



**REPUBLIC OF THE PHILIPPINES**  
 Department of the Interior and Local Government  
 Department of Social Welfare and Development  
 Department of Education  
 Department of Health  
 Philippine Commission on Women

**Joint Memorandum Circular No. 2010-2**  
 December 9, 2010

**TO: ALL PROVINCIAL GOVERNORS, CITY AND MUNICIPAL MAYORS, PUNONG BARANGAYS, DILG REGIONAL DIRECTORS AND FIELD OFFICERS, THE ARMM REGIONAL GOVERNOR AND DILG REGIONAL SECRETARY AND OTHERS CONCERNED**

**SUBJECT: GUIDELINES IN THE ESTABLISHMENT OF A VIOLENCE AGAINST WOMEN (VAW) DESK IN EVERY BARANGAY**

The State condemns discrimination against women in all its forms and pursues by all appropriate means and without delay the policy of eliminating discrimination against women in keeping with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and other international instruments consistent with Philippine law.

Republic Act (RA) 9710, otherwise known as the Magna Carta of Women, is a comprehensive women's human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors. Section 12 D, Rule IV of the Rules and Regulations Implementing the Magna Carta of Women provides for the establishment of a VAW desk in every barangay to ensure that violence against women cases are fully addressed in a gender-responsive manner.

To provide the guidelines and procedures for the above provision, this Memorandum Circular is jointly issued by the Department of the Interior and Local Government (DILG), the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education (DepEd) and the Philippine Commission on Women (PCW), pursuant to Section 12 D.2 of the Implementing Rules and Regulations of RA 9710.

**1. Definition of Terms**

- 1.1. **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

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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 Act No. 9208 and 9262. Under the Magna Carta of Women, this term is used interchangeably with gender-based violence.

- 1.2. **VAW Desk** – a facility that would address VAW cases in a gender-responsive manner, managed by a person designated by the punong barangay. It is situated within the premises of the barangay hall. In the absence of a barangay hall, the VAW Desk shall be established within the premises where the punong barangay holds office.

## 2. Establishment of VAW Desk in Every Barangay

- 2.1. **Setting up the VAW Desk** – the punong barangay shall designate an area within the barangay hall for the VAW desk. S/he shall provide for the necessary furniture and fixtures such as, but not limited to, table, chairs, separate filing cabinet and log book for record-keeping of cases. Likewise, the punong barangay shall ensure the confidentiality of the case and privacy and safety of the victim-survivor.
- 2.2. **Designation of VAW Desk person** – the punong barangay shall designate a VAW Desk person who is trained in gender-sensitive handling of cases; preferably a woman barangay kagawad or woman barangay tanod. In cases where there are no trained personnel, ensure that the person assigned shall undergo basic gender sensitivity training and orientation on anti-VAW laws.
- 2.3. **Functions of the Barangay VAW Desk** – The VAW Desk shall perform the following tasks:
  - 2.3.1. respond to gender-based violence cases brought to the barangay;
  - 2.3.2. record the number of gender-based violence handled by the barangay and submit a quarterly report on all cases of VAW to the DILG City/Municipal Field Office and the City/Municipal Social Welfare Development Office (C/MSWDO);
  - 2.3.3. keep VAW case records confidential and secured, and ensure that only authorized personnel can access it;
  - 2.3.4. assist victims of VAW in securing Barangay Protection Order (BPO) and access necessary services;
  - 2.3.5. develop the barangay's gender-responsive plan in addressing gender-based violence, including support services, capacity building and referral system;
  - 2.3.6. coordinate with and refer cases to government agencies, non-government organizations (NGOs), institutions, and other service providers as necessary;
  - 2.3.7. address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;
  - 2.3.8. lead advocacies on the elimination of VAW in the community; and

2.3.9. perform other related functions as may be assigned.

2.4. **Role of Provincial Governors, and City and Municipal Mayors** – all provincial governors, and city and municipal mayors shall ensure the establishment of a VAW Desk in every barangay within their jurisdiction, and provide technical and financial assistance for its operations pursuant to Section 12.D paragraph 2 of the MCW IRR.

3. **Protocol in Handling VAW Cases at the Barangay Level** – the Anti-Violence Against Women and Their Children (VAWC) Act (RA 9262) mandates the punong barangay or in his/her absence the barangay kagawad concerned or on duty to take immediate action upon being informed of a violent incident and is mandated to issue a Barangay Protection Order (BPO) on the date of filing after ex parte determination of the basis of application. Please note that all forms of amicable settlement under the *Katarungang Pambarangay* such as mediation, settlement, conciliation, arbitration shall not apply to cases of VAWC.

The following protocols shall be observed by the Barangay VAW Desk person when responding to VAW situations:

3.1. A VAWC (RA 9262) victim-survivor is accompanied by someone to the barangay or the victim herself goes to the barangay.

3.1.1. Make the woman (and children, if applicable) comfortable in a safe and private room giving her water and other immediate needs, if any;

3.1.2. Assess the situation and get initial information to determine the risks on hand and if immediate medical attention is needed. If so, facilitate referral to the nearest medical facility;

3.1.3. After the victim-survivor has stabilized, assist the punong barangay/kagawad in the conduct of an investigation in a gender-sensitive and non-judgmental manner in a language understood by her;

3.1.4. Inform her of her rights and the remedies available and the processes involved particularly in relation to the BPO. Assist her to file application, if she decides to have a BPO;

3.1.5. Record the incident using the National VAW Documentation System barangay form (Annex 1);

3.1.6. If victim-survivor desires to be in a safe shelter, seek the assistance of the other barangay officials, barangay tanod or the police in getting her belongings and refer to a shelter/women's center or to the C/MSWDO;

3.1.7. Assist the victim-survivor to file for a temporary protection order (TPO) or permanent protection order (PPO) with the nearest Family Court within 24 hours after issuance of the BPO, if the victim-survivor so desires or she applies directly for a TPO/PPO instead of a BPO;

3.1.8. Report the incident within four hours to the PNP and the C/MSWDO.

3.2. A victim-survivor of VAWC is reported by a community member.

3.2.1. Verify the information and if needed, seek assistance from the PNP;



- 3.2.2. Assess the situation and facilitate the rescue of the victim-survivor when necessary to ensure her safety, and when applicable the safety of her children;
  - 3.2.3. Inform the victim-survivor about her rights and remedies available particularly the BPO and its processes. Assist her to apply for a BPO, if she so desires;
  - 3.2.4. Refer victim-survivor for medical care and temporary shelter and other needs when needed based on the assessment done;
  - 3.2.5. Record the incident using the National VAW Documentation System barangay form (Annex 1);
  - 3.2.6. If not done earlier, report the incident within four hours to the PNP and the C/MSWDO.
- 3.3. For rape, trafficking in persons and other cases which do not fall under the jurisdiction of the barangay, assist the victim-survivor to file a complaint at the PNP Women and Children Protection Center or the National Bureau of Investigation (NBI).

**4. Monitoring and Reporting**

Within six months from the issuance of this JMC, all DILG Regional Directors and Field Officers shall submit a report on the establishment of Barangay VAW Desk in their respective areas.

**5. Funding**

The cost of the establishment and operations of the VAW Desk shall be charged under the LGU's gender and development (GAD) budget, which shall be at least five percent (5%) of their budgetary allocation. As such, it shall be included in the annual GAD Plans and Programs of the LGUs, in accordance with Section 37.A of the MCW IRR (*Planning, Budgeting, Monitoring and Evaluation for GAD*).

**6. Effectivity**

This Joint Memorandum Circular shall take effect immediately.



*Jesse M. Robredo*  
**JESSE M. ROBREDO**  
 Secretary  
 Department of the Interior and Local Government

*Corazon Juliano-Soliman*  
**CORAZON JULIANO-SOLIMAN**  
 Secretary  
 Department of Social Welfare and Development

*Armin A. Lujastro*  
**BR. ARMIN A. LUJSTRO FSC**  
 Secretary  
 Department of Education

*Enrique T. Ona*  
**ENRIQUE T. ONA**  
 Secretary  
 Department of Health

*Emmeline L. Verzosa*  
**EMMELINE L. VERZOSA**  
 Executive Director  
 Philippine Commission on Women



**National Violence Against Women (NVAW) Documentation System**  
(Barangay Form)

Handling Organization : \_\_\_\_\_ Date of Intake: \_\_\_/\_\_\_/\_\_\_ (MM/DD/Year)

Address : \_\_\_\_\_

Region \_\_\_\_\_ Province \_\_\_\_\_ City / Mun. \_\_\_\_\_ Barangay \_\_\_\_\_

Interviewed By : \_\_\_\_\_ Position: \_\_\_\_\_  
*Last Name First Name Middle Name*

**Victim-Survivor Information**

Bgy Case # : \_\_\_\_\_ Name : \_\_\_\_\_  
*Last Name First Name Middle Name*

With Disability :  Permanent Disability  Temporary Disability  
 Without Disability

Sex :  Male  Female Date of Birth : \_\_\_/\_\_\_/\_\_\_ (MM/DD/Year) Age : \_\_\_\_\_

Civil Status :  Single  Married  Live-In  Widowed  Separated  
Highest Educational Attainment :  No formal education  Elementary Level / graduated  High School Level / graduated  Vocational  College Level / graduated  Post Graduate  No Response  Others \_\_\_\_\_

Nationality : \_\_\_\_\_ Passport No (If non-filipino) : \_\_\_\_\_

Occupation : \_\_\_\_\_

Religion :  Roman Catholic  Islam  Protestant  Iglesia ni Kristo  Aglipayan  Others

Address : \_\_\_\_\_

Region \_\_\_\_\_ Province \_\_\_\_\_ City / Mun. \_\_\_\_\_ Barangay \_\_\_\_\_

Number of Children (if any) : \_\_\_\_\_ Ages of Children : \_\_\_\_\_

**If Victim-Survivor is a Child**

Name of Parent / Guardian : \_\_\_\_\_  
*Last Name First Name Middle Name*

Relationship of Guardian to Victim-Survivor : \_\_\_\_\_

Address : \_\_\_\_\_

Region \_\_\_\_\_ Province \_\_\_\_\_ City / Mun. \_\_\_\_\_ Barangay \_\_\_\_\_

Contact No. of Parent / Guardian : \_\_\_\_\_

**Perpetrator Information**

Name : \_\_\_\_\_ Alias : \_\_\_\_\_  
*Last Name First Name Middle Name*

Sex :  Male  Female Date of Birth : \_\_\_/\_\_\_/\_\_\_ (MM/DD/Year) Age : \_\_\_\_\_

Civil Status :  Single  Married  Live-In  Widowed  Separated  No Data  
Highest Educational Attainment :  No formal education  Elementary Level / graduated  High School Level / graduated  Vocational  College Level / graduated  Post Graduate  No Response  Others \_\_\_\_\_

Nationality : \_\_\_\_\_ Passport No (If non-filipino) : \_\_\_\_\_

Occupation : \_\_\_\_\_ Identifying Marks : \_\_\_\_\_

Religion :  Roman Catholic  Islam  Protestant  Iglesia ni Kristo  Aglipayan  Others

Address : \_\_\_\_\_

Region \_\_\_\_\_ Province \_\_\_\_\_ City / Mun. \_\_\_\_\_ Barangay \_\_\_\_\_

**Relationship of Perpetrator to Victim :**

Current spouse / partner  Former spouse / partner  Current fiance / dating relationship  
 Former fiance / dating relationship  Employer / manager / supervisor  Agent of the employer  
 Teacher / instructor / professor  Coach / trainer  Immediate family  
 Other relatives  People of authority / service provider  Neighbors / peers / coworkers/classmates  
 Stranger

**If Perpetrator is a Child**Name of Parent / Guardian : \_\_\_\_\_  
Last Name First Name Middle Name

Relationship of Guardian : \_\_\_\_\_

Address : \_\_\_\_\_

Region \_\_\_\_\_ Province \_\_\_\_\_ City / Mun. \_\_\_\_\_ Barangay \_\_\_\_\_

Contact No. of Parent / Guardian : \_\_\_\_\_

**Incident Information** RA 9262: Anti Violence against Women and Their Children Act Sexual Abuse  Psychological  Physical  Economic  Others \_\_\_\_\_ RA 8353: Anti-Rape Law of 1995 Rape by sexual intercourse  Rape by sexual assault Art 336 of the Revised Penal Code Acts of lasciviousness RA 7877: Anti-Sexual Harassment Act Verbal  Physical  Use of objects, pictures, letters or notes with sexual under-pinnings RA 7610: Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act Engage, facilitate, promote or attempt to commit child prostitution  Sexual intercourse or lascivious conduct RA 9775 Anti-Child Pomography Act

Description of Incident : \_\_\_\_\_

Date of Latest Incident : \_\_\_/\_\_\_/\_\_\_ (MM/DD/Year)  Incomplete Date

Geographic Location of Incident :

Region \_\_\_\_\_ Province \_\_\_\_\_ City / Mun. \_\_\_\_\_ Barangay \_\_\_\_\_

Place of Incident :

 Home  Work  School  Commercial Places  Religious Institutions Place of Medical Treatment  Transport & Connecting Sites  Brothels and Similar Establishments Others  No response

Witness/es: (Use additional paper if necessary) (Not to be encoded in system)

1) \_\_\_\_\_  
Name Address Contact Number

Eye-Witness Account: \_\_\_\_\_

**Services Information**

Date: \_\_\_/\_\_\_/\_\_\_

 Crisis intervention including rescue  Issuance / Enforcement of Barangay Protection Order Refer to Social Welfare and Development Office : Date \_\_\_/\_\_\_/\_\_\_ Psychosocial services  Emergency Shelter  Economic Assistance Refer to Healthcare provider : Date \_\_\_/\_\_\_/\_\_\_ Name of Healthcare Provider : \_\_\_\_\_ Provision of appropriate medical treatment  Issuance of medical certificate  Medico-legal Exam Refer to Law Enforcement Date \_\_\_/\_\_\_/\_\_\_ Agency : \_\_\_\_\_ Receipt and recording of Complaints  Rescue Operations for VAW Cases  Forensic Interview and Investigation Enforcement of Protection Order Refer to Other Service Provider Date \_\_\_/\_\_\_/\_\_\_ Type of Service : \_\_\_\_\_

Name of Service Provider : \_\_\_\_\_

Case Closed :  No  Yes  
Date \_\_\_/\_\_\_/\_\_\_ (MM/DD/Year)