



Malawi Violence Against Women and Girls Prevention and Response Programme

Violence Against Women and Girls Services Referral
Pathway Posters Discussion: Facilitators Notes

January – March 2021

Background

Tithetse Nkhanza (TN) has supported the Ministry of Gender to develop National Referrals Pathway Guidance Notes for services for VAWG survivors. These guidance notes have been rolled out amongst service providers, but it is also important for women, girls and wider community members to understand what services are available and how they may access them. For this reason, TN has developed accessible posters displaying the key information for community members. These posters have been designed to be accessible to people with disabilities and low literate audiences, so it is important that they are well-presented and a discussion is facilitated, such that they are well understood.

These facilitators notes seek to provide clear guidelines on how to present the posters to meet these aims. The notes are intended for use by anyone working in community development or humanitarian response in Malawi who wants to ensure that their team members or programme participants are aware of how and where to report violence or seek support if they or someone else experiences it.

The set of four posters along with this guidance note form a 'ready to use' orientation package which can be used by any programme or organisation who wants to mainstream gender equality, social inclusion, and VAWG response into their activities.

Before the Session

Before the session you should:

- Print at least 1 copy of each of the four Referral Pathways posters.
- Read this Guidance Note in full to prepare.

Tool 1: VAWG Services Scenarios Posters

What is it?

The poster shows a story where a woman is subjected to violence or abuse by their partner.

Why use it?

The poster seeks to raise awareness of different situations where women may experience violence or abuse by their partner. In this situation, they should be supported to make a decision on the kind of help they need.

How to use it?

1. Gather a community group or the group of people you would like to orient.
2. Introduce yourself.
3. Explain that you have come to speak to the group about the options available to women and girls who experience violence. You are going to start by presenting a story of a woman that has experienced violence.
4. Choose one of the two scenario posters to present. You should not present both as that will take too long and you should not keep the group for longer than 1 hour.
5. If you choose poster 1, ask the participants what they think the story shows. Give volunteers from the group the opportunity to try to interpret the pictures to tell the story themselves. Ask the group if they think the volunteer is correct. Give about 5 minutes for this process. Give positive reinforcement and thank the volunteers for offering their ideas.
6. After the group has had a go at interpreting the story, take them through the 6 pictures to explain the story:

Picture 1 | A woman is given money by her friend for the bus.

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Picture 2 | A woman arrives at a police victim support unit (VSU) in the early afternoon. She looks poor and malnourished. The police officer on duty invites her into the office and asks her to sit down. She has not seen the woman before. The woman explains that she is from a village 20km away and has walked and taken the minibus to get here.

Picture 3 | Her husband has been away for the past 18 months working in South Africa and was sending some money for the first year. However, in the past 6 months, she has only received one payment three months ago and nothing more. She has heard through neighbours that her husband has taken another wife in South Africa and might not be coming back

Picture 4 | She says that she and her four children are starving and don't have enough to eat.

Picture 5 | She has been farming their land and trying to sell a few vegetables at the roadside, but now the harvest has failed, she has nothing to sell or for them to eat.

Picture 6 | She wants the police to intervene to make her husband give her money for food and clothes for the children.

7. If you choose poster 2, ask the participants what they think the story shows. Give volunteers from the group the opportunity to try to interpret the pictures to tell the story themselves. Ask the group if they think the volunteer is correct. Give about 5 minutes for this process. Give positive reinforcement and thank the volunteers for offering their ideas.
8. After the group has had a go at interpreting the story, take them through the 6 pictures to explain the story:

Picture 1 | A woman is brought to the CVSU chairperson's house one morning by one of her neighbours.

Picture 2 | She explains that the woman was widowed a month earlier and has endured terrible suffering since.

Picture 3 | Her husband's family blamed her for his death saying that she was a witch and poisoned his food. They shaved all her hair from her head and then forced her to spend two nights locked in the room with her dead husband (the woman shows her shaven and cut head under her head scarf).

Picture 4 | Then a week ago following the funeral and subsequent vigils, her husband's two brother came to tell her that she and their two youngest children aged 4 and 7 needed to leave the house and land and return to her village. The two older children – a boy and a girl aged 10 and 12 - would stay with them and help on the land and with domestic duties. She tried to protest saying that they couldn't do that and that the law had changed, but the brothers just laughed and said that state law didn't apply in their village; only the traditional law mattered and that they had the agreement of the village headman.

Picture 5 | The CVSU chairperson invites the two women into the CVSU building next door. The woman speaks a local dialect and her neighbour has to translate for her.

Picture 6 | The neighbour therefore told the woman about the CVSU and decided to bring her here.

9. Ask the participants to share their thoughts and ideas about the story you've presented. What would they do in that situation? Do they think the survivor should have sought help? Do they have any questions?
10. Thank the participants for their attention and say that you now want to share with them information on the services available for women and girls.

Tool 2: VAWG Services Referrals Pathway Posters

What is it?

The poster shows the different services available in the formal and informal sectors for women and girls who have experienced violence. The poster also shows how institutions can refer survivors on to other service providers as per their need, and the timelines that survivors should experience when accessing services.

Why use it?

The poster seeks to raise awareness and understanding of women, girls and wider community members of the services available to them, how they can access them, and the timelines they should expect when accessing services. In sharing this information, it is anticipated that this increased knowledge will better enable survivors of VAWG to seek help.

How to use it?

1. Once you have gone through a scenario poster, explain that you now want to discuss the services available to women and girls who have experienced violence. The services available depend on whether a case is considered to be 'criminal' or 'civil' (see facilitators tips for definitions of these terms)
2. Start with Poster 3: Services available for survivors of criminal VAWG cases. Ask for a volunteer to interpret the poster. What do they think it is showing? Ask the group if they think the volunteer is correct or if they have other ideas. Give about 5 minutes for this.
3. Thank the group for their ideas and say that you will now explain what it shows. Beginning at the bottom of the poster, highlight the range of different types of people who are shown as survivors of VAWG who may want to seek help. Highlight that women and girls with disabilities may also be survivors of VAWG, and that women of any age, any social status, any group may experience violence.
4. State **very clearly** that seeking support should be decided upon only by the survivor of violence. They should not be pushed to access services they do not feel comfortable accessing. If they want to only access one type of service, for example health services, then that is their choice. But you are here to let them know of the range of different services available.
5. Moving to the next level, outline the different service providers from whom they may seek support. These are shown as:
 - a. Police – the police can support with protecting the safety of survivors, enforcing the law, and preventing, detecting, investigating and prosecuting criminal cases of VAWG. Victim support units can also provide alternative dispute resolution services through mediation.
 - b. Community structures – these might be family members, traditional authorities, community victim support groups, community-based faith-based organisations, non-governmental organisations (NGOs), civil society organisations (CSOs), or educational institutions. Depending on the institution, these structures can provide moral and emotional support to survivors, immediate care, safety and accompaniment support to access formal response services if the survivor wishes to do so, paralegal advisory services, mediation and counselling.
 - c. Health services – these include hospitals, health centres and One Stop Centres. All survivors who are suspected victims of abuse should receive a medical evaluation by a health provider who has received training in the diagnosis and treatment of sexual abuse, physical abuse, and emotional abuse. Mental health services will be provided by healthcare workers who have received training in evidence based, trauma-focused methods of counselling. Health services shall provide:
 - Culturally competent care in a survivor-focused setting
 - Forensic interviews of survivors

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- Full medical history
 - Obtain consent for examination
 - Full physical examination
 - Laboratory investigations
 - Recording injuries and registration in health system and health passport
 - Immediate medical stabilisation/treatment of acute injury and pain within 12 hours
 - Prevention of HIV transmission (HIV-PEP) within 72 hours
 - Prevention of Hepatitis B transmission (HBV-PEP) within 72 hours (where available)
 - Prevention of pregnancy (emergency contraception) within 72 hours
 - Sexually Transmitted Infection Prophylaxis
 - Trauma therapy and ongoing psychosocial counselling
 - Follow-up care
 - Regular case review by the multi-disciplinary team
 - Provision of medico-legal report
 - Support for survivors appearing in court
- d. Friends of the court – these include Malawi Human Rights Commission, Women Lawyers Association, Malawi Law Society, lawyers, the Legal Aid Bureau and others. These institutions can support with:
- Social workers, mental health nurses, paralegals, victim support unit staff and partner NGOs may all provide psychological counselling as long as they have received training and supervision in an evidence-based, trauma-focused method.
 - NGOs may provide other services as part of the One Stop Centre in order to meet the specific needs of the community.
 - NGOs may provide shelter or places of safety for survivors to be accommodated before, during and after trial.
 - NGOs may provide reintegration and rehabilitation services for survivors which may include services aimed at providing the survivor economic autonomy.
 - NGOs may provide restorative justice services between offender and survivor to assist the survivor in moving on and the offender to appreciate the damage they caused.
- e. Social Welfare Department – social welfare officers can support with:
- Interviewing role to gather information (assessment/facilitate disclosure)
 - Therapeutic role (facilitating the healing)
 - Empowerment role (teach safety skills)
 - Protection role (safety of the survivor)
 - Monitoring role (monitoring and follow up)
 - Advocacy role (informing and counselling)
 - Facilitate collaboration (link up with other stakeholders such as the police, hospital and the Court as well as NGOs in providing shelter or accommodation for the survivor)
 - Prepare a Court Social Report

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- Providing psychosocial support such as counselling to the survivor and the family
 - If the victim is a child or person with mental disabilities, a social worker is expected to attend meetings and interviews where other stakeholders are engaging the survivor
 - Provide a safe environment for the survivor including requesting for a protection order, placement in safety homes
 - Conducting follow ups on the survivor and the case
- f. The Courts – the courts are responsible for administering justice in both civil and criminal cases. Their role includes:
- Opening case file within 24 hours
 - Set date for case and notify all parties within 2 days
 - Hearing case within 14 days without unnecessary adjournments
 - Provide a survivor friendly courtroom throughout the trial
 - Referral in case of trauma to a survivor as soon as need arises
 - Recommend legal aid in cases where the complainant is vulnerable of insufficient means and needs assistance navigating the legal procedures, assessing and analysing evidence.
 - Delivering judgment - ancillary orders such as compensation to the survivor, psychosocial support and counselling, social and economic support to the survivor can be ordered by the Court.
 - Adjudication: Judgment within 30 days of date of last hearing. Judgment should include ancillary orders such as compensation for damages or injury suffered by the survivor, sentencing, operating the court in a survivor friendly manner so that they are not publicly humiliated or shamed for what happened to them.
 - Enforcement of judgment at instigation of survivor or representatives.
 - Any person who is not satisfied with the judgment of the court or the way the process was handled can appeal to a higher court e.g. from magistrates court to High Court to Supreme Court.
 - The courts also have internal oversight functions under sections 360 and 361 of the Criminal Procedure and Evidence Code which empower any Resident Magistrate or any Judge of the High Court to call for and examine any record of criminal proceedings before a lower court to satisfy itself that those proceedings were conducted lawfully and correctly. If they were not, the resident magistrate is empowered to send the court record to the High Court and the High Court can having been satisfied on review that there was an irregularity or illegality or impropriety can quash the original decision and make an alternative decision or send the matter back to the lower court to rehear the matter.
6. Highlight the number of days it should take for the survivor to access the service they're being referred to. Note the red circles that state the number of days. This can be understood as:
- a. A survivor should expect the police to process her case within 17 days.
 - b. A survivor should expect a community structure to support her to be referred to health services or police within 1 day.
 - c. A survivor should expect health services to respond to her case immediately as per her medical needs, and to refer her to other services as requested within 1 day.
 - d. A survivor should expect her case to be concluded by the court within 49 days from the date of initial filing.

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7. Highlight that if the service providers do not offer services as per their mandate, or as per the timelines noted, then the survivor should ask for help from a trusted source to provide feedback to the management of the institution.
8. Ask the group what they think about the poster. What does it show? Did they know this information before you showed them the presentation? Do they have any questions? What do they think about the presentation you have made?
9. Ask the participants if they have any more questions about the services available for survivors of criminal VAWG cases.
10. Now explain to the participants that you have 1 final poster to show to them. This is Poster 4: Services available for survivors of civil VAWG cases.
11. Ask for a volunteer to interpret the poster. What do they think it is showing? Ask the group if they think the volunteer is correct or if they have other ideas. Give about 5 minutes for this.
12. Thank the group for their ideas and say that you will now explain what it shows.
13. Beginning at the left side of the poster, highlight again the range of different types of people who are shown as survivors of VAWG who may want to seek help. Highlight that women and girls with disabilities may also be survivors of VAWG, and that women of any age, social status or group may experience violence.
14. Move to the actors shown at the top of the page. These are 'informal' actors. The informal justice system is often referred to as the traditional or non-state justice system. The non-state actor are individuals or service providers that the community trusts to resolve their differences, those with influence in the community, those whose roles are prescribed by culture or religion or those that have established themselves in the community and have gained people's trust and respect. Shown here are:
 - a. Religious leaders
 - b. Community Victim Support Units
 - c. Marriage counsellors
 - d. Community leaders and Traditional Authorities
 - e. Non-Governmental Organisations (NGOs) and Civil Society Organisations (CSOs)
 - f. Health centres
15. Move to the bottom side of the poster. These are 'quasi-judicial actors' (meaning they have a partly judicial role and can hold hearings and conduct investigations) or VAWG actors. Shown here are:
 - a. Malawi Human Rights Commission – performs various functions including:
 - Providing human rights information to the Government and the people of Malawi
 - Conducting investigations
 - Carrying alternative dispute resolutions such as mediations
 - Carrying out strategic litigation
 - Advising on available options to the survivors and referral
 - Carrying out oversight functions in public delivery of services
 - Conclusion of cases takes at least three months (90 days)

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- b. Ministry of Gender, Community Development and Social Welfare – MoG Social Welfare Assistants and Community Child Protection Workers serve multiple roles, including assessing families, planning for safety, implementing services, providing follow-up, and working with families to create long-term plans to ensure a safe, healthy future.
 - c. Legal Aid Bureau –The Legal Aid Bureau is established under section 3 of the Legal Aid Act to provide legal services such as mediation, legal representation and sets out options to survivors who cannot afford private lawyers. It is one of the social services governments provides to its citizens such as health, education, food and water. It is the only such institution in Malawi.
 - d. Malawi Police Service – the police can support with protecting the safety of survivors, enforcing the law, and preventing, detecting and investigating and prosecuting criminal cases of VAWG. Police Victim Support Units can also provide alternative dispute resolution services through mediation.
 - e. Administrator General –This is a public office whose function is to administer deceased estates. Every District Commissioner is an agent of the Administrator General. The Administrator General can:
 - Take into custody property where it is not known that deceased has left a widow or any relative who can administer.
 - Apply for letters of administration.
 - Any person may appoint the Administrator General to be executor of his/her will.
 - Administrator General must gazette intention to apply for letters at least 14 days before making an application.
 - Rightful person may apply to court any time to revoke letters of administration from the Administrator General.
 - Administrator General keeps accounts of all estates they have administered.
 - High Court may appoint a suitable adult person to receive the share of a minor and Administrator General shall pay the share to that minor.
 - Any unclaimed balance with Administrator General must be published in Gazette and paid after 2 years to a consolidated fund or used to offset cost of distribution of the estate.
 - Administrator General mediates where the beneficiaries are not in agreement over distribution of a deceased estate and refers matter to court where mediation fails.
 - f. Courts - the courts are responsible for administering justice in both civil and criminal cases.
16. Highlight that if the service providers do not offer services as per their mandate, or as per the timelines noted, then the survivor should ask for help from a trusted source to provide feedback to the management of the institution. They can also check from the service charter of that institution to see where they can report.
 17. Ask the group what they think about the poster. What does it show? Did they know this information before you showed them the presentation? Do they have any questions? What do they think about the presentation you have made?
 18. Ask the participants if they have any more questions about the services available for survivors of criminal VAWG cases.
 19. Thank the participants for their time. Give them a copy of the posters and explain that these can now be pasted in their local area for others to see. Encourage the participants to explain what the posters show to people who were not present at the session.
 20. Please complete the activity report section of your Activity Planning and Report tool, and include notes on the key questions and comments raised by the group.

Facilitators tips

- A criminal case is defined as a case against the state which is processed through the criminal justice system. The “criminal justice system” is designed to provide justice and protection for every member of society through the conviction, punishment, and rehabilitation of the offender. The court processes are initiated by the Prosecutor on behalf of the State and the survivor who is called the complainant, is a witness to the proceedings.
- A civil case is defined as a case against an individual or company processed through the civil justice system. The “civil justice system” is designed to provide remedies for any party who sues or instigates an action. The “civil justice system” allows individuals to achieve a fair solution when they have been injured or harmed due to another person’s negligence, recklessness or malpractice. The civil justice system allows one to sue for money damages and obtain recovery for injuries. In other words, the civil justice system allows survivors to hold their perpetrators accountable for their actions. The civil case is commenced by the person who feels aggrieved and can sue in court.
- If a participant asks a question that you don’t have an answer to, do not guess. Ask if you can take their name and contact details and speak to your local VSU, Womens Rights Organisation, or District Gender Officer/District Social Welfare Officer to help you get an accurate answer and then contact them again with the information they have requested.

Materials required

- You can read the National Referral Pathways Guidance Notes that have been produced by the Ministry of Gender to give you further background understanding of these pathways before you facilitate the discussion.
- You can print extra copies of the posters so that you can paste them up in the local area after the discussions have been completed.