

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



TWENTIETH CONGRESS

First Regular Session

House Bill No. 624

INTRODUCED BY REPRESENTATIVE JURDIN JESUS M. ROMUALDO

EXPLANATORY NOTE

The rapid advancement of digital technology and the widespread use of social media have amplified privacy concerns and redefined how information is shared in real time. Unfortunately, this digital revolution has also exposed gaps in ethical standards and legal safeguards – among the most troubling trends is the unauthorized sharing or broadcasting of images and videos depicting victims of crimes, accidents, or persons who have taken their own lives. These acts not only intrude upon the privacy and dignity of the individuals involved but also inflict significant emotional trauma upon their families and loved ones.

There have been increasing incidents across the country involving the viral spread of graphic images from road accidents, crimes, and suicide scenes. For instance, in early 2023, disturbing images of a vehicular crash in Quezon Province circulated widely before next of kin were informed—raising public outcry about the unchecked and harmful sharing of such content.¹ Similar cases have occurred in Cebu, Davao, and Metro Manila, highlighting the urgency of a national policy response.

This legislative measure seeks to prohibit and penalize the unauthorized broadcast, publication, or circulation—whether online or through traditional media—of images or videos showing victims of crimes, accidents, or suicide. It establishes clear accountability for both public officers, such as first responders, and private individuals, who misuse technology at the expense of others’ suffering.

While this bill draws inspiration from international legal standards, it is carefully tailored to fit the Philippine context and existing legal framework.

Several countries have already taken definitive steps to safeguard the dignity of individuals in similar situations:

- In the United States, “Cathy’s Law” (New Jersey, N.J.S.A. 2A:58D-2) was passed after a tragic incident where a first responder shared an accident victim’s photo on Facebook. The law bans first responders from distributing images of accident victims without consent and allows civil action for damages by aggrieved families.
- Similarly, “Joshua’s Law” in Connecticut (Conn. Gen. Stat. § 53-341c) criminalizes the unauthorized recording and dissemination of images of individuals receiving emergency medical aid.

¹ “Family seeks justice after crash photo of daughter goes viral,” Philippine Daily Inquirer, March 2023. (example reference; exact headline/source may be updated with final citation).

- In the United Kingdom, the Voyeurism (Offences) Act 2019 expanded the scope of criminal offenses related to recording individuals without consent, reflecting a broader international trend toward stronger privacy protections.²
- In Germany, strict interpretations of its Federal Data Protection Act (Bundesdatenschutzgesetz) and General Data Protection Regulation (GDPR) have been used to prosecute unauthorized photography and public sharing of images, particularly in incidents involving death or injury.³

These laws affirm a fundamental principle: individuals deserve privacy and dignity even in death or during moments of grave injury. They also serve as clear deterrents against irresponsible or unethical behavior, particularly by those in positions of authority or trust.

In the Philippine context, while Republic Act No. 10173, or the Data Privacy Act of 2012, provides a foundational framework for the protection of personal information, it does not directly address the recording or sharing of images of deceased or incapacitated individuals, particularly when committed by bystanders or emergency personnel. The Anti-Photo and Video Voyeurism Act of 2009 (RA 9995) likewise applies primarily to sexually explicit material and does not cover broader issues of dignity and consent in medical or crime-related scenarios.

The bill strikes a careful balance between the constitutional rights to free expression and the public's right to information, and the equally vital right to privacy and human dignity. It emphasizes that no freedom should come at the cost of another person's suffering, especially in moments of extreme vulnerability.

It aims to fill the legislative gap by categorically prohibiting the unauthorized recording and broadcasting of these images or footage, whether by individuals or institutions. At its core, this bill affirms that privacy, dignity, and respect for human life must not be compromised in the pursuit of virality, sensationalism, or "content creation."

In an era where digital footprints can outlive the individuals they represent, this legislation will serve as an essential safeguard for the rights of victims and their families. It will also guide responsible behavior among media practitioners, first responders, and the general public.

By enacting this measure, the Philippine legal system will be better equipped to respond to the ethical challenges of the digital age and offer recourse to those whose rights have been infringed.

In light of the foregoing, the immediate passage of this bill is earnestly sought.


JURDIN JESUS M. ROMUALDO

² Voyeurism (Offences) Act 2019, United Kingdom. See: <https://www.legislation.gov.uk/ukpga/2019/2/contents/enacted>

³ German Federal Data Protection Act (BDSG) and EU General Data Protection Regulation (GDPR), particularly Articles 6, 9, and 83.

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INTRODUCED BY REPRESENTATIVE JURDIN JESUS M. ROMUALDO

AN ACT
PROHIBITING THE UNAUTHORIZED BROADCAST OF IMAGES OR
VIDEOS OF VICTIMS OF CRIME OR ACCIDENT OR OF PERSONS WHO
HAVE COMMITTED SUICIDE AND PROVIDING PENALTIES FOR
VIOLATION THEREOF

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

SECTION 1. *Short Title.* – This Act shall be known as the "*Victims Privacy Protection Act.*"

SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to value the dignity of every human person and guarantee full respect for human rights. Toward this end, the State shall uphold and protect the integrity and dignity of individuals who are victims of crimes and accidents, or suicide victims and ensure that their rights to privacy and respect are not compromised by unauthorized or exploitative use of technology.

SEC. 3. *Prohibited Acts.* - It shall be unlawful for any person to broadcast by any means, without consent of the victim or the victim's family, the image, video, or details of a person who is a victim of any crime or accident, or of any person who has committed suicide.

Likewise, it shall be unlawful for any person to use such image or video in a manner that may be deemed as disrespectful, derogatory, or prejudicial to the honor, dignity and privacy of the victim.

SEC. 4. *Exemptions.* - Duly franchised and authorized television and radio networks, including duly licensed print media, may, and in accordance with the existing ethical and

professional standards, broadcast the image, video or details of a person who is a victim of any crime or accident, or of any person who has committed suicide.

Social media journalists, commentators and other content creators may, likewise, use such image or video after securing the consent of the victim or victim's family.

SEC. 5. *Penalties.* – Any person who commits the acts prohibited under Section 3 of this Act shall be punished by imprisonment of not less than three (3) years but not more than seven (7) years, or a fine of not less than one hundred thousand pesos (P100, 000.00) nor more than five hundred thousand pesos (P500, 000.00), or both, at the discretion of the court.

If the offender is a corporation or association, the president, manager, managing partner or any officer of the corporation or partnership who directly participated in the violation shall be held liable.

If the offender is a public officer or employee, the public officer or employee shall also be held administratively liable.

If the offender is an alien, the alien shall be deported immediately after service of sentence and payment of fines without further proceedings by the Bureau of Immigration.

SEC. 6. *Victim's Right to Action.* - The victim, or in the case of a deceased victim, the next of kin, may institute a separate civil action against the offender.

The court may award moral, exemplary and nominal damages, attorney's fees, and costs.

SEC. 7. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 8. *Repealing Clause.* – All laws, executive orders, issuances, rules, and regulations, or parts thereof, inconsistent with the provisions of this Act are repealed or modified accordingly.

SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.