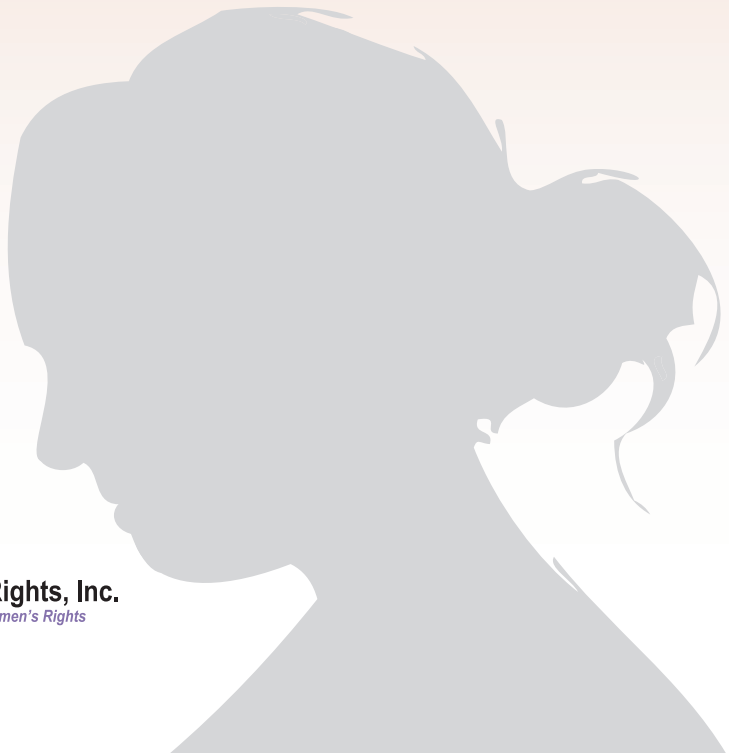


What You Should Know When Assisting Violence against Women Survivors



EnGenderRights, Inc.
Asserting Women's Rights



Step-by-Step Procedure to File Violence against Women and Children Complaints under RA 9262

STEP 1 - Get **immediate assistance** from the **police¹ or barangay**

- Police or barangay may arrest the offender if the arrest qualifies as a lawful warrantless arrest;
- Police may confiscate any deadly weapon in the possession of the perpetrator or within plain view and assist the survivor in removing personal belongings from the house

STEP 2 – Get **Referral Letter for medico-legal exam** from the police

STEP 3 – Get **immediate medico-legal exam** from:

- a) PNP Crime Laboratory (e.g., Camp Crame Crime Laboratory, Quezon City PNP Station 10);
- b) Women and Children Protection Units and Protection Centers at government hospitals;
- c) Emergency rooms of government hospitals (e.g., Quezon City General Hospital)

STEP 4 – Get copy of the **Complaint-Affidavit (Sinumpaang Salaysay)** for violation of the Anti-Violence against Women and their Children Act (RA 9262) at the police station

STEP 5 – Get the **Barangay Protection Order (BPO)** from the barangay to protect the survivor and her children against physical harm and threats of physical harm

STEP 6 – File the **criminal complaint (Complaint-Affidavit/Sinumpaang Salaysay)** with the **Prosecutor's Office** that has jurisdiction

STEP 7 – Get the **Temporary/Permanent Protection Order** by filing the petition with the Regional Trial Court/Family Court where the survivor resides or with the court hearing the criminal complaint

STEP 8 – Get **counseling** and **counseling/psychological/psychiatric evaluation report** from:

- a) Quezon City Protection Center for Gender-based Violence, QC General Hospital and Medical Center, Seminary Road, Quezon City;

¹Specifically, Philippine National Police-Women and Children Protection Desks (PNP-WCPD) or PNP-CIDG/CIDT/CIDU Women and Children Protection Division/Desk that has jurisdiction

- b) UP-PGH Women’s Desk;
- c) UP-PGH Child Protection Unit or any Women and Children Protection Unit in the locality;
- d) Women’s Crisis Center, St. Scholastica Archives & Museum Center, Pablo Ocampo St., Manila;
- e) National Center for Mental Health for survivors with mental disability;
- f) Any center providing such services (e.g., Psychiatry Department, Eastern Visayas Regional Medical center (EVRMC); Mental Health Dept., Cotabato Regional & Medical Center)

STEP 9 – Refer the survivor to a **shelter** if necessary

HOTLINES/USEFUL CONTACTS

Metro Manila

Philippine National Police - Dial 117; trunkline (02)7230401
 PNP Women and Children Protection Division (WCPD), CIDG – (020)5846511; (02)7230401 loc. 5232
 PNP Crime Laboratory – (02)4143334; (02)7230401 loc. 4436
 PNP DNA – (02)7230401 loc. 4516
 PNP Anti-Cybercrime Group (ACG) –(02)4141550
 NBI Anti-VAWC Division - (02)5256028; (02)3027623; (02)5238231 to 38 Loc. 3444
 NBI Cyber Crime Division - (02)5238231 to 38 Loc. 3454
 NBI Anti-Trafficking – (02)5238231 to 38
 Inter-Agency Council Against Trafficking (IACAT) Action Line – Dial 1343
 Center for the Prevention and Treatment of Child Sexual Abuse (CPTCSA) – (02)4347528; (02)4267839
 International Justice Mission (IJM) - (02)6373983; (02)6385615; (02)6385621
 QC Protection Center, QC General Hospital and Medical Center, Seminary Rd., Quezon City - (02) 4261318 loc.1047
 Women Crisis Center (WCC), Manila City –0928-4200859/0999-5779631/0916-2467470

Visayas

Tacloban, Leyte

Women & Children Protection Unit (WCPU), Eastern Visayas Regional Medical Center (EVRMC) – (053) 8321126
 Tacloban Central Police Station – 09176317752
 City Social Welfare and Development Office (CSWDO) – 09159664456 (Lilli Baltazar, Social Worker, CSWDO)
 Women’s Shelter - 09289969244 (Carmela Bastes, Center Head, City Social Welfare)
 PNP Crime Laboratory, Police Regional Office 8, Camp Ruperto Kangleon, Palo, Leyte – (053)323-7730

Borongan City, Eastern Samar

WCPU, Eastern Samar Provincial Hospital (ESPH)– (055)5609555
 Eastern Samar Provincial Police Office– 09174268861; (055)2613830; 09998408922 (SPO1 Katherine Poro)
 Eastern Samar Provincial Social Welfare and Development Office (PSWDO) – 09176323855 (Gil Remabontan); 09218106742 (Julia Dulfo, RSW)
 Provincial Crisis Intervention Center – 09393589925 (Maria Myrla Arma)

Balangkayan, Eastern Samar

WCPU, LGU Balangkayan – 09177216694 (Dr. Nelsie Labro) ; 09062360115 (Daisy E. Rosaldo, WCPDO)

Salcedo, Eastern Samar

WCPU, LGU Salcedo – 09208049678 (Dr. Ma. Socorro S. Campo)

Mindanao

Touch Foundation, Cagayan de Oro City – 0916-8832652; 09208497663
 Mindanao Human Rights Action Centger (MinHRAC) Cotabato City -09057097515
 Community and Family Service Intgerational (CFSI) Cotabato City - 09175342374
 Iligan City Council of Women (ICCW), Iligan City – 09164007967/09358568454

Frequently Asked Questions on RA 9262

1) What is the law that penalizes Anti-Violence against Women and Their Children (Anti-VAWC)? The law on Anti-Violence against Women and Their Children Act or RA 9262.

2) Who are liable under RA 9262? Persons who are liable are the current or former husband/live-in partner or person the woman-survivor has or had sexual or dating (romantic/intimate) relationship.

3) Can a battered man file a case under the Anti-VAWC law? No.

4) Can a battered lesbian living with her lesbian partner seek protection under RA 9262? Yes.

5) What kind of protection orders can you get under RA 9262? The protection orders available under RA 9262 are Barangay Protection Order (BPO), Temporary Protection Order (TPO) and Permanent Protection Order (PPO).

6) Should the barangay use a confidential logbook for Anti-VAWC cases? Yes.

7) Should the police blotter for Anti-VAWC cases be in a separate blotter? Yes.

8) Should the medico-legal officer be of the same sex as the woman VAW survivor? Yes, as far as possible, the examining physician must be of the same sex as the survivor. In cases of children survivors, only persons expressly authorized by the survivor shall be allowed inside the medical examination (Sec. 48, Rules on RA 9262).

9) What acts are penalized under RA 9262? The following acts are penalized:

SEC. 5. Acts of Violence Against Women and Their Children.- The crime of violence against women and their children is committed through any of the following acts:

- (a) Causing physical harm to the woman or her child;
- (b) Threatening to cause the woman or her child physical harm;
- (c) Attempting to cause the woman or her child physical harm;
- (d) Placing the woman or her child in fear of imminent physical harm;

(e) Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or to desist from conduct which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physical or other harm or threat of physical or other harm, or intimidation directed against the woman or her child. This shall include, but not limited to, the following acts committed with the purpose or effect of controlling or restricting the woman's or her child's movement or conduct:

(1) Threatening to deprive or actually depriving the woman or her child of custody or access to her/his family;

(2) Depriving or threatening to deprive the woman or her children of financial support legally due her or her family, or deliberately providing the woman's children insufficient financial support;

(3) Depriving or threatening to deprive the woman or her child of a legal right;

(4) Preventing the woman in engaging in any legitimate profession, occupation, business or activity, or controlling the victim's own money or properties, or solely controlling the conjugal or common money, or properties;

(f) Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;

(g) Causing or attempting to cause the woman or her child to engage in any sexual activity which does not constitute rape, by force or threat of force, physical harm, or through intimidation directed against the woman or her child or her/his immediate family;

(h) Engaging in purposeful, knowing, or reckless conduct, personally or through another, that alarms or causes substantial emotional or psychological distress to the woman or her child. This shall include, but not be limited to, the following acts:

(1) Stalking or following the woman or her child in public or private places;

- (2) Peering in the window or lingering outside the residence of the woman or her child;
 - (3) Entering or remaining in the dwelling or on the property of the woman or her child against her/his will;
 - (4) Destroying the property and personal belongings or inflicting harm to animals or pets of the woman or her child; and
 - (5) Engaging in any form of harassment or violence;
- (i) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children or denial of access to the woman's child/children.

10) What are the penalties for the crimes under RA 9262? There shall be imprisonment, fine in the amount of P100,000.00-P300,000.00, and mandatory psychological counseling or psychiatric treatment, compliance of such treatment shall be reported to the court. The penalties and respective prescriptive periods are, as follows:

Crime	Penalty	Prescriptive Period
<p>Sec. 5 (a) - causing physical harm</p> <p>1) serious physical injuries (over 30 days medical attention);</p> <p>2) less serious physical injuries (10-30 days medical attention);</p> <p>3) slight physical injuries (1-9 days medical attention)</p>	<p>1) prison mayor [6 years. 1day –12 years];</p> <p>2) prison correccional [6 mos.,1 day - 6 years];</p> <p>3) arresto mayor [30 days, 1 day – 6 mos.]</p>	<p>20 years</p>

Crime	Penalty	Prescriptive Period
Sec. 5 (b) - Threatening to cause physical harm	No case lower than arresto mayor [not lower than 30 days, 1 day – 6 mos.]	20 years
Sec. 5 (c) - Attempting to cause physical harm	Arresto mayor [30 days, 1 day – 6 mos.]	20 years
Sec. 5 (d) - Placing in fear of imminent physical harm	Arresto mayor [30 days, 1 day – 6 mos.]	20 years
Sec. 5 (e) - Attempting to compel or compelling to engage in conduct which the woman or child has the right to desist from; or to desist from conduct which woman or child has the right to engage in	Prision correccional [6 mos., 1 day - 6 years];	20 years
Sec. 5 (f) - Inflicting or threatening to inflict physical harm on oneself	Arresto mayor [30 days, 1 day – 6 mos.]	20 years
Sec. 5 (g) - Causing or attempting to cause the woman or her child to engage in any sexual activity which does not constitute rape	Prision mayor [6 years. 1day –12 years];	10 years
Sec. 5 (h) - Engaging in reckless conduct that alarms or causes psychological distress (e.g., stalking; lingering outside the residence; entering or remaining in the dwelling; destroying property or inflicting harm to pets; any form of harassment or violence)	Prision mayor [6 years. 1day –12 years];	10 years

Crime	Penalty	Prescriptive Period
Sec. 5 (i) - Causing emotional anguish, public humiliation including repeated verbal and emotional abuse and denial of financial support or custody of minor children or denial of access to the woman's child/ children	Prison mayor [6 years. 1day –12 years];	10 years

11) Who can file a criminal complaint for violation of RA 9262? Any citizen who has personal knowledge of the circumstances involving the commission of the crime.

12) Are crimes under RA 9262 covered by the Katarungang Pambarangay?

No, crimes punishable under RA 9262 are not covered by the Katarungang Pambarangay because RA 9262 prohibits mediation and conciliation. Also, the Katarungang Pambarangay only covers offenses punishable with a maximum fine of P5,000 whereas the fine under RA 9262 is from P100,000-P300,000.

13) Is a survivor of violence under this Act entitled to damages? Yes, the survivor is entitled to actual, compensatory, moral and exemplary damages.

14) Which barangay should issue the BPO? The barangay where the woman resides permanently or temporarily (RA 9262 IRR) and/or the barangay where the abuser resides (RA 9262). Barangays where the survivor holds office have issued BPOs as well.

15) Who issues the BPO? The barangay official who issues the BPO is the Barangay Chairperson. In the absence of the chairperson, any Barangay Councilor may also issue the BPO.

16) When is the period for barangay officers to issue a BPO?

On the date the request/application was filed.

17) How many days is the BPO effective? 15 days.

18) Can the BPO be issued to prohibit the causing of threat, physical harm, harassing, annoying, telephoning, contacting, and communicating with the complainant abused woman? Yes (Sec. 13, Rule on RA 9262).

19) How can the BPO be validly served? There are two modes of valid service, as follows: (1) The BPO is deemed served upon receipt thereof by the respondent or by any adult who received the BPO at the address of the respondent; (2) In case the respondent or any adult at the residence of the respondent refuses to receive the BPO, it shall be deemed served by leaving a copy of the BPO at the said address in the presence of at

least two (2) witnesses. The barangay official serving the BPO must issue a certification setting forth the manner, place and date of service (Section 13, Rule on RA 9262).

20) Where can a complaint for violation of a BPO be filed and what is the penalty? A violation of a BPO must be filed with the Metropolitan Trial Court that has jurisdiction over the barangay that issued the BPO. The violation of the BPO is punishable by 30 days.

21) Who has the primary duty to file a complaint for violation of BPO? The Barangay Chairperson/Councilor and, if the said officials fail to file such complaint, the complainant-survivor may file such complaint.

22) What are TPOs and PPOs? These are court orders issued by the Court to stop any further abuses being committed against a woman by her current or former husband/live-in partner or person she has or had sexual or dating (romantic/intimate) relationship in violation of RA 9262.

23) What do TPOs and PPOs cover? TPOs and PPOs may be issued by the court granting the following:

- prohibition against threats to commit/committing acts violating RA 9262
- prohibition against harassing, annoying, telephoning, contacting the petitioner
- removal and exclusion of abuser from residence
- order for abuser to stay away from abused woman, her children, household members
- lawful possession and use of vehicle and other personal effects
- temporary or permanent custody
- percentage of abuser's salary/income to be withheld as support
- prohibition against abuser's use of firearm or surrender abuser's firearm
- services from DSWD such as temporary shelter and other social services
- other relief (e.g., mandatory counseling of respondent, intervention of DSWD in all protection order cases including interview of all children involved)

24) How long are the TPO and PPO effective? A TPO is effective for 30 days and may be renewed by the Court. The PPO is valid unless revoked by the issuing court upon application of the person in whose favor the

protection order was issued but it is best for the survivor not to apply for the revocation of the protection order.

25) Which court should the survivor file the petition for TPO/PPO? The petition should be filed with the Regional Trial Court/Family Court where petitioner resides, otherwise, with the RTC, MTC, or MCTC with territorial jurisdiction over petitioner's place of residence.

26) When is the period for judges to issue a TPO? On the date the application was filed.

27) What action can be taken for violation of any TPO/PPO? Violation of a TPO/PPO constitutes contempt of court punishable under Rule 71 of the Rules of Court with a fine ranging from P5,000-P50,000 and/or imprisonment of six months, without prejudice to any criminal or civil action that the offended party may file for the acts committed.

28) Are barangay officials and judges liable for failing to issue a protection order? Yes, failure to act on an application for a protection order within the reglementary period without justifiable cause shall render the barangay official or judge administratively liable.

29) What acts are prohibited before the barangay and the court during proceedings for protection orders? It is prohibited for barangay officials and judges to influence the applicant to compromise or abandon relief sought in the application for protection order (Sec. 33). The officials can be made administratively liable.

30) What type of order can you seek from the court against a husband/partner for failing to provide support to his children? A Hold Departure Order (HDO).

31) What are the duties of the barangay officials and law enforcers?

- respond immediately to a call for help or request for assistance or protection of the victim by entering the dwelling if necessary whether or not a protection order has been issued and ensure the safety of the victim/s;
- confiscate any deadly weapon in the possession of the perpetrator or within plain view;
- transport or escort the victim/s to a safe place of their choice or to a clinic or hospital;
- assist the victim in removing personal belongings from the house;
- assist the barangay officials and other government officers and employees who respond to a call for help;

- ensure the enforcement of the Protection Orders issued by the Punong Barangay or the courts;
- immediately report the call for assessment or assistance of the DSWD, social Welfare Department of LGUs or accredited non-government organizations

32) Can law enforcement officers arrest the abusers without a warrant?

Yes, in fact, the law expressly states that it is their duty to arrest the suspected perpetrator without a warrant when any of the acts of violence defined by RA 9262 is occurring, or when she/he has personal knowledge that any act of abuse has just been committed, and there is imminent danger to the life or limb of the victim as defined under RA 9262 (Sec. 30(g), RA 9262).

33) Are Persons Intervening Exempted from Liability? Yes, any person, police, barangay official acting in accordance with law and without using violence or restraint greater than necessary to ensure safety of the survivor shall not be liable for any criminal, civil or administrative liability (Sec. 34, RA 9262).

34) Is the survivor entitled to a paid leave of absence? Yes, survivors under RA 9262 shall be entitled to take a paid leave of absence up to 10 days in addition to other paid leaves under the Labor Code and Civil Service Rules and Regulations, extendible when the necessity arises as specified in the protection order.

35) Under what circumstances is a woman or her child entitled to legal representation by the Public Attorney's Office (PAO) in an application for a TPO/PPO? A woman or her child is entitled to legal representation by the PAO for reasons due to lack of economic means to hire a counsel *de parte* or lack of access to family or conjugal resources such as when the same are controlled by the perpetrator.

36) Under what circumstances will a woman victim-survivor be entitled to the custody of her children? She shall automatically be given custody of children below seven (7) years old and children with mental or physical disabilities (Sec. 28).

Useful Evidence for Violence against Women and Children Complaints under RA 9262

- **Complaint-Affidavit of Survivor**
 - Complaint must specify the specific violations of Section 5 of RA 9262
- **Affidavits of Witnesses**
 - Affidavits of **eyewitnesses**
 - Affidavits executed by **friends and family** to whom the survivor related the incident while suffering from trauma may be admitted as **res gestae evidence** (exception to hearsay evidence)
 - **Res gestae evidence - statements** made by a person while a **startling occurrence** is **taking place** or **immediately prior** or **subsequent** thereto with respect to the **circumstances** thereof (Rule 130, Sec. 42 Rules on Evidence)
 - **Similar acts as evidence.** – Evidence that one did a certain thing at one time may be received to prove a specific intent or knowledge, identity, plan, system, scheme, habit, custom or usage, and the like (Rule 130, Sec. 34)
 - Section 18, Rule on RA 9262 - During the hearing for the PPO, the court shall allow the introduction of any history of abusive conduct of a respondent even if the same was not directed against the applicant or the person for whom the application is made.
- **Medico-legal Report** if the survivor underwent medico-legal examination
- **Barangay Blotter and Police Blotter**
- **Psychological or Psychiatric Report** after undergoing evaluation and counseling for trauma
- **Psychological Report** for survivors with mental disability (e.g. issued by the National Center for Mental Health)
- **Marriage Certificate** if survivor and perpetrator are married
- **Birth Certificates** of children of the survivor or children under her care

BARANGAY PROTECTION ORDER (Sample)

NAME OF RESPONDENT: _____

ADDRESS: _____

ORDER

_____ applied for a Barangay Protection Order (BPO) on _____, under oath stating that: _____

After having heard the application and the witnesses and evidence, the undersigned hereby issues this BPO ordering you to immediately cease and desist from causing or threatening to cause physical harm to and from harassing, annoying, telephoning, contacting or communicating with the person of _____ and/or her child/children namely:

This BPO is effective for fifteen (15) days from receipt.

VIOLATION OF THIS ORDER IS PUNISHABLE BY LAW.

Punong Barangay

Date issued: _____

Copy received by: _____

Date received: _____

Served by : _____

Valid Modes of Service: (1) The BPO is deemed served upon receipt thereof by the respondent or by any adult who received the BPO at the address of the respondent; (2) In case the respondent or any adult at the residence of the respondent refuses to receive the BPO, it shall be deemed served by leaving a copy of the BPO at the said address in the presence of at least two (2) witnesses. The barangay official serving the BPO must issue a certification setting forth the manner, place and date of service. (Section 13, Rules and Regulations Implementing RA 9262)

ATTESTATION

(in case the Punong Barangay is unavailable)

I hereby attest that Punong Barangay _____ was unavailable to act on the Application for Barangay Protection Order No. _____ filed by _____ on _____ at _____ a.m./p.m. and issue such order.

Barangay Kagawad

Sample Complaint-Affidavit for Violation of RA 9262

REPUBLIC OF THE PHILIPPINES)

_____ CITY) S. S.

COMPLAINT-AFFIDAVIT
(Violation of RA 9262)

I, Katerina Montenegro, of legal age, Filipino, with residence at _____, after being sworn under oath in accordance with the law, do hereby depose and state that:

1. I am filing ____ counts for **Violation of Sec. 5.a, 5.b, 5.e.1, 5.e.2, 5.f, 5i of the Anti-Violence Against Women and Their Children Act of 2004 (RA 9262)** against my estranged husband Daniel Guidote Abusado, a Filipino citizen, (hereafter called "respondent Abusado" or my husband) residing at _____ Quezon City, Metro Manila **(copies of the Marriage Contract and Birth Certificates of our three children are attached hereto as Annexes "A"- "D")**;

2. The physical abuse, threats of physical harm, deprivation of custody of my three children, threats to kill the children, threat to commit suicide verbal, and emotional abuse are crimes of violence against women and their children under the Anti-Violence Against Women and Their Children Act of 2004 (Anti-VAWC or RA 9262), as follows:

SEC. 5. Acts of Violence Against Women and Their Children.- The crime of violence against women and their children is committed through any of the following acts:

(a) Causing physical harm to the woman or her child;

(b) Threatening to cause the woman or her child physical harm;

x x x

(e) Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or to desist from conduct which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physical or other harm or threat of physical or other harm, or intimidation directed against the woman or her child. This shall include, but not limited to, the following acts committed with the purpose or effect of controlling or restricting the woman's or her child's movement or conduct:

(1) Threatening to deprive or actually depriving the woman or her child of custody or access to her/his family;

(2) Depriving or threatening to deprive the woman or her children of financial support legally due her or her family, or deliberately providing the woman's children insufficient financial support;

(3) Depriving or threatening to deprive the woman or her child of a legal right;

(4) Preventing the woman in engaging in any legitimate profession, occupation, business or activity, or controlling the victim's own money or properties, or solely controlling the conjugal or common

money, or properties;

(f) Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;

x x x

(i) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children or denial of access to the woman's child/children.

3. Respondent Abusado has subjected me to constant physical, verbal, emotional, financial and psychological abuses since 2005, the year we got married;

4. On August 14, 2014, I was beaten up by respondent Abusado for confronting him about the intimate text messages in his cellphone. He denied the issue but he physically abused me---he choked me, x x x, boxed me, kicked my chest, x x x and verbally abused me. When he left our house, I rushed to the police station and the police woman brought me to the hospital (a copy of my **police blotter** and my **medico-legal certificate** are attached hereto as **Annexes "E"-"F"**). **These acts are in violation of RA 9262 Sec. 5.a of RA 9262;**

5. Respondent Abusado would continually subject me to verbal and psychological abuses. On September 1, 2014, while I was cooking, respondent Abusado started to x x x. **These acts are in violation of RA 9262 Sec. 5.b, 5.e.1, 5.e.2 and 5i of RA 9262;**

6. On September 18, 2014, respondent Abusado got angry and shouted at me in front of the children and he threatened to take the children away from me **in violation of RA 9262 Sec. 5.e.1 and 5.i;** He threw a glass on the wall, shouted and threatened to kill himself and the children if I do not stay with him. He suddenly charged and hit my face with his fist. These acts are **in violation of RA 9262 Sec. 5a., 5.b, 5.f, 5.i;**

7. On September 23 at 9 am, respondent Abusado took the children without my consent and brought them to the house of my mother-in-law thereby depriving me of my custody of our children **in violation of RA 9262 Sec. 5.e.1 and 5i.** At around 7pm, the officials of Barangay _____ and police officers of station ____ assisted me

to take back the custody of my children and we were able to successfully rescue the children from my husband (copy of the **Barangay Blotter** is attached hereto as **Annex "G"**);

8. On September 24, 2014, I asked Barangay _____ where I was residing to issue a Barangay Protection Order for me and my children (copy of the **Barangay Protection Order (BPO)** is attached hereto as **Annex "H"**). Said BPO was served at respondent Abusado's residence on September 24, 2014.

9. On September 28, 2014, the Temporary Protection Order (TPO) issued by Regional Trial Court Branch ____, Quezon City was served on respondent Abusado (copy of the **TPO** is attached hereto as **Annex "I"**). The TPO prohibited respondent Abusado from committing acts against me and my children in violation of Sec. 5 of RA 9262;

10. This Honorable Public Prosecutor should not countenance respondent Abusado's acts of violence and abuses. It is high time that abusive and threatening husbands like respondent Abusado be made accountable for their violent and abusive acts. It is now the imperative task of this Honorable Office of the Prosecutor to uphold the interest of justice and immediately file the information for ___ counts for violation of the Anti-Violence Against Women and Their Children Act of 2004 (RA 9262) to finally put a stop to respondent Abusado's continued abuses against me;

11. I am executing this affidavit to attest to the veracity of all the foregoing for the purpose of filing this criminal complaint for ___ counts for violation of Sec. 5.a, 5.b, 5.e.1, 5.e.2, 5f, 5i of the Anti-Violence Against Women and Their Children Act of 2004 (RA 9262) against my estranged husband Daniel Guidote Abusado.

In witness whereof, I have hereunto affixed my hand this ____ day of _____, 2014, at Quezon City.

**Katerina Montenegro
Complainant**

CERTIFICATION

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2014 at Quezon City.

I hereby certify that I have personally examined the affiant and that I am satisfied that she voluntarily executed and understood this complaint-affidavit.

Assistant City Prosecutor

MIGRANT SERVICES

Manila

Kanlungan Center Foundation, Inc. – (02) 9282384
Ople Center – (02) 8335337
OWWA Operations Center 24/7 – (02) 551-6641; 551-1560

REPRODUCTIVE HEALTH SERVICES

Quezon City

Adolescent Medicine, Philippine Children’s Medical Center (Dr. Rosa Ma. Nancho, Chair; Dr. Erlinda Cuisia Cruz) – (02)9246601/25

Women’s Health Care Foundation – 9264045

Ob-Gyne Dept., QC General Hospital and Medical Center - (02) 4261318 (trunkline)

Manila

UP PGH Teen Mom Program (Dr. Emma Llanto) – (02) 554-8400 (Trunkline)

Caloocan

Population Services Pilipinas, Inc. – (02) 3639052

SEXUAL ORIENTATION, GENDER IDENTITY AND GENDER EXPRESSION (SOGIE) COUNSELING

Ateneo Psychology Department - (02) 426-6001 local 5260-62; 426-5905
DLSU Psychology Dept., Taft - (02) 524-4611 (trunk line)
DLSU-Dasmarinas Student Wellness Center - (02) 779-5180 and (046) 481-1900 to 1930
Ramon Magsaysay High School-Cubao Guidance Department- (02) 727-1046
UE Guidance Dept., Caloocan City - (02) 365-4124; (02) 367-4572 loc. 175

TRANSGENDER WOMEN SUPPORT GROUPS

Association of Transgender People in the Philippines (ATP) -
Kate Montecarlo 09164212582; katemontecarlo1986@gmail.com;
Dindi Tan 09324824872; 09166114640; dinditan.atp@gmail.com;
ATP official email: philtransmov@gmail.com

GANDA Filipinas - Naomi Fontanos 09202697607; ganda.filipinas@gmail.com

STRAP - strapmanila@gmail.com

PEOPLE LIVING WITH HIV (PLHIV) SUPPORT GROUPS

Pinoy Plus – (02) 7437293
Babae Plus - Telefax: 02-52845

HIV Voluntary Confidential Counseling and Testing Centers

Luzon

Metro Manila

San Lazaro Hospital (SLH), Quiricada St., Sta. Cruz, Manila
Dr. Arturo Cabanban - Medical Center Chief; Dr. Rosario Jessica Tactacan –
Abrenica - HIV AIDS Core Team (HACT) Leader ; Tel: 7323776-78 Loc. 218; 3099543;
Mobile #: 09175359380; 09193516893

Research Institute for Tropical Medicine (RITM), Fillinvest Corporate City, Alabang,
Muntinlupa City; Dr. Remigio M. Olveda - Executive Director; Dr. Rossana A.
Ditangco - Head, HIV Research Unit/HACT, Team Leader; Tel: 8072628 to 32/36/38
local 332; 8097599; 8079603; 8422828; 8422445; Mobile # 0927510028

Philippine General Hospital (PGH), Taft Avenue, Manila
Dr. Rolando Enrique Domingo - Director; Dr. Jodor Lim - HIV AIDS Core Team
Leader; Ms. Dominga C. Gomez SAGIP Unit; Tel: 5218450; 5548400 Loc. 3235;
5673394; Mobile #: 09396258730

Manila Social Hygiene Clinic
208 Quiricada St., Sta. Cruz, Manila (in front of San Lazaro); Tel: 7116942 (M-Thu
8am-3pm; Fri 8-11am)

Caloocan Social Hygiene Clinic, Mabini St., Caloocan Health Dept.
Dr. Zenaida Calupaz; 2888811 loc. 2282 Mobile: 091176018331

Marikina City Social Hygiene Clinic, Marikina City; Dr. Honielyn Fernando; Mobile:
09178298862

Quezon City Batasan Social Hygiene Clinic, Batasan Hills
Dr. Dottie Mercado; Mobile: 09053576353

Quezon City Bernardo Social Hygiene Clinic, Bernardo Clinic
Dr. Suzette Encisa; Mobile: 09164781607

Quezon City Veterans Village (Proj. 7) Social Hygiene Clinic, Veterans Village
Dr. Monina Santos; Mobile: 09186184133

Other Areas in Luzon

Ilocos Training and Regional Medical Center (ITRMC), San Fernando, La Union
Dr. Francisco A. Valdez - Chief of Hospital; Dr. Jimmy Mynardo Mendigo &
Dr. Jeisela B. Gaerlan - HIV AIDS Core Team; Tel: (072) 700-3808 loc.
122; (042)8885864; 242-1143; 7001766; 7003766 Mobile #: 09204124478

Baguio General Hospital and Medical Center (BGHMC), Gov. Pack Rd. Baguio
City; Dr. Manuel C. Factora - Medical Center Chief; Dr. Maria Lorena L. Santos
- HIV AIDS Core Team Leader; Tel: (074) 4438342; 4423165; 442-2012; 4424080;
5236077; 5234103; 4428342 Mobile # 09175072326

Bicol Regional Training and Teaching Hospital (BRTH), Legaspi City, Albay
Dr. Rogelio G. Rivera - Chief of Hospital; Dr. Anna Lynda Bellen; Tel: (052) 4830636;
4830017; 483-0086; 4830886; 4830015/16/17; Mobile #: 09177935692

Cagayan Valley Medical Center (CVMC), Tuguegarao City, Cagayan Valley
Dr. Emmanuel F. Acluba - Chief of Hospital; Dr. Teresita Reyes - HIV AIDS Core
Team Leader; Tel: (078) 846-7240; 844-3789; 3213560/61/64; 8053560; Mobile #: 09176280924

Jose B. Lingad Memorial Medical Center, Brgy. San Dolores, San Fernando,
Pampanga; Dr. Venancio S. Banzon - Chief of Hospital; Dr. Edwin Pasumbal - HIV
AIDS Core Team Leader; Tel: (045) 9613921; 9613380 Mobile #: 09274040365

Visayas

Vicente Sotto, Sr. Memorial Medical Center (VSSMC), B. Rodriguez, Cebu City
Dr. Gerardo M. Aquino - Chief of Hospital; Dr. Regina Melodia - HIV AIDS Core Team
Leader Tel: (032) 2539882; 2539982; 2537564; 2532592 Mobile #: 09193473658

Governor Celestino Gallares Memorial Hospital, (formerly Bohol Provincial Hospital)
Miguel Parras Street, Tagbilaran City, Bohol; Tel: (038) 411-4868; 411-4869; 411-3185

Western Visayas Medical Center (WVMC), Q. Abeto St., Mandurriao, Iloilo City
Dr. Jose Mari C. Fermin - Chief of Hospital; Dr. Ray Celis - HIV AIDS Core Team Leader
Tel: (033) 3211797; 3212841 to 50; 3212802; 3211420; Mobile #: 09189401217

Corazon Locsin Montelibano Memorial Regional Hospital (CLMMRH), Lacson St.,
Bacolod City; Dr. Epifania S. Simbul - Chief of Hospital; Dr. Criselda E. Bacolor - HIV
AIDS Core Team Leader; Tel: (034)4351591 loc. 226; 4332697; 2080094
Mobile #: 09228608876

Eastern Visayas Regional Medical Center (EVRMC), Magsaysay Boulevard, Tacloban
City, Leyte; Tel: (053) 321 3129; 5232800 (Medical ward)

Mindanao

Southern Philippines Medical Center (SPMC), J.P. Laurel St., Bajada, Davao City
Dr. Leopoldo J. Vega –Chief of Hospital; Dr. Alicia Layug –HIV AIDS Core Team
Leader; Tel: (081) 227-2731; 0920-424-1721

Davao Medical Center, Davao City; Tel: (082)2217029

Zamboanga City Medical Center (ZCMC), Evangelista St., Zamboanga City
Dr. Romeo A. Ong - Chief of Hospital; Dr. Jejunee Rivera - HIV AIDS Core Team
Leader; Tel: (062) 9912934; 9916573; 9910573; 9920154 Mobile #: 09204241721

Cagayan de Oro City Health Office - Social Hygiene Clinic, Archbishop Hayes
Street, Cagayan de Oro City; Tel No.: (088)857-3183/857-3184/857-3185

Northern Mindanao Medical Center, Capitol Compound, Cagayan de Oro City
HIV AIDS Core Team; Tel: 726362

Committee of German Doctors, Mortola-Hayes Sts., Cagayan de Oro City
Tel. Nos. (08822) 726676, (088) 8572143

PSYCHOLOGICAL/PSYCHIATRIC COUNSELING CENTERS

Metro Manila

QC Protection Center, Quezon City – (02) 4261318 loc. 1047

Women Crisis Center (WCC), Manila City –0928-4200859;
0999-5779631; 0916-2467470

UP PGH Child Protection Unit, Taft Ave., Manila – (02) 5268418

UP PGH Women’s Desk, Taft Ave., Manila – (02) 554-8400 Loc. 2435, 3072;
Fax: (02) 5242990

PSYCHPROS (Dr. Leticia Peñano-Ho) – (02) 7242038; (02) 7239750

National Center for Mental Health – (02)5319001

Natasha Goulbourn Foundation – (02)8972217

Visayas

Tacloban, Leyte

WCPU, EVRMC – (053) 8321126

CSWDO – 09159664456 (Lili Baltazar, Social Worker, CSWDO)

Borongan City, Eastern Samar

WCPU, ESPH – (055)5609555

Eastern Samar PSWDO – 09176323855 (Gil Remabontan);
09218106742 (Julia Dulfo, RSW)

Balangkayan, Eastern Samar

WCPU, LGU Balangkayan – 09158410315 (Wilda B. Contado, MSWDO)

Salcedo, Eastern Samar

WCPU, LGU Salcedo – 09063060594 (Ma. Amelita G. Macasa, MSWDO)

Mindanao

Northern Mindanao Medical Center (NMMC) - Women’s Desk and Psychology
Dept., Cagayan de Oro City - (08822) 726362 loc. 504

Cotabato Regional & Medical Center, Mental Health Dept., Cotabato City -
4212340 (trunkline); Dr. Mildred Apostol

Mindanao State University – Iligan Institute of Technology (MSU-IIT), Iligan City
Dr. Alma G. Maranda, Psychology Dept.; almamaranda@yahoo.com

Maguindanao Provincial Hospital – WCPU, Sharif Aguak, Maguindanao

SIGN LANGUAGE INTERPRETERS FOR DEAF SURVIVORS

Deaf Resources Philippines - Dr. Liza B. Martinez - 0927.5288662; 9941441;
deafresourcesphilippines@mail.com



EnGendeRights, Inc.

Asserting Women's Rights

Email: engenderights@gmail.com

Telefax No. (632) 376-2578; Mobile landline (+632) 6645696

Like us: <http://www.facebook.com/engenderightsphilippines>

About EnGendeRights

EnGendeRights has done groundbreaking work in raising Filipino women's concerns to the international level especially the United Nations mechanisms. EnGendeRights spearheaded the drafting of a collaborative Shadow Report that was submitted to the Committee on the Elimination of Discrimination against Women (CEDAW Committee) during its 36th Session in August 2006, New York. This submission was done in collaboration with the Center for Reproductive Rights (CRR), Reproductive Rights Resource Group, Philippines (3RG-Phils.), and Health Development and Initiatives Institute (HDII). EnGendeRights, through its executive director Clara Rita Padilla, orally presented highlights of the Shadow Report during the CEDAW-NGO dialogue in New York and actively lobbied with the CEDAW experts leading to the successful adoption of strong sexual and reproductive health and rights language in the CEDAW Committee's Concluding Comments on six of the concerns stated in their Shadow Report (i.e., access to the full range contraceptive methods, access to safe and legal abortion, sexuality education for adolescents, skills and education for women in prostitution, legalization of divorce and repeal of discriminatory Muslim Code provisions). These recommendations are very useful in legislative, judicial, and executive advocacy towards eliminating discriminatory laws, policies, and practices on women.

In its continued work on sexual and reproductive rights and raising awareness on the mechanisms under CEDAW, EnGendeRights as part of the Task Force CEDAW Inquiry together with the CRR and the International Women's Rights Action Watch, Asia Pacific (IWRAP-AP) submitted a Request for Inquiry under the Optional Protocol to CEDAW in 2008. This submission requested the CEDAW experts to visit the Philippines to investigate the grave and systematic reproductive rights violations resulting from the restriction on contraceptives under EO 003 implemented in Manila City since 2000. CEDAW experts Pramila Patten and Violeta Neubauer conducted the onsite-investigation in Manila in November 2012 investigating national and local government officials including heads of hospitals and clinics, representatives of the DOH, DILG, Manila City, among others. This inquiry is historical because it is only the 2nd inquiry that has been conducted by the CEDAW Committee throughout the whole world. EnGendeRights' community awareness-raising and capacity-building work on sexual and reproductive rights in Manila has encouraged numerous women to undergo voluntary litigation procedure at the heart of Tondo directly challenging the prohibitions of Manila EO 003.

EnGendeRights publications include:

- "The Constitutionality of a Reproductive Health Care Law" (2012);
- "Ensuring Adolescent Right to Reproductive Health Through an RH Law" (2012);
- "Reasons Why We Need the RH Law" (2010);
- "Primer on the Inquiry Procedure under the OP CEDAW" (2010);
- "Advancing Reproductive Rights Using the Inquiry Procedure of the OP CEDAW and the UN Special Procedures: The Philippine Experience" (2010);
- Stop VAW & Stop Rape flyers, BPO & Temporary and Permanent Protection Order flyers (2010);
- "Engendering Women's Rights: A Paralegal Manual" on gender-based violence (2007)

EnGendeRights press releases and position papers include:

- "EnGendeRights Calls for the Repeal of the Prostitution Law Penalizing Women in Prostitution" (March 2012);
- "Proposal to Include Misoprostol on the Philippine National Drug Formulary and the FDA Drug Registry for Postpartum Hemorrhage Prevention" (July 2011);
- Calls to junk congressional bills restricting access to contraceptives and increasing penalties on abortion (May 2011, December 2006);
- "Upholding Women's Right to Levonorgestrel as Emergency Contraceptive Pill" submitted to the Bureau of Food and Drugs (BFAD) (March 2007);
- "Marital Infidelity does Not Have a Place in Our Penal Laws" (November 2007);
- The right to education of an adolescent who induced abortion (2007)