

“Enacting and Implementing the National Referral System for Battered Women”

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Introduction:

In response to the need to fully enact and implement the national referral system for battered women, which was ratified by the Council of Ministers on December 10, 2013, MIFTAH, in cooperation with its partners in the system for the protection of battered women, held a number of consultation sessions with the social, police and health sectors and institutions involved in the system. The sessions focused on the legislative and policy requirements needed to enact and implement the national system along with addressing its gaps, in order to ultimately develop national policies, including sectorial ones, and reinforce their promotion of equality between the sexes and the elimination of all forms of violence against women. Hence, the social sector plays a key and historical role in the system of protection for several sectors, including children, girls and women. The goal is to also create opportunities for women and girls who are victims of gender-based violence to feel safe and to receive services from this sector, including social and psychological services and economic empowerment. In this regard, MIFTAH comprised an action plan for basic intervention with the Ministry of Social Affairs, given that it is one of the parties presented with the national referral system. The intervention included the development of a policy paper meant to analyze the system and the obstacles that prevent benefiting the utmost from its provisions, ultimately arriving at best practices, which would contribute to nationalizing the system and positively reflecting on the services provided to women.

MIFTAH held discussions with the three sectors presented with the national referral system in order to devise a policy paper that would lead to the enactment and implementation of this system. A consultation meeting was held with the police, social and health sectors and

relevant partners. Another meeting was held to analyze the situation of the health sector, its components and resources, from the perspective of the national referral system for battered women on December 16, 2015. The meeting resulted in a group of recommendations, most significantly increasing the level of coordination between the three sectors and forming a national team. Furthermore, this session was complementary to MIFTAH's approach to produce policy papers that support the enactment and implementation of the referral system for battered women and for the nationalization of this system in policies and measures of the social affairs ministry. The expanded meeting, which was attended by around 11 participants, targeted parties of relevance, namely decision-makers and technical representatives of the sector and its partners.

The aforementioned session concluded several results including the following:

- A weakness in the capabilities, material and human resources, and expertise needed for implementing the national referral system for battered women and the budgets allocated for this purpose.
- A lack of clear policies pertaining to enacting the database on victims among the social, police and health sectors.
- The provisions of the system do not address some relevant parties such as the prosecution, forensic medicine and UNRWA
- The absence of an action plan for nationalizing the provisions of this system in the policies and procedures pertaining to the services provided by the sector.
- The lack of a sustainable mechanism to follow-up and assess new developments regarding the system, in particular the absence of a unified system that links between the various components in the sector and the other partners.
- Limited understanding of the roles allotted to the sectors involved in the national system.
- Varying levels of knowledge and the absence of unified information about the provisions and protocols of the national system for battered women including the commitments of the social sector.
- The discrepancies in awareness among service providers of the concept of women's rights and equality between the genders.
- Weakness in coordination between the social sector and the health and police sectors, which negatively impacts on the opportunities for development and on benefiting from

lessons learned. It also takes a toll on victims of gender-based violence who need referrals, transfers or shelter in safe houses and emergency centers.

- There is a gap that is threatening service providers, related to their lack of a sense of security while providing services; this adversely affects the quality of services.
- The work load on social counselors, which in turn hinders battered women from opportunities for protection.

Policies for enacting and implementing the national referral system for battered women in the social sector

The policies proposed to enact the national system and include it in social sector plans in a bid to complete a system of protection for battered women, aim at the following:

First: To disseminate information about the provisions of the national referral system for battered women:

The Minister of Social Affairs issues an internal memo to all the sectors' components, aimed at recirculating the binding provisions of the referral system and eventually preparing one code of conduct to be implemented by all those who provide services to battered women in the sector. It would also obligate them to file reports to the relevant parties on cases of violence against women who are seeking services.

Second: Developing capacities and raising the competency of provided services:

Implementing the policy by raising the capacities of service providers in the social affairs ministry and protection centers according to the goals of the ministry, and adding them to the strategies of this sector. This will contribute to providing continuous and accumulative training to service providers through offering specialized courses on gender-based violence to social counselors and directors in the directorates, and to shelters and on ways of using the protocols of the system. This will qualify them to better implement the national referral system for battered women.

Third: Reviewing and developing policies and laws

Developing protocols and regulating internal measures in protection centers (procedures pertaining to protecting families from violence, the police sector, regulations for social affairs safe houses), that coincide with the procedures and protocols of the system; also those pertaining to protecting service providers for battered women in the social affairs sector; devising an action plan for nationalizing the provisions of the system and including it in the ministry's strategy, in

addition to focusing efforts on influencing decision-makers on the need to ratify the draft resolution for protecting families from violence.

Fourth: Raising the level of coordination and follow-up between the social affairs sector and the health and police sectors

This policy is realized through reviewing the memos recently organized between the partner parties to guarantee that they address the issues posed by the system. This is then disseminated to the three sectors so they could follow up the enactment and implementation of the system and draw up policies to raise the level of social services to women victims of gender-based violence who seek this sector's services. It is also to guarantee a mechanism for safe referral of the victims and clarifies the roles and responsibilities of each sector, including the fate of sectors who seek services.

Fifth: Institutionalizing the work of the national system for battered women to include components of the sector:

This can be achieved by developing an operational plan for the sector which targets mechanisms for enacting and implementing the system and providing the necessary material and human resources. This includes activating the database for battered women seeking services and demarcating the boundaries of the professional relationship at the internal level (components of the sector) with the external level between the sector and partner sectors, partners, institutions and women seeking services.

Recommendations:

1. Recirculation of the provisions of the national system for battered women in accordance with internal directives from the minister, to be distributed to all service providers in the directorates and branches of the aforementioned sector.
2. The necessary involvement of all service-providers in the social affairs sector in capacity-building and awareness-raising activities about the system and gender-based violence.
3. Organizing internal technical consultations between the various parts of the sector; overseeing the necessary interventions and activities for enacting, implementing and institutionalizing the system and including them in the ministry's executive plan so that the necessary resources for implementing these activities and interventions are allocated on the one hand, and their results are followed up on the other.

4. For decision-makers to adopt the outputs of the policy papers as a tool for analyzing the needs of service providers in the sector and to carry out their recommendations. This requires a review of the ministry's plan and the development of the system's activities on the one hand, and gauging the impact of this system on women seeking services towards ultimately adopting the necessary arrangements for designing best practices, on the other.
5. An in-depth review of legislation that regulates the work of service-providers in the social services sector in order to minimize the gaps that obstruct offering services to battered women as guaranteed by the system (procedures in safe houses, procedures and laws of the social affairs sector, procedures in the justice sector and the family protection sector, laws and procedures in the health sector). This is to ultimately reach agreed-on laws and regulations that consider the exclusivity of the partner sectors towards serving the best interests of battered women and service providers.
6. Developing and enacting memos of understanding that aim to promote strategic relationships between the Ministry of Social Services (health, police and social sectors), which allows the various parties to unify their efforts and achieve best practices within the framework of the national referral system for battered women.
7. The system necessitates an internal review with the relevant administrations (protection counselor, file officer, safe houses, case-diagnosis committee, information systems) to regulate the relationship before beginning to organize the relationship with external parties, ultimately achieving documentation of the internal relationship between decision-makers and those working in the field.
8. In parallel with internally implementing the national referral system, it is imperative that punitive and procedural regulations if any are reviewed and amended in compliance with the implementation of the system and its provisions; otherwise, developing complete and general punitive regulations for all sectors based on the provisions of the national system.
9. Reviewing and developing regulations of the civil service law whereby it includes compliance with and commitment to implementing the provisions of the national system regarding the protection of service providers.
10. Allocating material and human resources for developing reintegration and empowerment activities, not only offering special services for support and protection.
11. Overcoming the obstacles pertaining to the lack of specialized counselors providing services; adopting a system of around-the clock working hours, without which continuous services at any time are hindered, that is, (the shift system); review of the

human and material resources available, and rotating them to contribute to implementing a system of incentives for the counselors; protecting counselors; signing part-time contracts with counselors; providing buildings near the directorates to receive cases in the period prior to the report issued by the case-diagnosis committee.

12. Working towards redeveloping and activating the database at the Ministry of Social Affairs and formulating an understanding between the ministry and partner sectors on its operational mechanisms
13. Documenting the relationship between the social affairs ministry and the Higher National Committee for Combatting Violence against Women.