw, wala silang sabon, mga toiletries. Minsan may nanguguha rin, minsan kahit panty. Kasi po, sa isang selda, 20 lang po ang may dalaw. So yung wala, wala magamit.</p>

	<p>3. Request din namin sa jogging pants, isa lang kasi. At least dalawa man lang sana.</p> <p>4. Sa branch ng 154, sana mapabilis po ang kaso. SOBRANG TAGAL po kasi. Sa 151 nga po, sa 164 nagbibigay ng notice.</p> <p>5. Sa Management, mababait sila.</p> <p>6. Malayo ang aking pamilya, mahirap dumalaw. Baka nasanay na sila na wala ako. Minsan, akala nila pag nabigay nila yung pera sa akin, akala nila okay na. Gusto ko ng makalaya, para makita ko na sila. Miss na miss ko na sila.</p>
<p>Hanap buhay sa loob?</p>	<p>1. Wala pong sari sari store. Sa coop lang po pwede bumili.</p> <p>2. Minsan po pag magbabantay ka ng CR, pwede mo ipa-sub sa iba tapos babayaran mo ng 50 pesos.</p>
<p>Ano ang nakukuhang nyo na serbisyong medikal sa loob ng kulungan? Anong klaseng gamot at anong serbisyo?</p>	<p>1. Pinapatawag lang po ang doctor pag talagang emergency tapos ay dadalhin sa PCGH.</p> <p>2. Isa lang ang nurse dito.</p> <p>3. May mga nagtrain po sa amin para maging medic, marunong sila kumuha ng BP.</p>
<p>Nakaranasan nyo na bang magkasakit sa loob ng kulungan? Anong klaseng sakit at paano ito natugunan? Paano tinutugunan ng mga opisyal ng kulungan ang medical emergency? Sapat ba ang kanilang pag-respond?</p>	<p>1. Oo naman po. Madalas po sa amin ay trangkaso, ubo, at sipon.</p> <p>2. Diabetic po ako. Nastroke na din ako dito, pero mild lang naman. Nakarecover po ako dahil nagbayad ang asawa ko para maipagamot ako.</p> <p>3. Nagkakahawaan din minsan, kaya kelalang isolated sa infirmary.</p>

<p>Paano po kung may manganak sa inyo?</p>	<p>1. Pinapahiwalay na agad yung baby. 2. Pag walang pamilya na pwedeng mag-alaga sa labas, dinadala sa DSWD.</p>
<p>Merong ba kayong social protection: 4Ps, SSS, Philhealth - nagagamit nyo ba ang mga ito?</p>	<p>Dati po, meron. Pero ngayon, natigil na yung Piso-Box para sa SSS. Wala naman pong naihulog, kaya walang isyu. Wala naman po kaming income kaya wala kaming ihuhulog.</p>
<p>Nararamdaman nyo ba na kayo ay ligtas mula sa karahasan at sa ano mang porma ng pang-aabuso sa loob ng kulungan? Kung hindi, bakit? Pang-aabuso?</p> <p>Pinaalala ng mga facilitators na hindi lamang pananakit na pisikal ang aabuso. Ito ay maaaring sexual, emotional, at verbal.</p>	<p>1. Dito po, safe po kami. 2. Wala naman po kaming nararanasan na ganun. Pisikal man yan o emosyonal o sexual. 3. Gusto po naming malaman ano po ang karapatan namin, kapag nagkasagutan kami ng personnel? Nagkaroon lang ng misunderstanding. Gusto ko lang din mapakinggan ang hinaing ng mga kasama ko sa selda. Tao din kami. Nasasaktan din kami. Ang boses ko malakas, pero respeto andun pa rin. Bilang isang ina ng mga kasama ko. Isang beses lang naman ito nangyari. Umiyak lang po ako ng umiyak. 4. Ganun na po ba iyon? Ano ba, pag mainit ulo nila, tatahimik na lang dapat kami? 5. Minsan po maibubuhos nila sa amin ang init ng ulo nila. Pag mainit ang ulo nila, pinapadlock ka. Kahit magsabi ka lang ng opinion mo, ang tingin nila sinasagot mo sila. 6. Mayroon po akong naging karanasan din sa ganyan, hindi binigay yung sulat sa akin. Sinabi lang na nasa ospital ang mother ko. Nakiusap ako ng sobra sobra na ibigay yung sulat sa akin, gusto ko lang naman malaman ano nangyari sa mother ko. Yun po yung isang pangyayari sa akin, dalawang beses na niya ginawa yun. Binuksan yung package ko. Sinigawan ako sa harapan ng ibang tao. 7. Ganun pa man, masasabi ko po na napakabait ng warden namin. Inaalagaan nya kami, siya bilang aming ina.</p>

Parusa?	<ol style="list-style-type: none"> 1. Pag may nagawang mali, kami ay pinagbabantay ng cr. Minsan pinagliliinis o kaya naman face the wall. 2. Madali lang naman po sumunod sa mga sinasabi nila. At importante na bawal po ang magmura dito.
Psychologist?	<ol style="list-style-type: none"> 1. Meron po, pero parang isang beses ko lang nakita.
Bilang isang ina, paano nakakaapekto ang pagkakulong ninyo?	<ol style="list-style-type: none"> 1. Malaki ang epekto sa akin. Ang asawa ko, pumunta na sa iba. Nawalan kami ng trabaho parehas. Problemang pinansyal din talaga ang hinaharap namin. Ang mga lalaki, mahina sila sa pagharap ng ganitong problema. Kaya masakit man, naghanap na ang asawa ko ng iba. Yung mga anak ko, nasa pinsan ko na matandang dalaga. Ang bahay namin ay nasa Bulacan. Ngayon, hindi nila kasama tatay nila, sa bawat pagtulog ko iniisip ko mga anak ko. Nagpapasalamat din ako sa mga tumulong sa amin. 2. Ako po ay minsan lang sa isang taon kung madalaw. Yun ay birthday ko lang. Nakakalungkot talaga dito. 3. Ang bahay at pamilya ko ay nasa Cavite. Sister ko ang madalas dumalaw dito. Masakit kasi pakiramdam ko talagang sanay na ang mga anak ko na wala ako sa piling nila. Asensado ang mga anak ko, lahat sila ay nakapag tapos at maganda ang mga posisyon sa trabaho pero wala na silang oras para dalawin ako. Madami na akong na-miss na mahalagang pangyayare sa buhay nila. Miss na miss ko na ang bunso ko. Dalawang taon ko na siyang hindi nakikita.
Kailan po ang dalaw sa inyo?	<ol style="list-style-type: none"> 1. Tuwing Martes po ang dalaw, 1-4PM. Sa iba kasya, sa iba kulang.

Kasya ba yun?	
Nakakapag simba po ba kayo dito?	<ol style="list-style-type: none"> 1. May misa po kami dito para sa Katoliko. 2. Kapag Iglesia naman, may samba po pag Biyernes.

ARTWORK MAKING

For the last part of the FGD, the participants were asked to share what gives them hope and strength inside the dormitory. They have the freedom to use different art materials and forms of expression in their writing. The participants were guided with the question “What gives you strength and hope even if you are inside the jail?” (*Ano ang nagbibigay sa iyo ng lakas at pag-asa kahit na nasa loob ng kulungan?*)

The artwork of the participants revealed that their source of hope and strength behind bars is their faith in God. Aside from that, their hearts are strengthened by their children and loved ones. It also showed that despite the slow progress of their cases, they are still hopeful that one day they will be free again and start a renewed life with the important people in their life.

CAPACITY BUILDING OF PASIG FEMALE DORMITORY PERSONNEL ON BANGKOK RULES

18 MARCH 2019 || PASIG CITY JAIL FEMALE DORMITORY

OBJECTIVES OF THE CAPACITY BUILDING

1. To reorient the jail officers on the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules);
2. To introduce the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (UN Bangkok Rules);
3. To highlight and discuss issues and challenges faced by the institution.

PROCEEDINGS:

DISCUSSION ON UNITED NATIONS STANDARD MINIMUM RULES OR THE MANDELA RULES by Jolly Torres

According to Mr. Torres, "The Nelson Mandela Rules" was named after Nelson Mandela, late President of South Africa, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace. Mr. Torres gave a refresher of the Mandela Rules to the Pasig Female and Male Dormitory Personnel. He discussed the basic principles of Mandela Rules which were the following:

- Treat prisoners with the respect due to their inherent dignity and value as human beings.
- No prisoner shall be subjected to torture and other cruel, inhuman, or degrading treatment or punishment.
- The safety and security of prisoners, staff, service providers, and visitors shall be ensured at all times.
- The Mandela Rules shall be applied impartially. There shall be no discrimination.
- Ensure the reintegration of prisoners into society upon release.

Following the discussion of the basic principles, he briefly explained the following topics covered in the Revised UN Standard Minimum Rules:

Topic	Discussions
Prisoner File Management	<ul style="list-style-type: none"> <input type="checkbox"/> Standardized prisoner file management system <input type="checkbox"/> Valid commitment order <input type="checkbox"/> Confidentiality of all records <input type="checkbox"/> Prisoner granted access to his/her records
Accommodation	<ul style="list-style-type: none"> <input type="checkbox"/> Proper lighting and ventilation <input type="checkbox"/> Adequate sanitary and bathing installations <input type="checkbox"/> Separate beds and sufficient bedding <input type="checkbox"/> Properly maintained and kept clean
Food	<ul style="list-style-type: none"> <input type="checkbox"/> Food of nutritional value adequate for health and strength, of wholesome quality, and well prepared and served <input type="checkbox"/> Drinking water available to every prisoner
Exercise and Sport	<ul style="list-style-type: none"> <input type="checkbox"/> At least 1 hour of suitable exercise in the open air daily if the weather permits
Health Care Services	<ul style="list-style-type: none"> <input type="checkbox"/> Same standards of health care that are available in the community <input type="checkbox"/> Access to necessary health care services free of charge

	<ul style="list-style-type: none"> <input type="checkbox"/> A health care service in every prison consisting of an interdisciplinary team with sufficient qualified personnel <input type="checkbox"/> Prompt access to medical attention in urgent cases <p>In women's prisons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Special accommodation for necessary prenatal and postnatal care and treatment <input type="checkbox"/> Arrangements shall be made for children to be born in a hospital outside the prison <input type="checkbox"/> Qualified health care professionals who shall examine prisoners as soon as possible following admission and thereafter, as necessary <input type="checkbox"/> Daily access to certain prisoners given to the physician or, where applicable, other qualified health care professionals
<p>Discipline and Action</p>	<ul style="list-style-type: none"> <input type="checkbox"/> No more restriction than is necessary to ensure safe custody, the secure operation of the prison, and a well-ordered community life <input type="checkbox"/> Sanctions shall be in accordance with the law or regulation of the competent administrative authority and the principles of fairness and due process
<p>Instruments of Restrain</p>	<ul style="list-style-type: none"> <input type="checkbox"/> General Rule: Prohibited <input type="checkbox"/> Exceptions: <ul style="list-style-type: none"> • As a precaution against escape during a transfer; and • To prevent a prisoner from injuring himself/herself or others or from damaging property

<p>Searches of Prisoner and Cells</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Not be used to harass, intimidate, or unnecessarily intrude upon a prisoner's privacy <input type="checkbox"/> Intrusive searches (including strip and body cavity searches) should be undertaken only if absolutely necessary
<p>Information to and Complaints by Prisoners</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Inform prisoners of the prison law, applicable prison regulations, and their rights and obligations <input type="checkbox"/> Prisoners may make requests or complaints to the prison director or staff member authorized to represent him/her <input type="checkbox"/> Every prisoner allowed to make requests or complaints regarding his/her treatment, without censorship as to substance, to the central prison administration and to the judicial or other competent authorities
<p>Contact with the Outside World</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Prisoners allowed to communicate with their family, friends, lawyers, and diplomatic and consular representatives <input type="checkbox"/> Conjugal visits <input type="checkbox"/> Prisoners informed regularly of the more important items of the news
<p>Religion</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Prisoners allowed to attend religious services in prisons <input type="checkbox"/> Prisoners allowed to possess books of religious observance and instruction of his/her denomination

During Jolly's discussion, several concern were clarified. The discussions were captured below:

QUESTIONS BASED ON MANDELA RULES

DISCUSSIONS
(who said what)

How can you improve food provision in the jail?	Warden them.	We also want it to be increased; we want to provide more food for them.
Water?	Warden:	They have adequate access to water.
Capacity?	Warden:	Our capacity is only for 250 based on Philippine standard. Based on UN, its capacity is only for 50. Here, we have 283 PDLs.
Medical services?	Warden:	We have medical supplies here. We have adequate supplies, free of charge. TB screening, HIV tests can be requested from the Pasig LGU.
Medical emergency?	Warden:	We have nurses to assess the situation. If emergency, they can go to the hospital without Court Order. Provided that BJMP personnel will accompany them.
Conjugal visits?	Conjugal visit is not allowed here. BuCor has now a policy on conjugal visits. For those PDLs committed while pregnant, they will be accompanied to the hospital to deliver the baby. The baby will be given to the immediate family. If PDL has no family, we turn the baby to DSWD.	

BANGKOK RULES by Atty. Krissi Shaffina Twyla A. Rubin

Atty. Twyla introduced the Commission and its mandates. Under the Magna Carta for Women (MCW Sec 40-41), CHR has the mandate to protect women's rights, especially those in detention centers. She situated the need to protect women's rights alongside the significant percentage in increase of the congestion rates in detention centers in the Philippines. She mentioned that if you try to analyze the congestion rates using gender lens, it would be more disproportionate against male detainees. However, she emphasized the

nuances of persons deprived of liberty. She stressed their differences of persons deprived of liberty having different experiences and origins. She connected it with the need to implement a human-rights based approach to jail management and the newly developed knowledge-products.

She emphasized the situation of women in especially difficult circumstances: victims and survivors of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, women in detention, victims and survivors of rape and incest, and such other related circumstances which have incapacitated them functionally. She then emphasized that local government units are therefore mandated to deliver the necessary services and interventions to women in difficult circumstances (WEDC) under their respective jurisdictions. The female dormitory in Pasig is a perfect example of LGU responding to WEDC.

She then discussed the situation of detention facilities, citing the 2017 COA findings. The finding mentioned that BJMP 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. 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.

She emphasized that there are certain gender-specific needs and backgrounds of women in prison have largely been overlooked. She mentioned that 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 perspective to be used when we look into detention.

- 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 (Ang mukha ng kahirapan ay mukha ng kababaihan)
- Family Matters
- Other Typical characteristics (drugs abuse, young offenders)

Atty. Twyla also gave lively examples on how gender roles are perpetrated at home. She then recounted what the CGEWHR are doing in relation to assessing the situation of women in detention.

DISCUSSION ON BANGKOK RULES by Atty. Krissi Shaffina Twyla A. Rubin

Atty. Twyla showed a documentary video detailing how 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 2010.

Bangkok Rules were thoroughly discussed hereafter:

Important Concepts on Bangkok 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 sanctions (post-convictions) 	<ul style="list-style-type: none"> Admissions (contact, register children, allocation) Personal Hygiene Healthcare services (medical screening upon entry - STDs, SVs; gender specific; preventive health care); Safety and security (searches, restraint) Discipline and Punishment Parental Responsibility Contact with the outside world

<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"> • Women offenders subject to corrective measures • Women detained under protective custody 	<ul style="list-style-type: none"> • Classification individualisation • Rehabilitation and reintegration • Personnel and Training
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

How do we proceed from here?

- Self-assessment of the facilities' compliance with Bangkok Rules;
- Development of tool for assessment;
- Address those that do not require assessment; Enhance those already in place;
- Inter-agency cooperation

After her presentation, Atty. Twyla invited the participants from Pasig City Jail Male and Female Dormitories to ask questions or provide recommendations. The following have been raised:

QUESTIONS BASED ON BANGKOK RULES	DISCUSSIONS (who said what)
Officer Malabo: Why are the laws always catering to women?	Atty. Twyla: Because women are historically discriminated against. These laws aiming to protect women are affirmative actions.

<p>Atty. Twyla: Are your salary grades already same with PNP and BJMP? When did it start?</p>	<p>Personnel: Yes, it started last year.</p>
<p>Warden Monsalud: In the case of Pasig Female Dorm, we would have been more effective in complying with gender equality standards five years ago. Kung may conjugal room. Three weeks ago, they gave us a conjugal policy; The room should have a CR, bed, window, electric fan. A welfare and development personnel should also be in charge of the area and a lot more regulations were discussed.</p> <p>Ms. Maribel Endaya from Pasig LGU is very willing to provide us a breastfeeding room. But I am more leaning for isolation for TB patients. I feel that it is a more urgent need. We need a TB room here.</p> <p>It is a big development for us that we have a new building from Pasig LGU. This aided our needs for space and water supply. GAD budget was used for the development of this building. Our GAD office has been really supportive.</p>	

As jail officers, whether from male or female dormitory, you should be aware what are the policies being advocated by BJMP. But let us also remember the resources it will take to fully comply with Bangkok Rules.

We are hoping for a second phase of the building project for us. Hopefully we can have our mother's ward and conjugal room.

I have personally attended this seminar for few times already but I always appreciate this kind of training. I am refreshed with what the Mandela Rules and Bangkok Rules are requiring of us in our level.

Let's keep on learning so we can also share this if we are assigned to other stations. Our government is focusing on Build, build build so let's hope to expect more. Our problem is land because we depend to the LGUs on this.

This afternoon, we have learned our roles and responsibilities as jail officers. I'm also asking you to become open-minded to visits and orientations like this. Thank you as well to our officers from the Male Dormitory. I hope you learned a lot on Bangkok Rules today.

Superintendent Serrano: We also have the issue on the lack of secured vehicles for the transport of PDLs.

Atty. Twyla: We will include it in our report. We should also care for the carers and check on your needs to be able to carry out your functions as jail officers.

We would like to thank Warden Monsalud for accommodating CHR this day.

As advocates of LGBTI rights, we are also willing to connect with other stakeholders to protect and promote the rights of women in detention.

CHR: Dignidad ng lahat

Commonwealth Avenue, U.P. Complex, Diliman 1101 Quezon City Philippines
Tel. Nos. (02) 294 8704 (02) 925 3886

ANNEX

MATERIALS (PRESENTATIONS AND BRIEFER)	
------------------------------------------------------	--

PREPARED BY:

WILSON VILLONES, DOCUMENTER

**INSIDE STORIES: FGDs on the Situation of Women in Detention and Capacity Building on UN Bangkok Rules
A Documentation Report**