





## Foreword

The National Commission for Women and Children (NCWC) is the nodal government agency for the protection and promotion of the rights of women and children in Bhutan. Despite various efforts in promoting and protecting their rights, women and children continue to be victimized and are subject to all forms of violence, abuse, exploitation, torture and neglect without the necessary social and economic support.

The Constitution of the Kingdom of Bhutan 2008 reflects commitments of the country towards eliminating all forms of discrimination and exploitation against women and children. The ratification of the international conventions like the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) including its two Optional Protocols, further confirms the country's commitment to promote and protect the rights of women and children.

The Parliament of Bhutan passed the Child Care and Protection Act 2011 (CCPA); Child Adoption Act 2012 (CAA); and the Domestic Violence Prevention Act 2013 (DVPA); to ensure the provision of effective and appropriate services for the care and protection of women and children in difficult circumstances and the protection of children in conflict with the law. Designated as the Competent Authority to implement the three Acts, the NCWC's objective is to establish a systematic and well coordinated protection mechanism for women and children in collaboration with all relevant stakeholders.

Recognizing the emerging protection issues related to women and children and the need for proper mechanisms and systems, the Standard Operating Procedure on Case Management of Women and Children in Difficult Circumstances (SOP) was developed to ensure the provision of effective, appropriate, systematic and timely services to prevent and respond to the protection issues faced by women and children in need of care and support.

The SOP contains the integral roles and responsibilities of all the stakeholders involved in dealing with women and children in difficult circumstances. Further, it provides for the provision of a continuum of care and support services from the registration of a case to the closure and post care services.

The SOP has been developed in close consultation with all key stakeholders and our deep appreciation goes out to all those who contributed during the stakeholder consultations particularly the Gender and Child Focal Persons across the different organizations and Dzongkhags.



(Dorji Choden)

**CHAIRPERSON**

**National Commission for Women and Children**

## ABBREVIATIONS

<b>CA</b>	Competent Authority
<b>CCPA</b>	The Child Care and Protection Act of Bhutan 2011
<b>CICL</b>	Child In Conflict with Law
<b>CIDC</b>	Child in Difficult Circumstances
<b>CLA</b>	Chief Labour Administrator
<b>CSO</b>	Civil Society Organisation
<b>DP</b>	Designated person
<b>DV</b>	Domestic violence
<b>DVPA</b>	Domestic Violence Prevention Act of Bhutan 2013
<b>GD</b>	General Diary
<b>ICP</b>	Internal complaints procedure
<b>IO</b>	Investigating Officer
<b>CMIS</b>	Central Management Information System
<b>OAG</b>	Office of the Attorney General
<b>PCR</b>	Police Crime Report
<b>PO</b>	Protection Officer (SOP-WIDC)
<b>RBP</b>	Royal Bhutan Police
<b>SGC</b>	School Guidance Counsellor
<b>SWO</b>	Social Welfare Officer
<b>WCPU/D</b>	Women and Child Protection Unit/ Desk
<b>WIDC</b>	Women in difficult circumstances
<b>WCWC</b>	Women and Child Welfare Committee

## Table of Contents

CHAPTER 1 PRELIMINARY	1
Purpose	1
Guiding principles	1
Scope	1
Guiding Principles and Philosophies	1
CHAPTER 2 DEFINITIONS	4
CHAPTER 3 PROCEDURAL MATTERS RELATED TO CHILDREN IN DIFFICULT CIRCUMSTANCES	11
Protection Officer Roles and Responsibilities	11
Royal Bhutan Police: Roles and Responsibilities	15
Competent Authority: Roles and Responsibilities	19
Court: Roles and Responsibilities	21
Designated Medical Doctor/One Stop Crisis Centre: Roles and Responsibilities	22
Labour Inspector: Roles and Responsibilities	23
Chief Labour Administrator	25
Immigration Officer: Roles and Responsibilities	25
Education Institutions: Roles and Responsibilities	26
Local government leaders (Gup, Mangmi, elected representative of Dzongkhag Thromde, Yenla Throm, Kidu Program Officer): Roles and Responsibilities	27
Media	28
Bhutan InfoComm and Media Authority (BICMA): Roles and Responsibilities	29
Civil Society Organization	29
CHAPTER 4 PROCEDURAL MATTERS RELATED TO WOMEN IN DIFFICULT	30
Protection Officer	30
Social Welfare Officer	35
Royal Bhutan Police	38
Women and Child Welfare Committee	39
Competent Authority	40
Court	41

Chief Labour Administrator and Royal Civil Service Commissioner	47
Internal Grievance Procedure	49
Complaint Redressal related to gender based discrimination and sexual harassment in RCSC	50
Designated Doctor/ One Stop Crisis Centre	50
Educational Institution	51
Media	52
BIBLIOGRAPHY	42
ACKNOWLEDGEMENT	44

## CHAPTER 1 PRELIMINARY

### Purpose

1. The purpose of the SOP is to ensure the provision of a systematic and cohesive mechanism to prevent and respond to protection issues faced by women and children in difficult circumstances. The SOP shall describe the following areas which are integral to providing effective and appropriate services to respond to women and child in difficult circumstances and preventing the occurrence of women and child protection issues:

### Guiding principles

2. Roles and responsibilities of all stakeholders;
3. Systematic provision of after care services to the victims after the closure of the case shall it be required; and
4. Maintain a centralized repository of case related documentation and a directory of duty bearers, and service providers.

### Scope

5. This SOP covers all women and children in difficult circumstances.

### Guiding Principles and Philosophies

6. All stakeholders shall agree to adhere to all of the following guiding principles and philosophies:
  - a. **Best interests of women and children in difficult circumstances:** In actions concerning the woman or child, whether undertaken by government or non-government agencies, family members or individuals, the best interests of the woman or child shall be of primary consideration.
  - b. **Respect and dignity:** A woman or child shall be treated fairly and equally with respect and dignity, and shall not be discriminated against on the grounds of age, sex, ability, language or any other status.

- c. **Uphold rights:** A core mandate of the women and child protection system is to uphold the rights of all women and children, keeping them safe and promoting their physical and mental well-being.
- d. **Prevention:** Providing redressal, rehabilitation and reintegration, through a robust legal framework, procedures, and linkages between duty bearers and members of society, in a manner, which prevents the re-occurrence of the act of violence or abuse including secondary victimisation.
- e. **Safety:** At all stages, from the initial contact till such time as the child/woman remains in contact with the care and protection system, and thereafter, she/he shall not be subjected to any harm, abuse, neglect, maltreatment.
- f. **Service delivery:** Programs and services for women and children shall:
  - i. be culturally appropriate;
  - ii. promote their health and self-respect;
  - iii. foster their sense of responsibility; and
  - iv. encourage attitudes and the development of skills that will help them develop their potential as members of society.
- g. **Residential care:** A woman/child who is placed in an appropriate shelter home established as per the provisions of the CCPA and DVPA and the Guidelines for the Accreditation and Management of Shelter Homes for Women and Children shall:
  - i. be provided with a safe and conducive living environment;
  - ii. be assisted to maintain relationships with the woman/child's family and community;
  - iii. be consulted with, and allowed to participate in making decisions affecting the life of a woman/child;
  - iv. be given privacy;
  - v. have access to required medical services;
  - vi. have access to referral services as required; and
  - vii. receive appropriate help and assistance in making a successful re-integration into society.

- h. **Individual treatment and care:** While recognizing that victims share a number of common experiences and circumstances, the stakeholder shall consider the individuality of each woman/child not only in terms of age, sex and special needs but also the socio-cultural and family background, personality characteristics and experiences before, during and after the incident. Special consideration shall be given to women and children considering their level of development and needs.
- i. **Right to access justice:** A woman and child shall have the right to access prompt legal and other appropriate assistance as well as the right to challenge the legality of any action taken. A woman/child shall have the right to prompt and just legal remedy, access to remedies for immediate and effective assistance, shelter homes and protection, which seek to ensure that the relevant organs of the State give full effect to the provisions of the CCPA & DVPA.
- j. **Last resort:** Institutionalization of a woman/child shall be a step of the last resort after reasonable inquiry and that too for the minimum possible duration.
- k. **Restoration and repatriation:** Every woman/child has the right to be reunited with her/his family and restored back to the same socio-economic and cultural status that she/he enjoyed before coming within the purview of the protection system unless such restoration and repatriation is not in her/his best interests.
- l. **Opportunity to be heard:** A woman/child shall be provided with the opportunity to be heard in any judicial and administrative proceedings either directly or through a representative or an appropriate body.
- m. **Family harmony and coexistence:** The prevention of domestic violence and the need to promote harmony, coexistence and respect within families and domestic relationships is the basis to promote family integrity and institution in the pursuit of Gross National Happiness.

## CHAPTER 2 DEFINITIONS

7. To the maximum extent possible, this SOP uses definitions as spelt out by national laws, rules and guidelines. However, for the purpose of ensuring better identification of women and children in difficult circumstances, and for achieving the purpose of the SOP, some definitions have been expanded.
  - 7.1. **Adjudication** is the legal process by which an arbitrator or judge reviews evidence and argumentation including legal reasoning set forth by opposing parties or litigants to come to a decision which determines rights and obligations between the parties involved.
  - 7.2. **Admonish** means cautionary advice or warning.
  - 7.3. **Best Interests** is defined as ensuring the woman or child's social well-being, physical, emotional and intellectual development by balancing factors in order to assess the best option, through the involvement of decision makers with relevant expertise, and through the involvement of the woman or child without discrimination, in making decisions affecting them.
  - 7.4. **Case Plan** shall mean a plan prepared for each woman/child which records individual details of the woman/child in relation to her/his bio-data, health, other individual needs and other relevant information in relation to the case. A case plan is a dynamic document, which shall be reviewed periodically and shall reflect all the progress and set-backs in a case from the time of initiation of a case until closure.
  - 7.5. **Cautioning** is a warning on legal implication given to a child suspected of a commission of an offence before being inquired or questioned about the offence
  - 7.6. **Child** shall mean a person below the age of 18 years.
  - 7.7. **Child Abuse-** Constitutes any form of physical, emotional ill-treatment and/or sexual treatment, severe neglect or negligent treatment or exploitation of a child, resulting in actual damage to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

- 7.8. **Child In Conflict with Law** is a child who is above 12 years of age and found to have committed an offence.
- 7.9. **Child in Difficult Circumstances** is a child who:
- a. is found without any home or settled place of abode and without any ostensible means of subsistence; or who does not have parents and no one is willing to take care of or whose parents have abandoned or surrendered him or who is missing or run-away child, and whose parents cannot be found after reasonable inquiry;
  - b. Has a parent or guardian who is unfit or incapacitated to take care of or exercise control over the child;
  - c. Is found to associate with any person who leads an immoral, drunken or depraved life;
  - d. Is being or likely to be abused or exploited for immoral or illegal purposes; or
  - e. is a frequent victim at the hands of individuals, families or the community
  - f. is found begging, or living on the street, or working in contravention of Labour and Employment Act, 2007, irrespective of whether the child is living with or without a family or any home or settled place of abode; or
  - g. resides with a person (whether a guardian of the child or not) and such person: (a) has injured, exploited, abused or neglected the child; or (b) has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out; or (c) has killed, abused, neglected or exploited some other child or children and there is a reasonable likelihood of the child in question being killed, abused, exploited or neglected by that person; or
  - h. is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians, unfit or unable to take care, if found so by the Protection Officer; or

- i. is being or is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts; or
  - j. is found vulnerable and is likely to be inducted into drug abuse or trafficking; or
  - k. is victim of any armed conflict, civil unrest or natural calamity.
- 7.10. **Chief Labour Administrator** means the Head of the Secretariat of the Ministry of Labour and Human Resources or an officer of the Royal Civil Service recruited, selected and appointed under the Bhutan Civil Service Rules to exercise the functions and powers under Sections 22 to 24 of the Labour and Employment Act of Bhutan 2007;
- 7.11. **Child Molestation** shall mean the act of touching a child in a sexual manner.
- 7.12. **Civil Service Support Desk** is an avenue for the civil servants to raise non-human resource action related issues and concerns in the workplace. It is also a means to provide counselling and mentoring services to civil servants.
- 7.13. **Civil Society Organisations** shall mean an organization registered under the Civil Society Organization Act of Bhutan 2007.
- 7.14. **Community** means a neighbourhood, vicinity or locality where the child and woman resides.
- 7.15. **Competent Authority** shall mean the National Commission of Women and Children or any authority established by the Government, in line with the CCPA and DVPA.
- 7.16. **Complainant** means a person who reports any incidences of violence, exploitation or severe neglect against a woman or child in good faith.
- 7.17. **Counsellor** means a person accredited by the BBCC and working for the NCWC, DYS or any other relevant service provider including a CSO.
- 7.18. **Court** means a Child Justice Court or a Bench and where no such Court or Bench has been constituted, any regular Court/Bench empowered under the CCPA to exercise the powers conferred on a Child Justice Court in the case of a CICL, or any Royal Court of Justice in Bhutan.

- 7.19. **Defendant** means alleged perpetrator of an act of violence.
- 7.20. **Domestic Violence** means violence against a person by another person with whom that person is, or has been in a domestic relationship.
- 7.21. **Domestic Relationship** means (1) spousal relationship; (2) a family relationship; (3) an intimate personal relationship; and/or (4) ordinarily shares a household with a defendant
- 7.22. **Educational Institution** shall constitute all centres providing formal/informal education to children below 18 years.
- 7.23. **Endangerment of a Child** constitutes a situation when the child is exposed to harm or danger; imperil that would injure the physical or mental condition of a child.
- 7.24. **Fit Person** means, any person found fit by the Competent Authority to receive and take care of a child entrusted to one's care and protection on the terms and conditions specified by the Competent Authority.
- 7.25. **Foster Care** shall mean the care for a child placed by the Competent Authority or judicial authority in the domestic environment of a family other than the child's own family that has been selected, qualified, approved and supervised for providing such care by the Competent Authority.
- 7.26. **Grievance** is defined as a complaint by one or more workers, a workers' association, or an employer, relating to any matter concerning working conditions or the working environment arising at work or out of the workplace, as covered by the Labour and Employment Act, 2007. For the purpose of this SOP a woman can approach the Internal Grievance Procedure for the redressal of gender-based discrimination at the workplace.
- 7.27. **Guardian** in relation to a child, includes any person who in the opinion of the Competent Authority, having cognizance of any proceeding in relation to the child, has, for the time being, the actual charge of, or control over, that child.

- 7.28. **Health Professional** means all those professionals in the field of health such as nursing, pharmacy, physiotherapy, medical and health technology and technicians in various supportive service units commonly known as paramedics.
- 7.29. **Harassment** means any physical or verbal conduct demonstrating hostility towards a person by another person.
- 7.30. **Institution** means and includes all institutions related to childcare, protection and development of a child.
- 7.31. **Institutionalisation** means handing the care of a child to a shelter home accredited by the Competent Authority.
- 7.32. **Intoxication** means state of diminished ability to act with full mental capacity, with deviation from the normal behaviour, as a result of consumption of alcohol or drug related substances;
- 7.33. **Internal Complaints Procedure** means a sexual harassment policy, which the employer shall prepare and implement an internal complaints procedure to address sexual harassment. This may be a part of a general grievance procedure provided confidentiality and speed of action are assured, and that the victim is not required to lodge the complaint through a supervisor who is involved in or condones or ignores sexual harassment.
- 7.34. **Internal Grievance Procedure** shall normally relate to the existing rights of workers under the Labour and Employment Act, 2007 and its regulations, a written contract of employment, internal service rules, a collective bargaining agreement between workers and their employer, and rules established by custom and practice.
- 7.35. **Labour Inspector** means an officer of the Royal Civil Service recruited, selected and appointed under the Bhutan Civil Service Rules to exercise the functions and powers in sections 26 to 29 of the LEA;
- 7.36. **Legal Guardian** means any person who in the opinion of the Competent Authority, having cognizance of any proceeding in relation to the child, has, for the time being, the actual charge of, or control over the child.
- 7.37. **Loco Parentis** means in the absence of a parent.

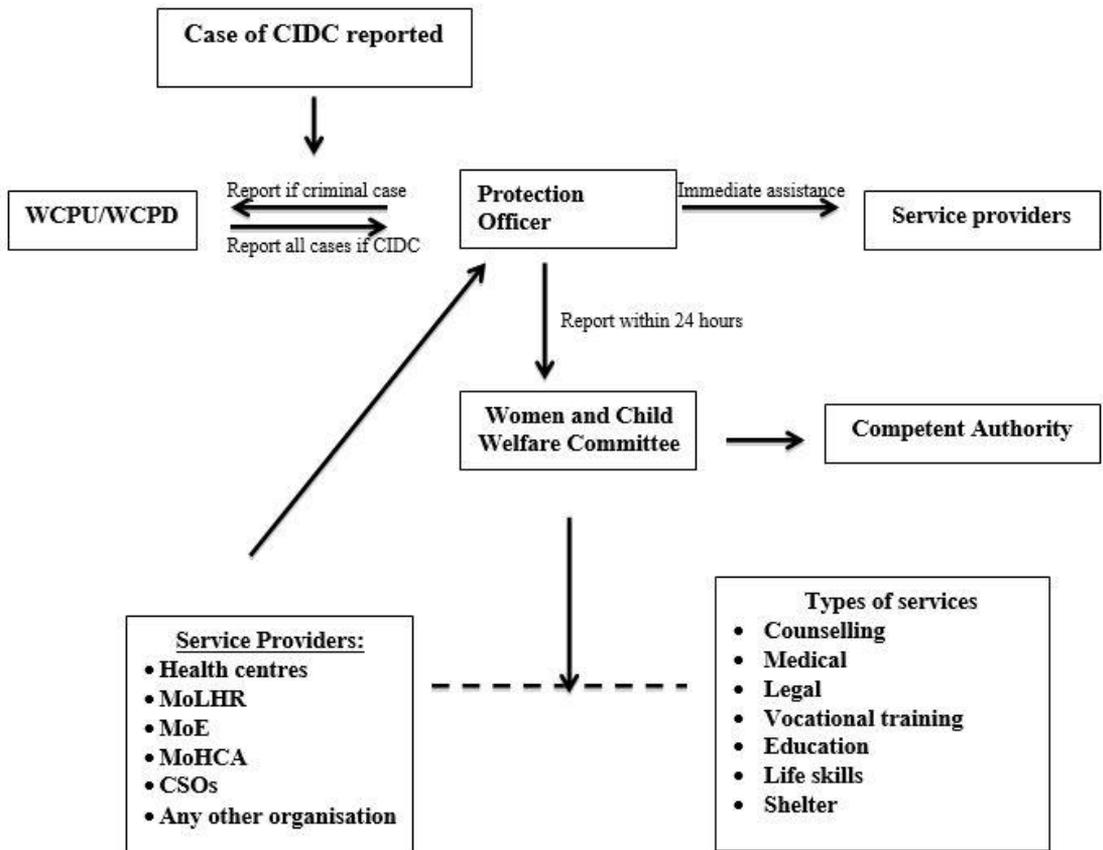
- 7.38. **Kinship Care** shall refer to the placement of children with relatives (kin).
- 7.39. **Medical Doctor** shall mean a person with medical qualifications recognised by the Bhutan Medical Health Council.
- 7.40. **Medico-legal** means a medical case with legal implications for the attending doctor where the attending doctor, after eliciting history and examining the patient, thinks that some investigation by law enforcement agencies is essential, something that involves both medical and legal aspects.
- 7.41. **Offence** means any act or omission made punishable under any law for the time being in force.
- 7.42. **Parents** means the father and mother of a child.
- 7.43. **Pedophilia** means the sexual preference displayed by an adult for children, boys or girls or both, usually of pre-pubertal or early pubertal age.
- 7.44. **Place of Safety** means any place or institution, the person in charge, which temporarily receives and takes care of a child and which, in opinion of the Competent Authority may be a place of safety for the child.
- 7.45. **Preliminary Inquiry** means the inquiry that is held before the formal hearing is conducted before the Court.
- 7.46. **Protection Officer** means an officer appointed by the Government under the DVPA but who shall also fulfils the roles of the Child Welfare Officer and the Probation Officer as defined under the CCPA, CAA and the respective Rules and Regulations.
- 7.47. **Protection Order** means an order issued by the Royal Court of Justice that helps protect the victim or the complainant from violence, abuse or threats to commit violence or abuse.
- 7.48. **Recidivist** means a habitual offender including a defendant who had signed undertaking as per Rule 38 of the DVPA
- 7.49. **Stakeholders** mean relevant government and non-government organisations and individuals in Bhutan.
- 7.50. **Supervision** means the supervision of a child by a Protection Officer for the purpose of ensuring that the child is properly looked after and that the

conditions imposed by the Competent Authority are complied by the care of any parent, guardian or other fit person under the CCPA.

- 7.51. **Trafficking** means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.
- 7.52. **Violence** means any act, omission or behaviour towards a person, which results in physical, sexual, emotional or economic abuse.
- 7.53. **Woman and Child Welfare Committee** means Committee constituted to advice, and oversee matters relating to cases of women and children in difficult circumstances and children in conflict with law, and coordination amongst the agencies involved.
- 7.54. **Woman in Difficult Circumstances** means a woman who is for the purpose of this SOP:
- a. a victim of any form of violence
  - b. deserted, neglected without any social and economic support; or
  - c. affected by STIs and HIV/AIDS.

# CHAPTER 3 PROCEDURAL MATTERS RELATED TO CHILDREN IN DIFFICULT CIRCUMSTANCES

**Chart 1. Roles and responsibilities of stakeholders in relation to cases of CIDC**



## Protection Officer

8. Any person including the child who is of the opinion that a child is a CIDC shall report it to the Protection Officer.
9. Within 24 hours of receiving a report of a possible case of a CIDC, register the child and notify the WCWC.

10. Ensure either she/he or the police reaches the child within 24 hours of receiving the information excluding time taken to travel.
11. Ensure the immediate needs of the child are met, which may include emergency health and psycho-social needs and emergency shelter facility in case the child needs to be removed from her/his current location.
12. Accompany the child to all examinations and interviews and shall also make every effort to ensure that the child's parent/s, a responsible adult family member whom the child trusts or the legal guardian in the absence of a family member.
13. Ascertain whether a child is a CIDC within 48 hours of receiving a report.
14. Within 24 hours of the determination of a case of CIDC, the Protection Officer shall prepare a case plan in the format prescribed in the CCPR&R using Form 1.
15. Record of the child and circumstances surrounding the child shall be recorded in the case plan by the Protection Officer based on a detailed assessment, which shall be submitted for review and approval of the WCWC using the Form 2.
16. At every stage of assessment of the child, the Protection Officer shall:
  - a. take into consideration the age, physical and mental health of the child;
  - b. take into consideration the views and opinions of the child while taking decisions;
  - c. receive inputs from the members of the WCWC and other relevant personnel including individuals or institutions who were responsible for the care of the child prior to coming under the care of the Protection Officer;
  - d. in discussion with concerned professionals clearly identify services that the child requires and ensure the provision of services required;
  - e. any other circumstance that in his/her opinion is required to be taken in the best interests of the child; and
  - f. indicate timelines to be adhered to for various actions to be taken in the best interests child.

17. Based on the approval of the case plan by the WCWC the Protection Officer shall initiate steps for rehabilitation of the child but this shall not be restricted to the following:
  - a. Ensure the parent/s or legal guardian receive necessary assistance to provide proper care to the child;
  - b. Refer the child and family for counselling from a professional counsellor if necessary;
  - c. Seek the services of the police to trace the parents/legal guardian of the child or during any stage of the assessment and implementation of case plan;
  - d. Seek services of the counsellor in conducting home visits, follow-up visits, and preparation of related reports;
  - e. Seek the assistance of CSOs and other relevant service providers shall their support be required.
  - f. Send the child to a place of safety until she/he ceases to require assistance and protection or till the child attains the age of 18 years.
  - g. Shall it be determined that the child needs to be immediately removed from the care of the parent/s or legal guardian, the Protection Officer shall with the written approval of WCWC place the child in a place of safety as defined by the CCPA, if it is for a period under 14 days. A copy of the written approval shall be submitted to the Competent Authority and the Drangpon of the respective Dzongkhag Court.
  - h. If the removal of the child is for a period of more than 14 days, the Protection Officer shall submit the recommendation of the WCWC to the Competent Authority to facilitate the removal. A copy of the recommendation shall be forwarded to the Drangpon of the respective Dzongkhag Court.
18. Refer the child to the Competent Authority for kinship or foster care; adoption or long term residential care if it is determined that the child's parent/s are deemed unfit to care and protect the child.
19. Ensure that the case plan be updated after every monthly visit with the child reflecting all the changes, progress, issues related to the situation of the child.

20. Conduct follow-up visits to the CIDC in his/her place of residence including service providers, interact with the child, and the care givers, at least once a month to ensure the provisions under Rule 117.
21. Recommend for a review of the order if the circumstances and/or needs of the child have changed, or if orders were not implemented.
22. The case plan and all information in relation to the CIDC shall be maintained in writing and with the utmost confidentiality, and shall only:
  - a. be made available to concerned officials and those family members involved in the care and protection of the child;
  - b. in circumstances where further review is required and it is determined to be in the best interests of the child to do so.
23. After implementation of all necessary steps in the case plan approved by the WCWC, if the Protection Officer is convinced that the CIDC requires no further assistance, and after taking into consideration the child's opinion, a recommendation shall be made to the WCWC for the closure of the case. The decision of the WCWC shall be copied to the Competent Authority.
24. Inform the child and the child's family that they may at any time seek help/assistance from the Protection Officer if so required.
25. The Protection Officer shall also be responsible to:
  - a. maintain a list of and recommend to the WCWC fit persons/places of safety to care for children in need of care and protection;
  - b. carry out a thorough assessment including home visits of kinship and foster care providers and places of safety which is to be carried out prior to their appointment as well as after the child has been placed in foster/kinship care;
  - c. provide assistance to a child victim or child witness involved in judicial proceedings and the child's family to ensure the child and if required the child's family is able to participate in the judicial process; and
26. The Protection Officer shall be responsible for collating, updating and submitting to the Competent Authority the Dzongkhag level directory of

services including all relevant contact information of duty bearers, service providers, CSO, and members of WCWC.

27. The Protection Officer shall at all times adhere to the Code of Conduct for Protection Officers.

### **Royal Bhutan Police**

28. In the event the concern Police Station receives information on CIDC, then that Police station shall assist the CIDC and inform the protection officer after determining the fact.
29. The police shall coordinate with the Protection Officer to reach the CIDC within 24 hours excluding time taken to travel if it is determined that their assistance is required. On receipt of such information, the Police shall inform the protection officer
30. On reaching or receiving the child, the police shall exercise discretion to determine whether the child is a CIDC as defined under Section 59 of the CCPA.
31. If the child is a CIDC, the police shall initiate an inquiry and report to the Protection Officer within 24 hours of receiving a possible case of a CIDC.
32. The designated Women and Child Protection Unit/Desk, or designated officer where such desk/unit does not exist shall be assigned the responsibility of dealing with the child in coordination with the Protection Officer.
33. The child shall not be kept at the police station longer than necessary and shall not be made to stay in the police station over-night unless a place of safety is not available.
34. If the child is brought to the police station, then it must be ensured that the child is kept in an environment conducive for the child.
35. Upon receiving a CIDC, the police shall record information about the CIDC using Form 1. Such a record shall include all the information that the police have in hand at the time that the case is reported and shall include the name, age, sex, location and details related to circumstances that the child is under.

36. Upon affirmative determination that the child is a CIDC, RBP shall provide immediate care and safety to the child and make all efforts to hand over the child to protection officer immediately.
37. The police shall hand over the care of the CIDC to the Protection Officer with a detailed of child investigation report, outlining all information related to the case available to the police at the time of the hand over within 24 hours of initial response excluding travel time.
38. The RBP in consultation with the Protection Officer shall ensure the immediate needs of the child are provided for, which would include health needs (medical examination, medical treatment including counselling), shelter services if the child needs to be removed from her/his current location.
39. In case of immediate medical need that requires hospitalization or treatment, and if a Protection Officer is not available at the time, the police shall refer the child to the OSCC or to the designated doctor in the district hospital. The police shall accompany the child to the hospital and inform NCWC or WCWC.
40. Should it be determined that the child needs to be immediately removed from her/his current location, the RBP shall inform the protection officer and refer the child to a fit person/place of safety as defined by the CCPA and appointed by the Competent Authority.
41. RBP shall inform protection officer/NCWC or WCWC, If the child is to be removed from the care of the child's parent/s for less than 14 days, then the removal shall be carried out by team member consisting of RBP, Protection Officer/NCWC or WCWC upon receiving written approval from the WCWC, with copies send to the Competent Authority and the Drangpon of the respective Dzongkhag Court.
42. In the absence of the Protection Officer, the RBP shall be the first responder and immediately RBP shall inform NCWC and NCWC shall ensure custody of CIDC.

43. Seek assistance from Competent Authority or WCWC or other relevant organisations for the investigation of complaints of cyber-crimes against children.
44. The police shall maintain contact with the Protection Officer throughout the process of investigation and closure of the case if the case is to undergo police and judicial review.
45. If it is found that a crime has been committed against the child as defined under the Penal Code of Bhutan 2004 and its Amendment in 2011 or any other national law, the police shall initiate investigation expediently.
46. When required, the police shall provide assistance while conducting any further investigation which may include but is not limited to:
  - a. family tracing; and
  - b. home visits or visits to the place of residence of the child to ensure that the child is receiving and has access to the services as ordered by the Court and the Competent Authority to promote the safety and wellbeing of the child.
47. All such follow-up shall be documented and shared to the Protection Officer in addition to the duty bearer who has ordered the follow-up visit.

### **Women and Child Welfare Committee (WCWC)**

48. The WCWC shall review the list of foster care providers and places of safety and submit the list for approval of the Competent Authority.
49. A list of approved foster care providers and places of safety shall be shared with relevant service providers.
50. If the CIDC is found not to have parent/s or an adult caregiver who is able to care for the child, the WCWC shall within 24 hours of receiving a report of the CIDC appoint a legal guardian or refer the child to a place of safety.
51. If it is determined necessary for the safety of the child, the WCWC shall in line with Rule 105 of the CCPR&R issue an order for the temporary removal the child from the care of the parent/s, if it is for duration of less than 14 days.

52. A copy of the order shall be forwarded to the Competent Authority and the Drangpon of the respective Dzongkhag Court.
53. If it is determined necessary for the safety of the child to remove the child from the care of the child's parent/s for more than 14 days, then the WCWC shall make a recommendation to the Competent Authority to facilitate such removal.
54. A copy of the order shall be forwarded to the Drangpon of the respective Dzongkhag Court.
55. The WCWC shall render full assistance to the Protection Officer in providing necessary services required for the welfare of the child.
56. The WCWC shall approve the case plan prepared by the Protection Officer and forward the same to the Competent Authority for information, approval and further action if necessary.
57. The WCWC shall be responsible to issue directives/orders to:
  - a. provide necessary assistance to the parents or legal guardian to be able to care and protect the child in a manner that is responsive to the child's needs (age, gender and special needs);
  - b. refer the child and family to receive counselling from a counsellor if necessary;
  - c. seek the services of the police to trace the parent/ or legal guardian of the child or during any stage of the assessment and implementation of case plan;
  - d. Seek services of a counsellor to conduct home visits and prepare reports, which shall be included in the case plan;
  - e. Provide any other service that is required for the effective rehabilitation and reintegration of the child;
  - f. the Protection Officer to seek the assistance of CSOs if so required; and
  - g. close the case of a CIDC on the recommendation of the Protection Officer and forward a copy to the Competent Authority and the Drangpon of the respective Dzongkhag Court.

58. In any of the following matters, the WCWC shall act on directives from the Competent Authority:
  - a. Removal of the child from the care of the child's parent/s for more than 14 days;
  - b. Placement of the child for long term kinship or foster care or long term residential care in accordance with existing national laws;
  - c. Repatriation of the child; and
  - d. Any other issue that is beyond the terms of reference of the WCWC.
59. The WCWC shall meet atleast quarterly to review pending cases of CIDC and to discuss on any matters to promote and protect the rights of children.
60. On the recommendation of the Protection Officer, the WCWC shall meet to review individual case plans of CIDC and to determine if the child on longer requires assistance and protection, the WCWC shall issue an order to close the case, a copy of which shall be forwarded to the Competent Authority and the Drangpon of the respective Dzongkhag Court.

### **Competent Authority**

61. The Competent Authority may receive complaints of cases of CIDC directly after which it shall:
  - a. reach out to the child within 24 hours of receiving such a complaint excluding;
  - b. direct the case to the relevant Protection Officer and WCWC to provide the assistance required by the CIDC;
  - c. make a direct intervention and undertake any actions if deemed necessary, to ensure the welfare and safety of the child;
  - d. coordinate with the Protection Officer and the WCWC to determine the reasons for appeal of the case, if the complaint is that of a case which is already under the purview of the Protection Officer and the WCWC.
62. The Competent Authority shall receive notification from WCWC with regard to the appointment of legal guardian where the CIDC is to be separated from the family for a period under 14 days.

63. On the recommendation of the WCWC, the Competent Authority shall facilitate the removal of the child from his/her parents for more than 14 days if such removal is determined to be in the best interests of the child.
64. The Competent Authority shall coordinate with the Court for such removal.
65. The Competent Authority shall receive and maintain records of the cases of CIDC from the WCWC, which shall be routinely updated until the case is brought to closure.
66. The Competent Authority shall ensure that each case of CIDC is updated into the Central Management Information System.
67. The Competent Authority shall provide assistance to the WCWC for cases of CIDC, when requested.
68. If required, the Competent Authority shall issue directives to the Protection Officer to conduct home visits to assess the suitability of families for adoption, kinship or foster care and also to follow up on children who have been adopted, placed in kinship or foster care or placed in a place of safety.
69. The Competent Authority shall approve the foster care providers and places of safety submitted by the WCWC.
70. The Competent Authority shall maintain and share with all relevant stakeholders the list of:
  - a. registered Protection Officers;
  - b. members of WCWC; and
  - c. any other relevant service providers and personnel working for and with children.
71. The Competent Authority shall ensure that the Protection Officer collate and update the Dzongkhag level list of stakeholders mentioned above.
72. The Competent Authority shall ensure that the Dzongkhag level list of stakeholders is available in electronic format.
73. The Competent Authority shall ensure safe repatriation of CIDC found in the country.

74. The Competent Authority shall set up an endowment fund to ensure the accessibility to funds to meet the basic needs of women and children in difficult circumstances.

## **Court**

75. The Court shall:
- a. receive copies of orders issued by the WCWC for the removal of a child from the care of the parent/s for period less than 14 days; and
  - b. issue orders for the removal of a child from the care of the parent/s for a period more than 14 days and the placement of the child in kinship or foster care or in a designated place of safety, on the recommendation of the Competent Authority.
76. The Court shall review an appeal made by the parent/s or legal guardian seeking review of decisions taken by the Protection Officer, WCWC or Competent Authority to separate the child from the parent/legal guardian.
77. In the case of child victim or child witness who is required to be participate in Court proceedings, the Court shall make provisions to provide a conducive environment for the child's full participation, which shall include but is not limited to the following:
- a. in-camera trials;
  - b. provide the child with privacy and ensure that the child is not unnecessarily exposed to the accused;
  - c. provide separate rooms to seat the child and the accused;
  - d. treat and ensure that the child is treated with care and sensitivity.
  - e. ensure that the prosecutor introduces himself/herself to the child prior to the start of the trial;
  - f. ensure that the child is not asked by anyone including the judge, to demonstrate through any physical or intimate touching of body parts including the child's own body parts;
  - g. make an offer to the child to visit the court before a trial for familiarization;

- h. provide the child information about the court proceedings and the child's involvement in it;
- i. monitor to ascertain the child has received full information and assistance from persons in charge in a child friendly manner and in accordance with the child's age, maturity, ability and in a language that the child is able to understand;
- j. order that the child be accompanied at all times by the Protection Officer and/or the child's parent/s or legal guardian during the child participation in judicial proceedings;
- k. closely monitor the examination and cross examination of the child to protect the child from harassment or intimidation;
- l. limit the duration of the child's stay in court or order rest breaks to limit the number of questions asked;
- m. schedule the appearance of the child in court in a way that is compatible with the child's requirements to attend school;
- n. consider the evidence given by the child admissible in court as similar to the admission of evidence given by adults;
- o. order proper recording of the child's initial statements so as to limit as far as possible the number of child interviews;
- p. give written and recorded statements the same weight as a testimony given in person;
- q. where necessary, ensure that the child spends minimum time in the presence of the defendant for the purpose of identification; and
- r. order damages or reparation for the child and the child's family as required; and render orders or decisions in a manner that the child is able to understand.

### **Designated Medical Doctor/One Stop Crisis Centre**

- 78. Inform the CIDC and family/legal guardian prior to the mandatory reporting to the Protection Officer and/or police.

79. Report cases of CIDC received at the health facility to the Protection Officer and/or police for further necessary steps to be taken.
80. Provide medical examination, medico-legal services, treatment and referral for other specialized care services at the hospital or with another service provider.
81. Ensure that there is a family member or the Protection Officer who the child trusts while conducting examinations unless the child requires immediate medical attention and such person is not available.
82. The health personnel preferably of the same sex shall conduct medical examination of the victim with due regard to the right of privacy of the victim.
83. Interact with the child and his/her family with sensitivity while ensuring that they are informed about the situation of the child.
84. Place the child in a separate area for treatment where she/he gets maximum privacy.
85. Maintain full confidentiality of all cases other than reporting the case to the Protection Officer, and what is legally mandatory to be reported to the police and/or the Court.
86. Ensure prominent display of signage to ensure ease of access to the services of the OSCC.

### **Labour Inspector**

87. Any person including the child him/herself who is of the opinion that a child is engaged in labour in contravention of the Labour and Employment Act of Bhutan 2007 and the Regulations of Working Conditions 2012 may report a case to the Labour Inspector.
88. The Labour Inspector who suspect a case of child labour shall initiate an enquiry and keep a record of the complaint in the prescribed format.
89. Upon receipt of a complaint the labour inspector shall:
  - a. screen the complaint for important details like number of children suspected to be engaged in labour, sex, age of the children and any other pertinent information; and
  - b. conduct an inspection upon completion of screening of the complaint;

90. The Labour Inspector within 24 hours of receiving the complaint shall:
  - a. inform the Protection Officer to facilitate the provision of services required by the child;
  - b. seek the support of the RBP to carry out inspection, including the provision of female police personnel in the case of a girl child; and
  - c. inform the Immigration Inspector in case of foreign children working in Bhutan.
91. During inspection if it is ascertained that the child is working in contravention of the Act, or his/her life is endangered, he/she shall to be removed from the place of work.
92. The Labour Inspector, in consultation with the Protection Officer shall ensure the immediate needs of the child are provided for, which would include but are not limited to health needs (medical examination, medical treatment), temporary shelter facility if the child's family cannot be located or it is determined that it is not safe for the child to be placed under the care of his/her family.
93. Shall a situation arise that the Protection Officer is not available, the Labour Inspector shall after informing the Chair of the WCWC or the Competent Authority take on the role of the Protection Officers.
94. For all children removed from their place of employment the Labour Inspector shall hand over a written report to the Protection Officer within 24 hours.
95. Where a question arises as to the actual age of a child in employment, the Labour Inspector shall refer to any of the documents such as the Citizenship Identity Card, Birth Certificate, School Leaving Certificate, Health Card issued by relevant authorities or refer the child to a medical practitioner for determination in writing the age of the child.
96. Following the inspection, Labour Inspector shall prepare the inspection report and submit it to the Chief Labour Administrator for review in a prescribed format, a copy of which shall be submitted to the Protection Officer to follow

up to take necessary action as per the procedures outlined in this SOP and any other relevant law.

97. The Labour Inspector shall act as per the direction of the Chief Labour Administrator for the disposition of the case.
98. The Labour Inspector shall maintain details of children below 18 years involved in child labour in line with formats developed for the data collection under the Central Management Information System.
99. This shall be shared with relevant stakeholders such as the Competent Authority, WCWC, immigration and police.
100. The Labour Inspector shall share the annual reports on Child Labour with relevant agencies mentioned above.

### **Chief Labour Administrator**

101. The Chief Labour Administrator shall ensure the collection and maintenance of information of all children below 18 employed involved in child labour.
102. The Chief Labour Administrator based on the report of inspection submitted by the Labour Inspector takes the decision for the final disposal of cases of child labour.

### **Immigration Officer**

103. At all check posts, screen and record the entry and exit of a child below 18 years, who may be of foreign or Bhutanese origin.
104. Contact the Protection Officer immediately or within time period of 24 hours from the time of contact with the child in the following circumstances:
  - a. If the child is carrying a work permit and/or invalid permit/documents to enter/exit the country;
  - b. In case of a person carrying a work permit, if the Immigration Inspector is of the opinion that the person may be a child below 18 years contrary to what may have been recorded on the documents;

- c. If the adult companion the child is travelling with is not his/her parents/relative/legal guardian and the child is being forced/lured to enter/exit the country.
105. If during an inspection visit to any place finds a child.
  106. Till the time the Protection Officer is able to reach the child, the Immigration Inspector shall ensure the immediate needs of the child are provided for, which would include health needs (medical examination, medical treatment) and shelter facility shall the child require.
  107. Provide assistance to the Protection Officer and the Competent Authority to ensure the safe repatriation of the CIDC including issuance of travel document/permit for CIDC to be repatriated back to his or her country of origin.
  108. Receive report from Protection Officer/Competent Authority when the child has been repatriated.

### **Education Institutions**

109. Any duty bearer or child in an educational institution shall inform the head of the institution of a possible case of CIDC, who shall have the responsibility to report the case to the Protection Officer or the police within 24 hours of receiving such knowledge.
110. In the absence of a SGC, the head of the institution shall ensure that a teacher is assigned to manage the case and coordinate with the Protection Officer.
111. If the crime against a child is allegedly committed by either staff or student of the school and is a crime under the Penal Code of Bhutan 2004 and its amendment in 2011 or any other law, the head of the institution shall ensure that the matter is reported to the police.
112. If the alleged offender is a child, the Head of the Institution shall ensure that the Protection Officer is informed within 24 hours of receiving the complaint.
113. Head of institution/SGC/teachers shall engage with parents and children on the issue of violence against women and children through platforms, which include parent teacher meetings, parent school association meetings and any other events conducted by the educational institution.

114. In case the CIDC requires urgent medical attention, the SGC shall take the services of the school health coordinator and take the child to the nearest health facility.
115. The institution shall maintain a report of the incident which shall be updated, and forward the same to the Protection Officer when referring the case.
116. The SGC shall support the Protection Officer on cases of CIDC through the following:
  - a. Provide input in preparing the case plan if requested by the Protection Officer or WCWC; and
  - b. Provide counselling services to children in the school or region, accompany the Protection Officer during home visits based on an order of the WCWC, and provide periodic reports as requested by the Protection Officer or WCWC on the progress of the child until the case reaches closure.
117. Maintain a list of contact personnel in agencies, programs, and services external to the school setting for collaboration and referral.
118. If the CIDC is a victim or witness and the alleged accused is adult staff from the school, an immediate separation of the child and the alleged accused shall be ensured; and if the accused is an adult, the accused shall be relieved of duties to ensure avoidance of any contact with the child or the children of the institution, pending the period of inquiry.
119. If the accused is a child and student from the same institution, the head of the institution shall ensure that the accused is treated as a CICAL, and is protected and receives the support required to undergo meaningful reformation.

**Local Government leaders (Gup, Mangmi, elected representative of Dzongkhag Thromde, Yenla Throm, Kidu Program Officer)**

120. Report complaint of CIDC received to the Protection Officer or RBP or Competent Authority.
121. Follow-up with CIDC and their families to ensure the safety of the child and his/her reintegration into society:

- a. Provide educational support
  - b. Conduct home visits in discussion with the Protection Officer
  - c. Link the family to welfare services
  - d. Ensure the provision of any other support required
122. Undertake awareness and advocacy related activities.

### **Vocational Institutions**

123. Vocational institutions shall coordinate with government and non-government organizations in the rehabilitation of CIDC and ensure quality vocational training through provisions made under Rule 55 of the CCPR&R.

### **Media**

124. The Media shall assist in the promotion of child rights and responsibilities in line the Guidelines for Sensitive Reporting on Women and Children's Issues,
125. The media shall have the duty to maintain professional standards including privacy in reporting and covering of cases of CIDC.
126. In all publicity concerning children, the best interest of the children shall be taken into consideration.
127. To protect the best interests of the child, no report in any newspaper, magazine or newsletter of any inquiry regarding a CIDC shall disclose the name, address or school or any other particulars, which may lead to the identification of the CIDC nor shall any picture of any such CIDC be published.
128. Any adjudication proceeding shall not be published in newspaper, magazine, or transmitted through audio-visual electronic medium in any form, which may disclose the identity of the CIDC, unless authorized by the Court.
129. Assist the NCWC publicity of reports and information related to violence and exploitation of children.
130. Attend training and capacity building programs organized by the NCWC from time to time.

## **Bhutan InfoComm and Media Authority (BICMA)**

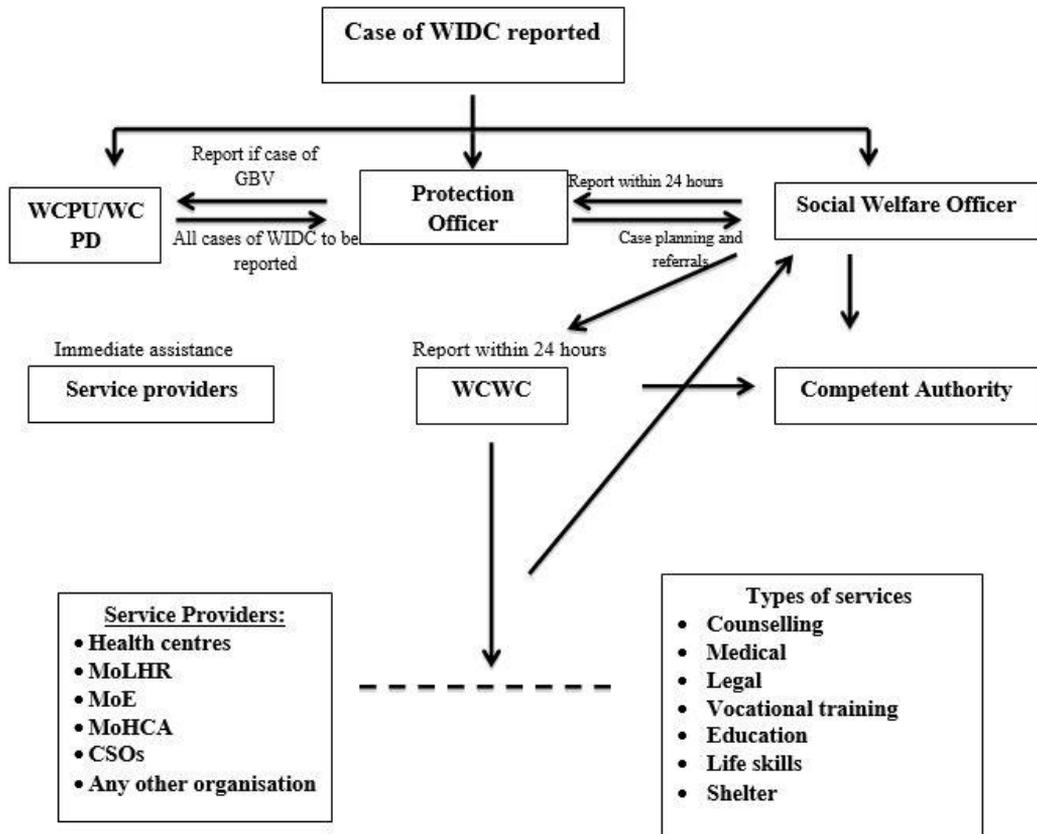
131. Any person or the child can report a complaint to the Director General of BICMA in the following circumstances:
  - a. If they are of the opinion that a child actor/performer is a CIDC;
  - b. About the use of children in pornography;
  - c. Exposure of children to pornographic/illicit sexual content.
132. BICMA shall report the complaint to the police and the Protection Officer within 24 hours of receiving a complaint.
133. BICMA shall take due care of the physical and emotional welfare and the dignity of minors who take part or are otherwise involved in programmes, irrespective of any consent given by the participants or by parent/s, legal guardian or other persons over the age of eighteen in loco parentis.

## **Civil Society Organization**

134. Report every case/complaint of CIDC received to the Protection Officer or Competent Authority and if required to RBP.
135. Collaborate with the Protection Officer to implement case plan as per orders of the WCWC or Competent Authority or the Courts for CIDC.
136. Provide required assistance to the Protection Officer, the Competent Authority or any other stakeholder for the welfare and safety of the child, which may include but are not limited to the following:
  - a. access to services of trained community volunteers, children/youth/women groups to report cases, maintain vigilance, follow-up of cases or carry out home visits.
  - b. shelter services, counselling, support for education, legal services vocational training, home visits, case follow-up as ordered by Competent Authority, WCWC or requested by the Protection Officer.
137. Conduct awareness and advocacy programs at the national and local levels.

## CHAPTER 4 PROCEDURAL MATTERS RELATED TO WOMEN IN DIFFICULT CIRCUMSTANCES

Chart 2. Roles and responsibilities of stakeholders in relation to cases of WIDC



### Protection Officer

138. A complainant or the WIDC herself may report to the Protection Officer.
139. Support the victim and provide information to the victim in order for her to report the case to the police and the court if necessary, for assistance with issuance of PCR or interim protection order.
140. Ensure that the WCWC is notified of the complaint of the WIDC within 24 hours of receiving the case of WIDC.

141. Maintain a record of all complaints of WIDC in a prescribed format, and it shall contain:
  - a. the names, sex and relationship of the parties if any;
  - b. the complaint, whether it involved any weapon or resulted in personal injuries and whether the injuries inflicted required medical treatment;
  - c. whether the defendant is a recidivist or not; and
  - d. any other information, if necessary.
142. Upon receiving the complaint, the Protection Officer shall in the case of domestic violence notify the concerned parties to present themselves at the place notified at the earliest but not exceeding 7 days after serving the notice.
143. The notice may be served to the defendant's present address.
144. In case of failure to locate the defendant, the Protection Officer shall seek the assistance of the local government or other relevant agencies.
145. If the particular Local Government Administration is unable to locate the defendant and the Protection Officer is unable to locate the defendant by any means, the Protection Officer shall notify the Competent Authority officially and seek the assistance of the Police in locating the defendant.
146. Should the above options fail, the Protection Officer shall advise the victim to take formal recourse through law.
147. Render required services to the WIDC and her children if any, which may include emergency health needs (medical examination, medical treatment), emergency shelter facility, after taking her consent and discussing with the children, and recording it in a prescribed format and seek the assistance of relevant stakeholders if required.
148. Interview any witness, seek the production of any relevant documents and prepare a report on the findings of the case in a form or manner that may be prescribed.
149. Provide the victim support and counselling to ensure she can make an informed decision on further actions:
  - a. Access to information about her legal rights; and

- b. Access to information about service providers and the range of services she and her children, if any, could avail of.
150. The PO upon assessment of a complaint of domestic violence may:
- a. dismiss the complaint for want of prima facie case and notify the WCWC of the same;
  - b. resolve the issue by obtaining the assurance from the defendant not to repeat the offence again if the:
    - i. case is within its capacity as defined in their respective Terms of Reference; and
    - ii. case does not warrant to be forwarded to the police for investigation;
  - c. forward the case to the police subject to Section 12 of DVPA
  - d. refer or render other services such as shelter, counselling, medical and legal service based on the needs
151. In any case of WIDC, the Protection Officer may file/assist the victim with filling a petition or assist the victim in the Court if the victim so desires, for issuance of an interim protection order/protection order (Section 19, Section 27 and Section 54 DVPA) and shall receive copies of the same.
152. The PO shall forward a case of WIDC to the police station if the defendant:
- a. Is known to be a recidivist;
  - b. Poses or is likely to pose a grave risk of death or serious bodily injury to the victim;
  - c. Impairs or likely to impair the health or development of the victim;
  - d. Causes or likely to cause bodily injury to the victim with a weapon;
  - e. Conducted sexual offence that humiliates, degrades or otherwise violates the dignity of the victim; or
  - f. Committed domestic violence as a result of intoxication.
153. Arrange to get the victim medically examined and forward a copy of the medical report to the police station, or the Court of competent jurisdiction if required.

154. Assist the victim with accessing the One-Stop-Crisis Centre/or authorized doctor for conducting the medico-legal examination.
155. Notify the WCWC of the case if the victim has children, and would need to ensure that the protection needs of the children are met as per provisions outlined under the roles of the PO in relation to CIDC in this SOP.
156. Assist the victim and her children, if any, with arrangement of a place to reside, if needed, for long-term or short-term duration through a service provider, or any other appropriate place if the victim so desires, and inform the police and the Court of competent jurisdiction.
157. Refer the victim to a service provider for the following services, which may include:
  - a. legal aid;
  - b. livelihood opportunities;
  - c. counselling; and
  - d. any other services deemed necessary.
158. Follow-up with the victim and defendant in case of domestic violence, to ensure the safety of the victim, and/or implementation of orders. It shall also include victims whose complaints have been resolved by obtaining assurance of the defendant that he/she would not repeat the offence, in accordance with Rule 71(b) of the DVPA Rules.
  - a. Engage service provider to undertake the same
  - b. Conduct visits to the place of residence of the victim
  - c. Ensure scheduled meetings with the victim and defendant in the case of domestic violence.
159. In case of referral to a service provider, the Protection Officer shall ensure that a case plan for rehabilitation of the victim and her children if any is formulated in consultation with the Social Welfare Officer within 14 days of having made the referral.
160. In case of referral to a service provider the Protection Officer shall:
  - a. ensure that the service provider conducts an assessment of the needs of the victim prior to formulation of case plan;

- b. undertake periodic visits to the service provider to assess progress of victim;
  - c. at the time of discharge of victim from the service provider, ensure the safe integration of the victim and her children if any, back into her place of residence and:
    - i. engage service provider to undertake the same;
    - ii. conduct visits to the place of residence of the victim; and
    - iii. ensure scheduled interactions/meetings with the victim and defendant in the case of domestic violence.
161. Submit a report in a prescribed format to the Competent Authority outlining the steps taken, progress made at the time that the victim and Protection Officer are of the opinion that she requires no further assistance.
162. Maintain a separate record of all cases of domestic violence settled mutually and submit the same to the Competent Authority quarterly.
163. Assist in the follow-up of Court Orders or any other orders by the Competent Authority.
164. Maintain a list of all service providers in a prescribed format, which provides legal aid, counselling, shelter home, medical facility and DP in ICP, CLA in a local area within the jurisdiction of the Court.
165. Ensure non-disclosure of the informer and victim's identity, and any information obtained from the victim except to the lawful authority.
166. Monitor the situation of violence against women and children in his or her area of jurisdiction and assist the victim and children if any and ensure the provision of required services for the duration of the case and after the case is closed is determined necessary.
167. Declare any conflict of interest that may arise or appear to arise between his or her duty and private interest, pecuniary or otherwise. In the event of conflict of interest, case shall be referred to the WCWC, who shall decide an appropriate officer to deal with the case of WIDC.

## **Social Welfare Officer**

168. A complainant or the WIDC herself may report to the Social Welfare Officer.
169. Inform the Protection Officer immediately on receiving a complaint from WIDC and continue further actions in coordination with the Protection Officer.
170. Receive referral of cases from the Protection Officer along with a copy of the complaint from the Protection Officer in such form and manner as may be prescribed.
171. Support and provide the victim with appropriate information so that she can report the case to:
  - a. the police station if necessary, for assistance with issuance of an Police Crime Report, or interim protection order;
  - b. service providers to seek assistance for the victim and children if any; and
  - c. assist and support the victim throughout the duration of the case
172. File a petition before the Court through the Protection Officer, for the issuance of an interim protection order or a protection order, if the victim desires.
173. If determined an emergency and in the absence of the Protection Officer, and if the victim so desires, the Social Welfare Officer shall coordinate with law enforcement agencies for the issuance of an interim protection order or protection order, a copy of which shall be forwarded to the Protection Officer.
174. Maintain a record of all complaints and reports in a prescribed format made by Competent Authority, which shall contain:
  - a. the names, sex and relationship of the parties if any;
  - b. the violence alleged, whether it involved any weapon or resulted in personal injuries and whether the injuries inflicted required medical treatment;
  - c. whether the defendant is a recidivist or not; and
  - d. any other information, if necessary.
175. Carry out a thorough assessment of the case and obtain assistance from the relevant agencies or service providers if required and ensure the immediate needs of the WIDC and/or her children if any, are provided for, which may include health needs (medical examination, medical treatment), shelter facility

- in case the WIDC and her children if any, need to be removed from her/his current location.
176. Interview any witness, seek the production of any relevant documents and prepare a report on the findings in the prescribed format.
  177. Upon assessment of the complaint, the Social Welfare Officer may in the case of domestic violence:
    - a. place complaint before PO for dismissal for want of prima facie case;
    - b. resolve the issue by obtaining the assurance from the defendant not to repeat the offence again if the case is within its capacity as defined in their respective Terms of Reference;
    - c. the cases do not warrant to be forwarded to the Police for investigation;
    - d. forward the case to the Police subject to Section 12 of the DVPA; and
    - e. Refer or render other services such as shelter, counselling, medical and legal service based on the needs.
  178. Forward the case to the police station if it is known that the defendant:
    - a. Is a recidivist;
    - b. Poses or likely to pose a grave risk of death or serious bodily injury to the victim;
    - c. Impairs or likely to impair the health or development of the victim;
    - d. Causes or likely to cause bodily injury to the victim with a weapon;
    - e. Conducted sexual offence that humiliates, degrades or otherwise violates the dignity of the victim; or
    - f. Committed domestic violence as a result of intoxication.
  179. Provide the victim support and counselling and ensure she can make an informed decision related to further actions by ensuring she has access to information:
    - a. about her legal rights; and
    - b. of service providers and the range of services she and her children if any could avail of.
  180. Arrange to get the victim medically examined and forward the report to the police station if required.

181. Assist the victim and her children if any, with arrangement of a place to reside, if needed, for a long-term or short-term duration through a service provider, or any other appropriate place if the victim so desires, and inform the police station and the Court of competent jurisdiction.
182. Ensure that the provision of the following services to the victim, which may include:
  - a. accessing Legal aid;
  - b. accessing Livelihood opportunities;
  - c. counselling services; and
  - d. any other service deemed necessary.
183. The Social Welfare Officer shall follow-up with the victim and defendant in case of domestic violence, to ensure the safety of the victim, or implementation of orders. It shall include also victims whose complaints have been resolved by obtaining assurance of the defendant that he/she would not the repeat the offence again, in accordance with Rule 71(b) of the DVPA Rules.
  - a. Conduct visits to the place of residence of the victim
  - b. Conduct scheduled interactions/meetings with the victim and defendant.
184. The SWO shall formulate a case plan for rehabilitation of the victim and her children if any based on their needs, in consultation with the PO within 14 working days of having admitted the victim.
185. The SWO shall periodically update the PO and review the progress made by the victim during visits undertaken by the PO to the service provider.
186. The SWO shall submit a report to the PO at the time of discharge of the victim from the service provider.
187. In the case of a conflict of interest declared by the PO, constraining him/her from providing services to the victim, it shall be reported to the PO for further escalation to the WCWC for a determination of a suitable officer to deal with the concerned WIDC.
188. The Social Welfare Officer shall disclose any information related to WIDC to the Competent Authority whenever deemed necessary.

189. The Service Provider shall submit biannual report to the Competent Authority as per Form 3 of the DVPA Rules and Regulations.

### **Royal Bhutan Police**

190. A complainant or the WIDC may report the case to the RBP.

191. The police may take cognizance of a case of a WIDC.

192. All complaints related to WIDC shall be dealt by the WCPU/desk/officer in charge of the police station.

193. A case of a WIDC shall be dealt by the WCP Unit/Desk in consultation with the SSP or SP of a Division of Royal Bhutan Police in the event of any conflict of interest declared by the Protection Officer.

194. The police shall maintain a record of all complaints and reports in a prescribed format which shall contain:

- a. the names, sex and relationship of the parties if any;
- b. the violence alleged, whether it involved any weapon or resulted in personal injuries and whether the injuries inflicted required medical treatment;
- c. whether the defendant is a recidivist or not; and
- d. any other information, if necessary.

195. The police shall share the above information with the PO/SWO and Competent Authority on receipt of complaint

196. The police shall protect the victim such that further violence is not perpetrated.

197. The police shall investigate the complaint of the WIDC and refer for the prosecution as per the existing laws.

198. File PCR applying appropriate sections of applicable laws, if the victim so desires.

199. The police shall receive a copy of the interim protection order or protection order from the Court and enforce the implementation of the same; and make periodic visits the victim and defendant in case of domestic violence.

200. In case of breach of any term of condition of an interim protection/protection order by the defendant, the police shall enforce the order along with an arrest warrant, if necessary.
201. The police shall assist the Protection Officer in obtaining shelter, medical treatment or any other services or measures deemed appropriate for the victim.
202. The police shall advise the victim of her rights under applicable laws.
203. The police officer shall record the testimony of the victim and submit the evidence to the Court where appropriate.
204. A police officer of preferably the same sex shall take the statement of the victim.
205. If the offence is of misdemeanour and below, and the defendant is not a recidivist, a police personnel in consultation with the PO may order release of the defendant on surety if detained after providing counselling, or allow the matter to be settled mutually if the victim so desires.
206. The police shall maintain a separate record of all the cases settled mutually and share information of the same to the Competent Authority and the PO.
207. The RBP shall maintain confidentiality of any case of WIDC.
208. The RBP shall render cooperation and support to the Competent Authority, PO and service providers wherever required.

### **Women and Child Welfare Committee**

209. The WCWC may take cognizance of cases brought to their notice and reach out to a victim where necessary and direct the case to PO for further actions.
210. The WCWC shall receive a notification of a case of WIDC from PO within 24-hours of receiving a complaint.
211. Members of the WCWC shall provide inputs to the PO during preparation of the case plan, if the Protection Officer makes such a request.
212. Delegate a case of WIDC to an appropriate officer, in the case the PO declares a conflict of interest in a particular case of WIDC.
213. Receive notification of prima facie dismissal of cases by the PO, and Police.

214. Members of WCWC shall provide support to WIDC from their departments if necessary and requested.
215. If the WIDC has children, then the WCWC needs to ensure that the children are referred to the PROTECTION OFFICER and that care plans are formulated for them.
216. The WCWC shall undertake review of progress of cases of WIDC on a quarterly basis.
217. The WCWC shall receive report of all cases of domestic violence settled mutually from the PO and police.

### **Competent Authority**

218. A complainant or the WIDC herself may report to the Competent Authority.
219. The Competent Authority shall receive complaints of sexual harassment from the Head of the RCSC.
220. The Competent Authority shall receive information on a case of WIDC in a form and manner as may be prescribed from: the PO /the police /the personnel at the one stop crisis centre/ any other relevant duty bearer.
221. Receive notification of complaints from Protection Officer/Police/Social Welfare Officer/Designated Person in Internal Complaints Procedure/Chief Labour Administrator within 24 hours.
222. The Competent Authority shall monitor the enforcement of the interim protection or protection order upon receiving an order from the Court.
223. The Competent Authority can take cognizance of cases brought to their notice and reach out to a victim where necessary.
224. The Competent Authority may take up cases of WIDC directly and undertake any actions deemed necessary to ensure the protection and safety of the victim, or direct Protection Officer/service providers/duty bearers to undertake actions.
225. The Competent Authority shall ensure that victims are reintegrated into the family and society.

226. The Competent Authority shall receive reports, updates, and closure reports from WCWC/Protection Officer/Social Welfare Officer through the duration of a case as specified or as required.
227. The Competent Authority shall maintain and update a register of all the Protection Officers, Service Providers, Chief Labour Administrator, Designated Person in Internal Complaints Procedure in a prescribed format.
228. The register shall include the following details:
  - a. Name, sex, address, status and other relevant information;
  - b. Name and address of the service providers including the name and contact details;
  - c. List of services available with each of the service providers.
229. The Competent Authority shall make the register mentioned above available online in electronic format.
230. The Competent Authority shall mobilize resources to support the establishment and functioning of institutions mandated by the DVPA, and required for implementation of this SOP, including the establishment of One Stop Crisis Centers, Women and Child Protection Units/Desks, shelters and for providing Legal Service.

## **Court**

231. The Court shall maintain a record of petition filed, interim protection order and protection order issued by the Court under DVPA.
232. The Court may, if satisfied, in the interest of justice exclude any person from attending the hearing.
233. The Court may hear the case in camera.
234. The Court at any stage of the proceeding under DVPA can direct the defendant or victim, either singly or jointly to undergo counselling with any service provider who possesses such qualification and experience in counselling or institution identified by Competent Authority, which renders counselling to the victims of the domestic violence.

235. The Court at any stage of the proceeding under DVPA can direct the defendant and/or victim to undergo mandatory rehabilitation, if deemed necessary.
236. Where the Court is required to determine whether to grant bail to the defendant, the Court may consider, inter alia:
- a. The need to secure the health, safety and well-being of the victim, and child;
  - b. Any hardship that may be caused to the members of the family if bail is not granted;
  - c. Any other matter which may be relevant.
237. If the Court grants bail to the defendant, such bail order shall include conditions that the defendant:
- a. Shall not harass or molest the victim or family members
  - b. of the victim;
  - c. May not reside on the premises where the victim resides; and
  - d. Shall not violate any other conditions issued by the Court.
238. The Court shall receive an application for interim protection order or a protection order where an act of domestic violence is or being committed or there is a threat to commit from the following:
- a. the victim;
  - b. the complainant;
  - c. any person acting in the best interest of the victim;
  - d. any person having care or custody of a victim who is a minor;
  - e. the PO or the SWO of the service provider caring for the victims; and
  - f. Competent Authority.
239. The Court in the interim protection order/protection may do the following where appropriate:
- a. prohibit the defendant or the person from committing or aiding to commit the domestic violence;
  - b. prohibit the defendant from entering any place or premises where the victim resides and works;

- c. direct the defendant to pay monetary relief in respect of the victim's needs and those of any child or dependent of the victim;
  - d. direct the temporary custody of any child or dependent of the victim and defendant to any person or institution;
  - e. regulate or deny the defendant to have access to child if the Court is so satisfied in the best interest of the child;
  - f. direct the defendant to afford the victim or any child or dependent of the victim access to their place of residence and the use of facilities associated therein;
  - g. direct the defendant to pay adequate compensation in the prescribed manner for any personal or physical injury, pain, or loss suffered by the victim;
  - h. direct the victim and the defendant to undergo counselling if necessary;
  - i. direct the defendant to do any act which the Court considers necessary or desirable for the well-being of the victim or any child or dependent of the victim; and
  - j. any other conditions as the Court may deem necessary.
240. The Court may issue an interim protection order before commencement of trial, where reasonable grounds exist.
241. The Court shall issue an interim protection order in the presence of the parties or their Jabmi or legal representative.
242. The Court may issue an interim protection order ex-parte, if the Court is satisfied that there is prima facie evidence that:
- a. the defendant is committing or has committed domestic violence; and
  - b. undue hardship may be suffered by the victim or an irreparable harm may be caused as result of such domestic violence if an order is not issued immediately.
243. The Court shall give a copy of interim protection order to the victim, complainant, Protection Officer, Social Welfare Officer, police and defendant or legal representatives.

244. Upon registration of an application for protection order, the Court shall serve a show cause notice to the defendant directing him or her to respond to the notice on the date specified which shall not be more than fifteen days.
245. The Court shall determine an application as soon as it is filed after issuing the show cause notice to the defendant.
246. The Court may conduct the hearings for protection order independently or concurrently to the trial proceedings.
247. The Court shall not deny protection order on the grounds that other legal remedies are available.
248. The Court may modify or confirm the interim protection order into protection order or terminate the interim protection order and may issue protection order:
  - a. If the defendant fails to appear within the date specified under Section 61 of this Act;
  - b. During or on completion of the trial proceeding if necessary; or
  - c. During protection order hearing if necessary.
249. The Court shall give a copy of protection order to the victim, complainant, Protection Officer, Social Welfare Officer of the service provider, police and defendant or legal representative.
250. A protection order shall not bar a party from initiating civil or criminal proceeding.
251. A protection order shall remain in force for a maximum period of nine months, which may be extended if required, unless the Court at the joint request of the parties annuls the order.
252. The Court may set aside or vary the protection order if it is:
  - a. Satisfied that the conduct of the defendant is improved; and
  - b. The application for setting aside or variation for protection order is made with the consent of the victim.
  - c. Any interim protection order or protection order issued by the competent Court shall be final and binding unless appealed and revoked by the higher Court or revoked by the same Court.

253. If the defendant breaches any term or condition of an interim protection order or protection order issued by the Court, the victim or his or her legal representative may enforce the order by filing a petition of enforcement before the competent Court.
254. Upon filing a petition of enforcement under, the Court shall direct the Royal Bhutan Police to enforce the order along with an arrest warrant if necessary.
255. The Court may through separate order or through interim protection order or protection order require the Royal Bhutan Police to seize any arm or dangerous weapon in the possession or under the control of a defendant/victim, if the Court is satisfied that:
  - a. The defendant/victim has threatened or expressed the intention to kill or injure himself or herself or any person in a domestic relationship, whether by means of such arm or dangerous weapon: or
  - b. Considering the condition of the defendant/victim, the possession of such arm or dangerous weapon is not in the best interest of the defendant/victim or any other person in a domestic relationship.
256. Any arm or dangerous weapon seized under DVPA shall:
  - a. Be given a distinctive identification mark and retained in police custody for such period of time as the Court may determine; and
  - b. Be returned to the defendant or if the defendant is not the owner of the dangerous weapon to the owner thereof, by order of the Court and on such conditions as the Court may determine.
257. Any arm of dangerous weapon seized under CCPC or other laws shall be treated as per specific procedure under the CCPC or respective laws or any other existing procedures.
258. The Court may order a defendant who is sentenced for an offence of domestic violence under the DVPA, or any other law to pay appropriate compensation or damages in addition to the sentence, in accordance with procedures of the CCPC or other existing procedures and laws.
259. In case of domestic violence if the Court determines that compensatory damages are appropriate, then a defendant convicted of an offence shall pay

compensatory damages at the rate of the minimum wage at the time of an offence for:

- a. Ten years to the surviving spouse or next of kin of the victim and the cost for forty–nine days for seven people towards the expense incurred in the funeral rites of the deceased victim, when the crime has resulted in the death of the victim;
  - b. Seven years, if the crime causes permanent partial disability to the victim;
  - c. Five years, if the crime causes temporary total disability to the victim; or
  - d. The daily wage lost of victim when the crime has resulted in temporary loss of wages.
260. In addition to compensation or damages above, the Court may order the defendant to pay expenses of the victim’s medical treatment or other ancillary and incidental expenses incurred on account of the offence committed by the defendant.
261. The identity of the complainant shall be protected and shall not be disclosed except by the order of the Court.
262. Unless the Court authorizes, the proceeding shall not be published in any newspaper, magazine or transmitted through audio-visual electronic medium in any form, which may reveal details of the case or disclose the identity of the parties to the case.
263. The Competent Authority shall submit a list of the accredited service provider and services available to the Court and police.

**Designated person in the Internal Complaints Procedure or other mechanisms in all organizations both government and non-government**

264. The DP shall receive a complaint from a victim on a complainant on her behalf in writing identifying the alleged harasser or harassers, describing the incident or incidents including places, times and dates, signing the complaint and bring it to the attention of the person designated in the procedure.

265. The DP shall notify the Competent Authority, PO, CLA or Civil Service Commissioner for the purpose of providing information within 7 days.
266. DP shall acknowledge the receipt of the victim's written complaint within 2 days and an investigation into the complaint shall commence within 5 days.
267. The outcome of the investigation shall be communicated to the victim within 10 days from the commencement of the investigation.
268. Advise victim that she may approach PO for assistance if she so desires.
269. Provide information to the victim that if she is dissatisfied with the outcome of the investigation or if she desires to by-pass the internal procedure, she may appeal/complain directly to the CLA.

### **Chief Labour Administrator and Royal Civil Service Commissioner**

270. Receive complaint in case the victim or complainant is not satisfied with the outcome of the ICP, or if the victim desires to by-pass the ICP.
271. The Civil Services Commissioner shall forward complaints of sexual harassment received from the Civil Services Help Desk to the Competent Authority within 7 days.
272. The complaint must be received in writing identifying the employer, identifying the alleged harasser or harassers, describing the incident or incidents including places, times and dates, naming any witnesses, and sign the complaint.
273. The CLA/ CSC shall assist the complainant in formulating the complaint if necessary
274. The CLA/CSC shall acknowledge the receipt of the victim's complaint immediately
275. The CLA/ CSC shall notify the CA and PO for information upon receiving a complaint
276. The CLA shall notify the employer of the complaint within 7 days from the receipt of the complaint from the victim.
  - a. The notification shall indicate the name of the complainant, the name of the alleged harasser or harassers, and the details of the harassment, including any witnesses.

- b. The employer shall be directed to investigate the complaint and provide a response including specific action taken, if any, to the CLA within 7 working days of receipt of the notification
277. The CLA shall notify the PO and Competent Authority upon receiving a complaint within 24 hours
278. If the CLA deems necessary support may be sought from the PO, SWO and Competent Authority.
279. The CLA shall advise the victim that she can seek assistance from the PO and/or SWO, if she so desires.
280. The CLA shall decide the action to be taken as a result of the employer's investigation and report and ensure no further action is required and communicate this decision to the complainant; or alternatively, the CLA may decide that further investigation is required.
281. If further investigation is required, the CLA shall appoint a person to investigate the complaint and such person shall be a Labour Relations Officer, but shall be any person with a reputation for impartiality and fairness and with sufficient knowledge and skills to conduct a thorough and independent investigation.
282. The person appointed to investigate shall report to the CLA within 7 working days from the date of appointment, with such report indicating whether mediation is a possible means to resolve the issue.
283. If the CLA decides that mediation may possibly resolve the issue, the CLA shall appoint a mediator to bring the alleged harasser, employer and victim to a conference in an attempt to resolve the issue.
284. Once appointed, the mediator shall take steps to resolve the issue as quickly as possible and shall report to the CLA on the outcome of the mediation process within 7 working days of having taken a decision.
285. If mediation does not resolve the case, the CLA shall take steps to place the case before a Court of law in Bhutan as soon as reasonably possible.
286. If the CLA decides that mediation will not help resolve the issue, the CLA shall take steps to place the case before a court of law in Bhutan within 10 working days.

287. The CLA shall submit a report of the case to the Competent Authority and to the PO within whose jurisdiction the organization is located within 7 working days.
288. The CLA shall ensure that an annual report on sexual harassment is collated and circulated to relevant departments including NCWC, and police.

### **Internal Grievance Procedure**

289. The employer shall prepare the grievance procedure in consultation with the worker's association/employees of the organization.
290. The grievance procedure shall comprise of a number of clearly defined steps; and each step shall indicate:
  - a. what the complainant shall do;
  - b. who shall receive the complaint;
  - c. the time period in which the complaint shall be dealt with; and
  - d. the records to be maintained.
291. The employer shall make clear to all employees the name and position of each employee's immediate supervisor to ensure that a complainant knows who to contact in the event of a complaint. If the complaint is against the WIDC's immediate supervisor, the WIDC shall have the right to lodge the complaint to any of the managers/supervisors deemed appropriate by her.
292. The employer shall take steps to ensure that supervisor's/manager at each level in the internal grievance procedure is aware of their roles and responsibilities.
293. An employee lodging a complaint under a grievance procedure shall be entitled to have a representative of the workers' association to assist her or, if no such association exists, shall be entitled to seek the assistance of another employee in the enterprise or another person outside the enterprise.
294. An employee lodging a complaint under a grievance procedure shall be entitled to have time off during working hours to take advantage of the procedure, such time off to be paid at the same rate as if the employee was working.

295. The enterprise shall compile a list of third party facilitators to be contacted and used at the last step in the procedure shall the complaint not be resolved at an earlier step.
296. If the WIDC is not satisfied with the manner in which her complaint is being dealt with or is of the opinion that the outcome has been compromised, the WIDC shall notify the Chief Labour Administrator or the competent Court.

### **Complaint Redressal related to gender based discrimination and sexual harassment in RCSC**

297. The Civil Service Support Desk shall receive complaints related to conflicts, gender based discrimination in the work place and sexual harassment.
298. The RCSC as central personnel agency of the government, to the possible extent, shall resolve the complaints related to conflicts and gender based discrimination in the work place.
299. The complaints related to sexual harassment shall be submitted in a prescribed format to an appropriate authority like the Competent Authority for necessary actions within 5 working days of having received the complaint.

### **Designated Doctor/ One Stop Crisis Centre**

300. Ensure that the victim brought into the hospital is directed to the One-Stop Crisis Centre/ trained doctor / trained health assistant.
301. Support and encourage the victim to report by making her aware of the various options she can access for assistance.
302. The doctor/ health professional shall inform the police along with the medical report if the victim so desires or when the doctor/ health professional feels it is necessary
303. The doctor shall inform the police if it is known that the defendant within 24 hours:
  - a. Is a recidivist
  - b. Is likely to pose a grave risk of death or serious bodily injury to the victim
  - c. Impairs or likely to impair the health or development of the victim
  - d. Causes or likely to cause bodily injury to the victim with a weapon

- e. Conducted sexual offence that humiliates, degrades or otherwise violates the dignity of the victim
  - f. Committed domestic violence as a result of intoxication
304. Provide medical examination, medico-legal services, treatment and referral for other specialized care facilities in the hospital
  305. Ensure that there is a female staff/family member/person who the victim trusts while conducting examinations.
  306. The health personnel preferably of the same sex shall conduct medical examination of the victim with due regard to the right of privacy of the victim
  307. Keep the victim informed about medical condition.
  308. Interact with the victim and her family with sensitivity.
  309. Place the victim in a separated area for treatment where she gets maximum privacy
  310. The doctor of the one stop crisis centre shall maintain record of all cases of WIDC and share information with the Competent Authority
  311. The health personnel shall maintain confidentiality of all cases of WIDC other than what is legally mandatory to be reported to Courts, police, or the Competent Authority.
  312. The health personnel shall facilitate victim's access to other support services like shelter, counselling, and legal services by linking her/coordinating with the Protection Officer and Social Welfare Officer.
  313. Health service provider shall ensure prominent display of signage leading the victim to the OSCC.
  314. The Health service provider shall ensure a separate segregated space for the victim while she undergoes examination and treatment in the health care facility.

### **Educational Institution**

315. The educational institution shall ensure that the children of any WIDC are recognized as CIDC and the case is forwarded to the Protection Officer/Social

Welfare Officer/OSCC and or other concerned agencies and procedure outline for CIDC is followed.

316. Head of institution/SGC/teachers shall engage with parents and children on the issue of violence against women and children through platforms, which include parent teacher meetings, parent school association meetings and any other events conducted by the educational institution.

**Local Government leaders (Gup, Mangmi, elected representative of Dzonkhag Thromde, Yenla Throm, Kidu Program Officer)**

317. Report every case/complaint of WIDC received to the PO or police or Competent Authority for further necessary steps to be taken.
318. Follow-up with WIDC and their families to ensure the safety of the WIDC and her reintegration into society.
1. Assist Competent Authority/PO in locating the defendant if requested
  2. Provide educational support for children of WIDC
  3. Conduct home visits to ensure safety of WIDC and her children if any
  4. Link the family to welfare services
  5. Ensure any other support required
  6. Undertake awareness and advocacy related activities.

**Media**

319. The mass media shall:
- a. The Media shall assist in the promotion of women's rights and responsibilities in line with the Guidelines for Sensitive Reporting on Women and Children's Issues may be included.
  - b. Maintain professional standards including privacy in reporting and covering cases of domestic violence
  - c. Assist the prevention and creation of awareness on protection of women from violence and exploitation through positive publications
  - d. Not publish any matter on adjudication of proceedings related to cases of violence and exploitation of WIDC in any form unless authorized by the Court

- e. Protect the best interest of the victim by not publishing in any form the details of case and identity of the victim.
- f. Assist the NCWC publicity of reports and information related to exploitation and violence against women.
- g. Attend training and capacity building programs organized by the NCWC from time to time.

### **Civil Society Organization**

- 320. Report every case/complaint of WIDC received to the PO or police or Competent Authority for further necessary steps to be taken.
- 321. Work in collaboration with PO to implement case plan as per orders of the WCWC or Competent Authority or Courts for WIDC.
- 322. Provide services such as shelter, counselling, support for education, legal aid, vocational training, home visits, case follow-up as ordered by Competent Authority, WCWC or requested by the PO.
- 323. Share community based resources such as trained community volunteers, children/youth/ women groups for reporting of cases, maintaining vigilance, follow-up of cases, home visits.
- 324. Conduct awareness and advocacy in communities and with local government.

### **Women in other forms of Difficult Circumstances**

- 325. In the event of receiving a complaint pertaining to women who are deserted, neglected or without any social and economic support, the Competent Authority first of all facilitate for a crisis management session.
- 326. Following which, immediate relief of food, clothes and interim shelter for the initial 48 hours at the maximum shall be provided.
- 327. Cases of such nature shall be recorded in a prescribed format made by Competent Authority, which shall contain:
  - a. the name and age;
  - b. the reasons for the women to be under such a circumstance;

- c. people with immediate relationship to the woman;
- d. Any other information, if necessary.

- 328. The Competent Authority, within 48 hours will facilitate for referral to relevant agencies and service providers to ensure that the woman receives proper care, counselling and rehabilitation support.
- 329. The Competent Authority shall monitor the case regularly, with the first session exactly 30 days after the receipt of complaint.
- 330. The Competent Authority in consultation with the service provider and with evidences of adequate progress identifies, facilitate and support for the reintegration of such woman.
- 331. The Competent Authority will establish proper linkages to the authorities within the location of the woman's reintegration, to ensure adequate support and guidance.

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