

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15th Congress
First Regular Session

House Bill No. 3447

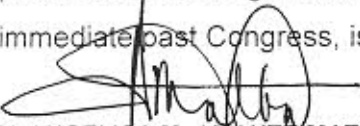
Introduced by REPRESENTATIVES MA. ANGELICA M. AMANTE-MATBA, MARIA ISABELLE G. CLIMACO,
LUZVIMINDA C. ILAGAN & REENA CONCEPCION G. OBILLO

EXPLANATORY NOTE

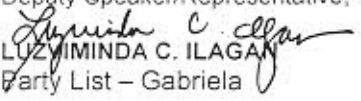
The proposed measure will in effect amend an existing law, Republic Act 8505 (Rape Victim Assistance and Protection Act of 1998) so as not to limit the law's mandate of operating crisis centers in every province and city merely to rape victims, but for other victims as well of prostitution, sexual exploitation, domestic violence, trafficking and other unfortunate circumstances.

There shall be established in every province and city of the country Resource Development and Crisis Assistance Centers for women and children, hereinafter referred to as the "Centers." These centers shall be under the management and supervision of the Department of Social Welfare and Development (DSWD) in consultation and in coordination with concerned local government units. They shall have specific functions among which are to ensure comprehensive and integrated services and enhance public awareness of issues and promote community participation.

Approval of this laudable measure painstakingly worked on and finetuned by our predecessor-colleagues in the Committee on Women & Gender Equality during the immediate past Congress, is earnestly sought for.


MA. ANGELICA M. AMANTE-MATBA
Representative, 2nd District of Agusan del Norte
Chairperson, 15th Congress Committee on Women & Gender Equality


MARIA ISABELLE G. CLIMACO
Deputy Speaker/Representative, 1st District – Zamboanga


LUZVIMINDA C. ILAGAN
Party List – Gabriela


REENA CONCEPCION G. OBILLO
Party List – Una ang Pamilya

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House Bill No. **3447**

Introduced by REPRESENTATIVES MA. ANGELICA M. AMANTE-MATBA, MARIA ISABELLE G.
CLIMACO, LUZVIMINDA C. ILAGAN, REENA CONCEPCION G. OBILLO

AN ACT

AMENDING REPUBLIC ACT NO. 8505, OTHERWISE KNOWN AS THE "RAPE VICTIM ASSISTANCE AND
PROTECTION ACT OF 1998" AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. Section 1 of Republic Act No. 8505 shall be amended to read as follows:

2
3 "SECTION 1. *Title.* – This Act shall be known as the [Rape Victim Assistance and Protection
4 Act of 1998] RESOURCE DEVELOPMENT AND CRISIS ASSISTANCE FOR WOMEN AND
5 CHILDREN ACT OF 2009."
6

7 SEC. 2. Section 2 of the same Act is hereby also amended to read as follows:

8 "SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to [provide
9 necessary assistance and protection for rape victims] TO VALUE THE DIGNITY OF WOMEN
10 AND CHILDREN, DEFEND THEIR RIGHTS, AND RECOGNIZE THEIR ROLE IN NATION-BUILDING
11 AND ALL OTHER IMMEDIATE ASSISTANCE AS MAYBE NECESSARY TO PROTECT THEM.
12 Towards this end, the [government shall coordinate its various agencies and non-
13 government organizations to work hand in hand for the establishment and operation of a
14 rape crisis center in every province and city that shall assist and protect rape victims in the
15 litigation of their cases and their recovery.] STATE SHALL ENSURE THE PROTECTION OF THEIR
16 FUNDAMENTAL RIGHTS AND SHALL PROVIDE THEM WITH FACILITIES AND OPPORTUNITIES
17 THAT WILL ENHANCE THEIR WELFARE AND ENABLE THEM TO REALIZE THEIR FULL
18 POTENTIALS IN THE SERVICE OF THE NATION. THE STATE SHALL ALSO ENDEAVOR TO
19 PROVIDE WOMEN AND CHILDREN WITH UTMOST SUPPORT AND ASSISTANCE WHICH SHALL

1 INCLUDE AMONG OTHERS LEGAL SERVICES, LIVELIHOOD AND SKILLS DEVELOPMENT,
2 PSYCHOLOGICAL COUNSELLING AND ALL OTHER ASSISTANCE NECESSARY TO PROTECT THEM
3 AGAINST ALL FORMS OF NEGLECT, ABUSE, CRUELTY, EXPLOITATION AND OTHER ACTS
4 PREJUDICIAL TO THEIR WELFARE AND DEVELOPMENT.
5

6 SEC. 3. Section 3 of the same Act is likewise amended to read as follows:

7 SEC. 3. [*Rape*] RESOURCE DEVELOPMENT AND *Crisis* ASSISTANCE *Center*S. — [The
8 Department of Social Welfare and Development (DSWD), the Department of Health (DOH),
9 the Department of the Interior and Local Government (DILG), the Department of Justice
10 (DOJ), and a lead non-government organization (NGO) with proven track record or
11 experience in handling sexual abuse cases, shall establish in every province and city a rape
12 crisis center located in a government hospital or health clinic or in any other suitable place
13 for the purpose of:

14
15 (a) Providing rape victims with psychological counseling, medical and health services,
16 including their medico-legal examination;

17
18 (b) Securing free legal assistance or service, when necessary, for rape victims;

19
20 (c) Assisting rape victims in the investigation to hasten the arrest of offenders and the filing
21 of cases in court;

22
23 (d) Ensuring the privacy and safety of rape victims;

24
25 (e) Providing psychological counseling and medical services when necessary for the family of
26 rape victims;

27
28 (f) Developing and undertaking a training program for law enforcement officers, public
29 prosecutors, lawyers, medico-legal officers, social workers, and barangay officials on human
30 rights and responsibilities; gender sensitivity and legal management of rape cases; and

31
32 (g) Adopting and implementing programs for the recovery of rape victims.
33

34 The DSWD shall be the lead agency in the establishment and operation of the Rape Crisis
35 Center.]

36
37 THERE SHALL BE ESTABLISHED IN EVERY PROVINCE AND CITY OF THE COUNTRY
38 RESOURCE DEVELOPMENT AND CRISIS ASSISTANCE CENTERS FOR WOMEN AND CHILDREN,
39 HEREINAFTER REFERRED TO AS THE "CENTERS." THESE CENTERS SHALL BE UNDER THE

1 MANAGEMENT AND SUPERVISION OF THE DEPARTMENT OF SOCIAL WELFARE AND
2 DEVELOPMENT (DSWD) IN CONSULTATION WITH CONCERNED LOCAL GOVERNMENT UNITS.

3
4 A. COMPOSITION OF THE INTER-AGENCY COUNCIL TO BE KNOWN AS THE ADVISORY
5 COUNCIL –

6 AN INTER-AGENCY COUNCIL SHALL BE CONVENED TO SET THE CRITERIA FOR THE
7 SELECTION OF THE SITES OF THE CENTERS ALL OVER THE COUNTRY. THE COUNCIL SHALL BE
8 COMPOSED OF AUTHORIZED REPRESENTATIVES FROM THE DEPARTMENT OF SOCIAL
9 WELFARE AND DEVELOPMENT (DSWD), DEPARTMENT OF THE INTERIOR AND LOCAL
10 GOVERNMENT (DILG), DEPARTMENT OF HEALTH (DOH), DEPARTMENT OF TRADE AND
11 INDUSTRY (DTI), DEPARTMENT OF EDUCATION (DEPED), DEPARTMENT OF LABOR AND
12 EMPLOYMENT (DOLE), DEPARTMENT OF JUSTICE (DOJ), NATIONAL ECONOMIC AND
13 DEVELOPMENT AUTHORITY (NEDA), NATIONAL COMMISSION ON THE ROLE OF FILIPINO
14 WOMEN (NCRFW), NATIONAL YOUTH COMMISSION (NYC), TECHNICAL EDUCATION AND
15 SKILLS DEVELOPMENT ACADEMY (TESDA), THE WOMEN AND CHILDREN PROTECTION DESK
16 OF THE PHILIPPINE NATIONAL POLICE (PNP), THE COMMISSION ON HIGHER EDUCATION
17 (CHED) AND NON-GOVERNMENT AND PEOPLE'S ORGANIZATIONS DULY ACCREDITED BY
18 NATIONAL GOVERNMENT AGENCIES SHALL BE INCLUDED AS MEMBERS OF ADVISORY
19 COUNCIL. THE INTER-AGENCY COUNCIL, DULY CHAIRED BY THE DSWD, SHALL ALSO ACT AS
20 AN ADVISORY COUNCIL TO OVERSEE THE EFFECTIVE IMPLEMENTATION OF THE CENTERS'
21 PROGRAMS.

22
23 B. *FUNCTIONS OF THE CENTERS.* –

24 THE CENTERS SHALL HAVE THE FOLLOWING FUNCTIONS TO ENSURE
25 COMPREHENSIVE AND INTEGRATED SERVICES:

- 26 1. TO SERVE AS THE VENUE FOR CONSCIOUSNESS-RAISING, CAPABILITY-BUILDING
27 AND FUNCTIONAL LITERACY ENHANCEMENT PROGRAMS, AMONG OTHERS, THAT
28 WILL ENHANCE PUBLIC AWARENESS OF ISSUES AND PROMOTE COMMUNITY
29 PARTICIPATION;
- 30 2. TO UNDERTAKE PROGRAMS GEARED TOWARDS THE DEVELOPMENT OF
31 MATERNAL AND CHILD HEALTH CARE, SELF-ENHANCEMENT AND THE
32 DEVELOPMENT OF SKILLS FOR LIVELIHOOD GENERATION, SOCIAL
33 COMMUNICATION, AND OTHER RELATED SKILLS WHICH WILL HELP WOMEN AND
34 CHILDREN TO BECOME PRODUCTIVE MEMBERS OF SOCIETY;
- 35 3. TO PROVIDE FREE LEGAL SERVICES, MEDICAL ASSISTANCE INCLUDING MEDICO-
36 LEGAL EXAMINATIONS AND PSYCHOLOGICAL COUNSELLING TO VICTIMS OF RAPE

1 AND OTHER CASES OF VIOLENCE AGAINST WOMEN AND CHILDREN ENSURING
2 THEIR PRIVACY AND SAFETY;

- 3 4. TO UNDERTAKE ACTIVITIES RELATED TO MORAL RECOVERY AND GENDER-
4 SENSITIVE VALUE FORMATION, COUNSELING, REHABILITATION AND PSYCHO-
5 SOCIAL PROGRAMS;
- 6 5. TO PROVIDE TEMPORARY SHELTER TO ABUSED WOMEN AND THEIR CHILDREN;
- 7 6. TO ASSIST RAPE VICTIMS OR VICTIMS OF OTHER FORMS OF ABUSES IN THE
8 INVESTIGATION TO HASTEN THE ARREST OF OFFENDERS AND THE FILING OF
9 CASES IN COURT;
- 10 7. TO PROVIDE PSYCHOLOGICAL COUNSELING AND MEDICAL SERVICES WHEN
11 NECESSARY FOR THE FAMILY OF RAPE VICTIMS OR VICTIMS OF OTHER FORMS OF
12 ABUSES;
- 13 8. TO PROVIDE SKILLS TRAINING OR LIVELIHOOD ASSISTANCE TO SURVIVORS OF
14 VIOLENCE;
- 15 9. TO STRENGTHEN AND FACILITATE LINKAGES OF WOMEN'S AND CHILDREN'S
16 GROUPS AND ORGANIZATIONS WITH RELEVANT GOVERNMENT AGENCIES AND
17 LOCAL GOVERNMENT UNITS TO MAXIMIZE THE DELIVERY OF BASIC AND
18 SUPPORT SERVICES FOR WOMEN AND CHILDREN AND ADVOCATE FOR THE
19 PROTECTION AND ADVANCEMENT OF THEIR RIGHTS;
- 20 10. TO DEVELOP AND UNDERTAKE A CONTINUING CAPACITY-BUILDING AND
21 TRAINING PROGRAM FOR FRONTLINE SERVICE PROVIDERS INCLUDING BUT NOT
22 LIMITED TO; LAW ENFORCEMENT OFFICERS, PUBLIC PROSECUTORS, LAWYERS,
23 MEDICO-LEGAL OFFICERS, PSYCHOLOGISTS, DEVELOPMENT WORKERS, SOCIAL
24 WORKERS, HEALTH WORKERS, THERAPISTS AND BARANGAY OFFICIALS ON
25 HUMAN RIGHTS AND RESPONSIBILITIES; GENDER SENSITIVITY AND LEGAL/CASE
26 MANAGEMENT OF SITUATIONS/CASES INVOLVING WOMEN AND CHILDREN; AND
27 11. TO PERFORM SUCH OTHER FUNCTIONS AS MAY BE NECESSARY TO CARRY OUT
28 THE OBJECTIVES OF THIS ACT.

29
30 C. *CLIENTS OF THE CENTERS –*

31 ALL WOMEN AND CHILDREN UNDER THE FOLLOWING CIRCUMSTANCES SHALL BE
32 ENTITLED TO PROTECTION AND ASSISTANCE BY THE CENTER:

- 33 1. VICTIMS OF PROSTITUTION AND SEXUAL EXPLOITATION;
- 34 2. VICTIMS OF DOMESTIC VIOLENCE, ABUSE AND BATTERY ;
- 35 3. VICTIMS OF RAPE, INCEST, SEXUAL ABUSE, HARASSMENT OR MOLESTATION;
- 36 4. VICTIMS OF ILLEGAL RECRUITMENT, TRAFFICKING AND/OR LABOR EXPLOITATION;
- 37 5. VICTIMS OF ARMED CONFLICT, NATURAL OR ENVIRONMENTAL DISASTERS WHO ARE
38 SUFFERING FROM TRAUMA DUE TO THE TRAGIC DEATH OR DISPLACEMENT OF
39 FAMILY MEMBERS, DISLOCATION OR LOSS OF LIVELIHOOD;
- 40

6. ABANDONED AND RUN-AWAY WOMEN AND CHILDREN
7. WOMEN AND CHILDREN IN DETENTION;
8. VICTIMS OF ANY FORM OF VIOLENCE AND SUFFERING FROM ANY CRISIS SITUATION;
9. VICTIMS SUFFERING FROM MENTAL, EMOTIONAL, PSYCHOLOGICAL AND PHYSICAL
DISABILITIES NEEDING SPECIAL SUPPORT AND ASSISTANCE; AND
10. VICTIMS OF OTHER CIRCUMSTANCES AS MAY BE DETERMINED BY THE DSWD.

D. *PERSONNEL/STAFF COMPLEMENT OF THE CENTERS –*

EACH CENTER SHALL BE HEADED BY A FEMALE DIRECTOR WHO HOLDS A BACHELOR'S DEGREE IN SOCIAL WORK OR COMMUNITY DEVELOPMENT OR SIMILAR COURSES, HAS A MINIMUM EXPERIENCE OF FIVE (5) YEARS IN COUNSELLING, SOCIAL AND PSYCHOLOGICAL SERVICES AND OTHER RELATED FIELD OR EXPERIENCE, AND POSSESSES A PROVEN TRACK RECORD AS AN ADVOCATE OF WOMEN'S ISSUES AND EXPERTISE IN GENDER-RESPONSIVE TRAININGS AND PROGRAMS FOR CAPABILITY-BUILDING AND IS OF GOOD MORAL CHARACTER.

THE SECRETARY OF THE DSWD, IN CONSULTATION WITH CONCERNED LOCAL GOVERNMENT UNIT HEADS SHALL APPOINT THE CENTER DIRECTOR AND OTHER PERSONNEL AND STAFF OF THE CENTER COMPOSED OF THE SOCIAL WORKER, TRAINER AND TWO ADMINISTRATIVE SUPPORT STAFF ON PERMANENT BASIS AND COMMENSURATE COMPENSATIONS SUBJECT TO NECESSARY QUALIFICATIONS UNDER CIVIL SERVICE RULES AND REGULATIONS.

VOLUNTEERS FROM THE VARIOUS NON-GOVERNMENT ORGANIZATIONS MAY EXTEND PROFESSIONAL, HOUSEHOLD, RECREATIONAL, AND TRAINING EXPERTISE TO THE CENTER. STUDENTS OF SOCIAL WORK AND WOMEN STUDIES AND OTHER RELATED PROGRAMS WHO ARE IN PRACTICUM COURSES MAY RENDER VOLUNTARY SERVICES TO THE CENTER. THE PERSONNEL AND STAFF AS WELL AS VOLUNTEER WORKERS SHALL UNDERGO REGULAR TRAININGS ON HOW BEST TO HANDLE THE DIFFERENT SITUATIONS OF THE BENEFICIARIES OF THE CENTERS.

SEC. 4. *REHABILITATION AND DEVELOPMENT PROGRAM.* – THE DSWD IN CONSULTATION WITH THE INTER-AGENCY COUNCIL CONVENED UNDER SECTION 3 (A) HEREOF SHALL WITHIN SIX (6) MONTHS FROM THE APPROVAL OF THIS ACT, FORMULATE A PROGRAM FOR

1 THE REHABILITATION, DEVELOPMENT AND PROTECTION OF WOMEN AND CHILDREN,
2 MENTIONED IN SECTION 3(B) HEREOF. THE COUNCIL SHALL ALSO OVERSEE THE EFFECTIVE
3 IMPLEMENTATION OF THE PROGRAMS OF THE CENTER AND MONITOR THE
4 ACCOMPLISHMENTS OF PARTICIPATING AGENCIES. IT SHALL ALSO ACT AS AN ADVISORY
5 BOARD.

6
7 THE DSWD MAY CALL ON NATIONAL AGENCIES AND LOCAL GOVERNMENT UNITS,
8 ACADEMIC INSTITUTIONS AND INTERNATIONAL ORGANIZATIONS TO ASSIST IN THE
9 IMPLEMENTATION OF THIS ACT BY WAY OF PROGRAM COLLABORATION AND FUNDING
10 AUGMENTATION, AMONG OTHERS.

11
12 *SEC. 5. AUTHORITY TO ACCEPT DONATIONS.* — THE DSWD, THROUGH THE PRESIDENT OF
13 THE PHILIPPINES MAY ACCEPT DONATIONS AND GRANTS, BOTH DOMESTIC AND FOREIGN
14 FOR PURPOSES RELEVANT TO THE FUNCTIONS OF THE CENTERS. THE DONATIONS AND
15 GRANTS SHALL BE ALLOTTED TO THE VARIOUS CENTERS IN SUCH AMOUNT AS MAY BE
16 DEEMED BEST BY THE DSWD OR FOR THE PURPOSES SPECIFIED BY THE DONOR. SUCH
17 DONATIONS AND GRANTS SHALL BE SUBJECT TO PERTINENT ACCOUNTING AND AUDITING
18 RULES AND REGULATIONS.

19
20 *SEC. 6. APPROPRIATIONS.* - THE AMOUNT NECESSARY FOR THE EFFECTIVE
21 IMPLEMENTATION OF THIS ACT SHALL BE CHARGED TO THE APPROPRIATIONS FOR THE
22 DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT UNDER THE CURRENT GENERAL
23 APPROPRIATIONS ACT. THEREAFTER, SUCH SUM AS MAY BE NECESSARY FOR THE
24 CONTINUED OPERATION AND MAINTENANCE OF THE CENTERS SHALL BE INCLUDED IN THE
25 ANNUAL GENERAL APPROPRIATIONS ACT.

26
27 *SEC. 7. IMPLEMENTING RULES AND REGULATIONS.* — WITHIN NINETY (90) DAYS UPON THE
28 APPROVAL OF THIS ACT, THE DSWD AND ALL CONCERNED AGENCIES SHALL FORMULATE
29 RULES AND REGULATIONS AS MAY BE NECESSARY FOR THE PROPER IMPLEMENTATION
30 THEREOF.

31
32 *SEC. 8. SEPARABILITY CLAUSE.* — IF ANY PART, SECTION OR PROVISION OF THIS ACT IS
33 DECLARED INVALID OR UNCONSTITUTIONAL, THE OTHER PARTS THEREOF NOT AFFECTED
34 THEREBY SHALL REMAIN VALID.

35
36 *SEC. 9. REPEALING CLAUSE.* — ALL LAWS, ACTS, PRESIDENTIAL DECREES, EXECUTIVE ORDERS,
37 ADMINISTRATIVE ORDERS, RULES AND REGULATIONS INCONSISTENT WITH OR CONTRARY
38 TO THE PROVISIONS OF THIS ACT ARE DEEMED AMENDED, MODIFIED OR REPEALED
39 ACCORDINGLY.

SEC. 10. EFFECTIVITY. — THIS ACT SHALL TAKE EFFECT FIFTEEN (15) DAYS AFTER COMPLETION OF ITS PUBLICATION IN AT LEAST TWO (2) NEWSPAPERS OF GENERAL CIRCULATION.

APPROVED,

9	EACH CENTER SHALL BE HEADED BY A FEMALE DIRECTOR WHO HOLDS A BACHELOR'S
10	DEGREE IN SOCIAL WORK OR COMMUNITY DEVELOPMENT OR SIMILAR CORRESPONDING
11	MINIMUM EXPERIENCE OF FIVE YEARS
12	PERSONNEL/STAFF COMPLEMENT OF THE CENTERS —