

ESTABLISHMENT OF VIOLENCE AGAINST WOMEN AND CHILDREN (VAWC) DESK IN ALL HOSPITALS

RATIONALE

The Philippines has legislation and comprehensive policy framework and inter-agency mechanisms in place to address violence against women and children. However, despite the country's considerable progress in terms of policy and programs to tackle violence against women and children, it still faces challenges such as low reporting of incidences of violence due to stigmatization and discrimination against victims and varying level of functionality of inter-agency protection mechanisms at different levels of governance.

According to the National Baseline Study on Violence Against Children (2015), 24.7% of boys and 18.2% of girls experienced sexual violence. On the other hand, the National Demographic and Health Survey (2013) reports that six percent (6%) of women age 15-49 experienced physical violence and three percent (3%) of women experienced sexual violence in the 12 months preceding the survey. Four percent (4%) of women age 15-49 reported experiencing violence during pregnancy.

DECLARATION OF POLICIES

This order supports the following international commitments and national laws and policies:

- Protect women against violence of any kind occurring within the family, at the workplace or in any other area of social life (Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) articles 2,5,11,12 and 16).
- Create or strengthen institutional mechanisms so that women and girls can report acts of violence against them in a safe and confidential environment, free from the fear of penalties or retaliation, and file charges (United Nations Fourth World Conference on Women/Beijing Platform for Action).
- Take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child (Convention on the Rights of the Child).
- Take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers (Convention on the Rights of Persons with Disabilities).
- Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation (Sustainable Development Goal 5)
- End abuse, exploitation, trafficking and all forms of violence against and torture of children (Sustainable Development Goal 16)

- Provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination, and other conditions prejudicial to their development (Republic Act 7610, Special Protection of Children Against Abuse, Exploitation and Discrimination Act).
- Provide women and children victims and survivors with comprehensive health services that include psychosocial, therapeutic, medical, and legal interventions and assistance towards healing, recovery, and empowerment (Republic Act No. 9710, Magna Carta of Women).
- Review and implement guidelines and standards for the care of victims-survivors of gender-based violence (Republic Act No. 10354, The Responsible Parenthood and Reproductive Health Act of 2012).

OBJECTIVE

This order aims to standardize and institutionalize the establishment and implementation of the VAWC desk in all hospitals.

SCOPE AND COVERAGE

This order shall apply to the entire health sector, including the Department of Health (DOH) health care facilities, local government unit-supported facilities, private health care facilities, other DOH attached agencies, development partners and other relevant stakeholders involved in its implementation. This will exclude DOH-retained hospitals and provincial hospitals that have existing Women and Children Protection Units (WCPU) or that should have a WCPU.

PRINCIPLES

The VAWC Desk personnel and all hospital staff should be able to demonstrate a survivor-centered attitude and use survivor-centered skills when engaging with VAWC victims-survivors. This involves:

- Prioritizing the rights, wishes, and needs of the survivor
- Ensuring the safety of the survivor
- Ensuring the confidentiality of the survivor and their families
- Maintaining anonymity, whenever possible, of the survivor and other people involved in the incident
- Reinforcing the capacity of the survivor to make decisions about possible interventions
- Treating a survivor in a dignified manner regardless of her/his age, marital status, sexual orientation, or circumstances of the incident.

The VAWC Desk personnel and hospital staff should also have the knowledge, skills, attitudes and tools to provide child-centered case management and child specialized clinical care and treatment services.

DEFINITION OF TERMS

- Child – refers to a person below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation Or discrimination because of a physical or mental disability or condition as defined in Republic Act No. 7610 or the Special Protection of Children Against Abuse, Exploitation and Discrimination Act.
- Child with Special Needs – refers to a child with a developmental or physical disability as defined in Republic Act No. 10165 or the Foster Care Act of 2012.
- Persons with Disabilities – refers to those who are suffering from restriction or different abilities, as a result of a mental, physical, or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being as defined in Republic Act No. 7277 as amended by Republic Act No. 9442, otherwise known as the Magna Carta for Disabled Persons.
- Trafficking in Persons – refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, 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 which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs as defined by Republic Act No. 10364 or the Expanded Anti-Trafficking in Persons Act of 2012.
- Violence Against Women (VAW) – refers to any act of gender-based violence that results in, or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. It shall be understood to encompass, but not limited to, the following: (1) Physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, dowry related violence, marital rape, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation; (2) Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions and elsewhere, trafficking in women, and prostitution; and (3) Physical, sexual, and psychological violence perpetrated or condoned by the State, wherever it occurs. It also includes acts of violence against women as defined in Republic Acts No. 9208 and 9262 (Republic Act 9710, Magna Carta of Women).
- Women and Children Protection Unit (WCPU) – a unit composed of a multidisciplinary team of trained physicians, social workers, mental health professional and police providing comprehensive medical and psychosocial services to women and children victims-survivors of violence.

ROLES AND RESPONSIBILITIES OF A VAWC DESK

The VAWC Desk will be operational 24 hours a day from Monday to Sunday with three (3) shifts. It will be staffed with registered nurses who will act as 'victim-survivor advocate' and support the victims-survivors in accessing services. The nurses should be permanent staff of the hospital.

The VAWC Desk (with table and chairs) shall be located near the emergency room. It shall have its own cabinet or designated storage where files could be safely kept and maintained.

Immediate Interventions	Intermediate Functions	Anti-VAW Prevention Functions
<p>The assigned nurses in the VAWC Desk shall:</p> <ul style="list-style-type: none"> • Ensure the privacy of victim-survivor • Conduct history taking • Provide psychological first aid • Refer to the law enforcement agency/Women and Children Protection Desk-Philippine National Police and local social welfare and development office for assistance and support services <p>The nurses shall link the victim-survivor with the appropriate doctors/departments in the hospital to ensure the provision of the following:</p> <ul style="list-style-type: none"> • Immediate medical treatment/care • Forensic examination (if applicable) • Documentation and recording of injuries and findings • Collection of evidence • Issuance of medical certificate • Psychosocial counselling/interventions (c/o medical social worker and psychologist) 	<p>The assigned nurses in the VAWC Desk shall:</p> <ul style="list-style-type: none"> • Conduct safety assessment of victim-survivor • Participate in case conferences and consultations <p>The doctor who conducted the forensic examination shall respond to subpoena and testify in court as necessary.</p>	<p>The assigned nurses in the VAWC Desk shall:</p> <ul style="list-style-type: none"> • Participate and/or organize advocacy activities on anti-VAWC • Coordinate the conduct of 4Rs (Recognizing, Recording, Reporting, Referring) training for medical and non-medical staff of the hospital

Immediate Interventions	Intermediate Functions	Anti-VAW Prevention Functions
<ul style="list-style-type: none"> Psychological/psychiatric evaluation, care, and treatment 		

IMPLEMENTING GUIDELINES AND MECHANISMS

The implementing guidelines and mechanisms—Steering Committee on Women and Children Protection, Technical Working Group, and Secretariat—will be the same as indicated in Department of Health Administrative Order 2013-0011.

FUNDING SUPPORT

Hospitals shall include in their annual proposed budget the funds needed to support the annual operation and services of the VAWC Desk. The Gender and Development (GAD) budget of the hospitals may be utilized for this purpose.

REPEALING CLAUSE

This order repeals previous DOH issuances inconsistent thereto.

SEPARABILITY CLAUSE

In the event that any provision or part of this order is declared unauthorized or rendered invalid by any court of law or competent authority, those provisions not affected by such declaration shall remain valid and effective.

EFFECTIVITY

This order shall take effect immediately.