IS REPUBLIC ACT NO. 9262?

WHAT IS REPUBLIC ACT NO. 9262?

The Anti-Violence Against Women and their Children Act of 2004 (RA 9262) was enacted to address the prevalence of violence against women and children in the Philippines. It defines violence against women and children (VAWC) as a public concern and seeks to address the prevalence of violence against women and children (VAWC) as a public concern.

WHAT ARE THE PENALTIES FOR COMMITTING VAWC?

The law recognizes the unequal relations of a man and a woman in an abusive relationship where it is usually the woman who is the disadvantaged. Thus, the law protects the woman and her children.

The victim, the child who is a minor (legitimate and illegitimate), and a person aged 18 years and beyond who doesn’t have the ability to decide for herself/himself because of an emotional, physical and mental illness can make full use of the law.

Any child under the care of a woman is also protected under the law.

WHO GETS PROTECTED UNDER THE LAW?

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WHAT IS VAWC COMMITTED BY MEN ALONE?

Women can also be liable under the law. These are the lesbian, bisexual, and transgender women or former partners of the victim with whom she has had a sexual or dating relationship. (Source: Barangay Protection Order: A Primer. Department of Interior and Local Government, National Barangay Operations Office. 2004)

WHAT IF THE FEMALE VICTIM COMITS VIOLENCE AGAINST HER PARTNER?

The law acknowledges that women who have retaliated against their partners or who commit violence as a form of self-defense may have suffered from battered women syndrome (BWS). BWS is a “scientifically defined pattern of psychological and behavioral symptoms found in women living in battering relationships as a result of cumulative abuse” (Salient Features. A Guide to Anti-Violence Against Women and their Children [RA 9262]. Philippine Information Agency and the Commission on the Role of Filipino Women. 2004)

Any victim who suffers from BWS should be diagnosed by a psychiatric expert or a clinical psychologist. This will also help the victim in obtaining a just decision in her case.

The law does not allow the offender to have custody of minor children. Their care is still entrusted to the woman even if she is found to have committed battering.

WHAT IF THE MALE SPOUSE/PARTNER COMPLAINS ABOUT ABUSES COMMITTED BY HIS WIFE/PARTNER?

He may file a complaint or case under the Revised Penal Code.

WHAT ARE THE PENALTIES FOR COMMITTING VAWC?

If the courts have proven that the offender is guilty of the crime, he may be imprisoned and will be obliged to pay P100,000 to P300,000 in fines. The length of imprisonment depends on the gravity of the crime.

The offender is also obliged to undergo psychological counseling or psychiatric treatment.

Being drunk or under the influence of prohibited drugs cannot be taken as an excuse for committing VAW.