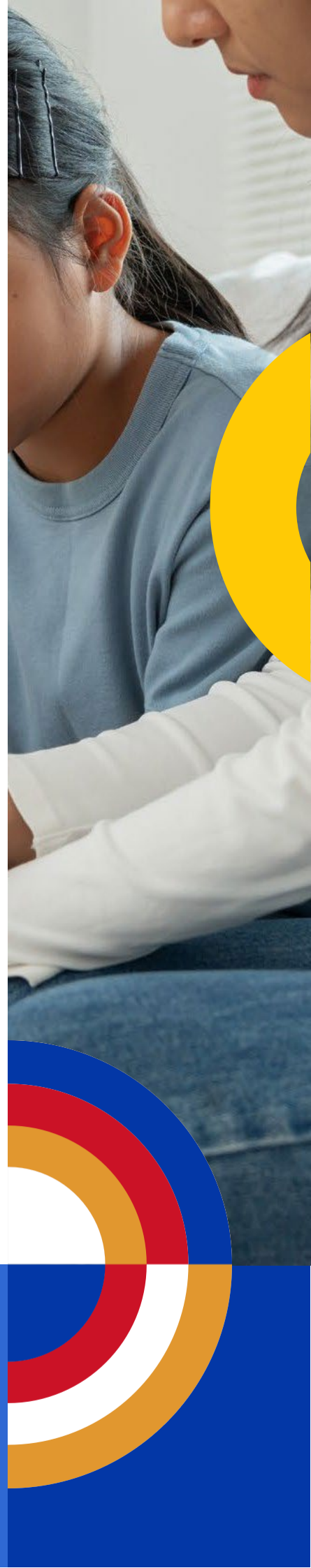




Victim-Sensitive Guidelines

IN THE JUSTICE SYSTEM

Developed by the Justice Sector Coordinating Council led by the Supreme Court of the Philippines, the Department of Justice, and the Department of the Interior and Local Government





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I. International and Regional Perspective on Victim-Sensitive Measures

There are international and regional instruments that provide guidance on using victim-sensitive measures in the justice system with focus on addressing the needs of the victims. The victim-sensitive measures aim to create a more supportive and responsive justice system that considers each victim's unique needs and experiences, promoting a sense of justice, healing, and empowerment for those affected by abuse and exploitation.

The Declaration of Basic Principles of Justice For Victims of Crime and Abuse of Power (UN 1985 Declaration) emphasizes that victims of crimes should be treated with compassion and dignity, and are entitled to prompt redress for the harm they have suffered. Recognizing the importance of setting minimum standards in the delivery of justice for victims¹, the UN 1985 Declaration recommends common measures to be taken at international, regional, and national levels to improve access to justice, including compensation and/or restitution, fair treatment, assistance, and support for victims of crimes.

The Victim-Sensitive Courts Handbook for ASEAN Members States highlights the importance of a victim-centered approach to protect and advance the rights of victims and witnesses, reduce revictimization, understand their needs, and apply a victim-sensitive approach in the handling of cases.

¹ Understanding The Concept Of Victims Of Crime And A Short History Of Victimology, UNODC, July 2019, available at <https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-11/key-issues/1--understanding-the-concept-of-victims-of-crime.html>



II. Underlying Principles of Victim-Sensitive Measures

Victim-sensitive measures focus on ensuring that victims' basic to intermediate needs are addressed throughout the justice system. These measures, which encompass a range of strategies and practices designed to support and empower victims, are grounded on three core principles:

Empowerment. Recognizing victims' rights is fundamental. Providing victims the space to assert their rights is empowering. To empower victims is to give them a voice in the proceedings and ensure their active participation in the justice system. Opportunities for victims to participate include providing inputs, asking questions, and expressing their views and concerns, especially over matters that concern them. This principle is interrelated with the victim-centered approach, which places the needs and rights of the victims at the heart of the justice processes, considering their perspectives and experiences in making informed decisions.

Respect and Dignity. To treat victims with respect, dignity, and empathy from rescue to recovery by any frontline responder involved in the justice process is to acknowledge the impact of the crime on their lives and that of their families. This principle is interrelated with the trauma-informed approach and the Do-No-Harm principle whereby frontline responder are enjoined to take steps in minimizing revictimization or retraumatization when interacting or engaging with victims.

Fairness and Accountability. Victim-sensitive measures should also ensure that the offenders' rights are not violated. It promotes accountability for offenders but at the same time ensures a fair and just process for all involved parties.

These principles guide the implementation of victim-sensitive measures to create a more supportive, sensitive, and inclusive justice system for victims of crimes.



III. Guidelines on Victim-Sensitive Measures

A. Scope and Purpose

The development of the multi-sectoral Victim-Sensitive Guidelines in the Justice System (Guidelines) is a response to the need to have a comprehensive and practical policy guidance in prescribing the standard responses to victims or survivors in all phases of the justice system in accordance with the applicable laws, policies, and practices. It also furthers the mandate of the Justice Sector Coordinating Council (JSCC)²².

The Guidelines intends to provide victims with an effective and efficient delivery of sensitive and real-time justice while minimizing risks to them and providing them with a meaningful journey throughout the justice system. It will serve as a 'blueprint' for the use of judicial officials, prosecutors, public attorneys, law enforcers, social workers, physicians, allied health professionals, psychologists, as well as their respective personnel. It will also be a guide for the barangay officials and workers, including members of the Barangay Council for the Protection of Children (BCPC) and Child Protection Committee (CPC), non- government workers, the private sector, and other stakeholders in the justice sector.

The Guidelines will help promote and facilitate the integration of a victim-sensitive, gender- responsive, and socially-inclusive perspective in all interventions made available and provided to victims of crimes, including but not limited to violations of any of the following laws:

- RA No. 9208/ RA No. 10364/ RA No. 11862 – Anti-Trafficking in Persons Act of 2003/ Expanded Anti-Trafficking Act of 2012/ Expanded Anti-Trafficking Act of 2022
- RA No. 11930 – Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti- Child Sexual Abuse or Exploitation Materials (CSAEM) Act of 2022

²² In a Joint Declaration dated 30 April 2010, the Supreme Court (SC), Department of Justice (DOJ), and the Department of the Interior and Local Government (DILG) established the Justice Sector Coordinating Council (JSCC) for them to: (1) work on cross-cutting issues affecting the justice system while at all times respecting and preserving their respective independence; (2) adopt a coordinated approach to justice sector policy-making, planning and operations; and (3) identify priority issues and challenges that may be addressed collectively.

- RA No. 11648 – Anti-Child Rape Act of 2022
- RA No. 11596 – Anti-Child Marriage Act of 2021
- RA No. 11313 – Safe Spaces Act of 2019
- RA No. 11188 – Special Protection of Children in Situations of Armed Conflict Act of 2019
- RA No. 10906 – Anti-Mail Order Spouse Act of 2016
- RA No. 9995 – Anti-Photo and Video Voyeurism Act of 2009
- RA No. 9262 – Anti-Violence Against Women and Their Children Act of 2004
- RA No. 9231 – Worst Forms of Child Labor Act of 2003
- RA No. 9745 – Anti-Torture Act of 2009
- RA No. 8353 – Anti-Rape Law of 1997
- RA No. 7877 – Anti-Sexual Harassment Act of 1995
- RA 7659 - Heinous Crime Law of 1993
- RA No. 7610 – Special Protection of Children Against Abuse, Exploitation and Discrimination Act of 1992
- Other violent crimes involving women and children

The Guidelines contains eight victim-sensitive indicators that will serve as parameters for the development, review, revision, implementation as well as evaluation of interventions for victims throughout the justice system. These indicators will provide the stakeholders practical direction in upholding and advancing the rights of victims.

B. Definition of Terms

1. Victim³

“Victim” means a person who, individually or collectively, has suffered harm, including physical or mental injury, emotional suffering, economic loss, or substantial impairment of any of their fundamental rights, arising from the commission of a violent crime.⁴

2. Victim Sensitive Courts⁵

The Victim Sensitive Court (VSC) draws on the principles set out in the UN Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, the Recommended Principles and Guidelines on Human Rights and Human Trafficking, and the UNODC Toolkit to Combat Trafficking in Persons. These principles apply to all victims of crimes.

³ Adopting the definition of “Victims” under Article A, paragraphs 1-3, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, General Assembly resolution 40/34, United Nations General Assembly, 29 November 1985, available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-basic-principles-justice-victims-crime-and-abuse>

⁴ A person may be considered a victim, regardless of whether the perpetrator is identified, apprehended, prosecuted, or convicted and regardless of the familial relationship between the perpetrator and the victim. The term “victim” also includes, where appropriate, the immediate family or dependents of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization. The terms survivor and victim are used interchangeably in many crimes, although they can have different implications when used in the context of law and justice, victim advocacy and service provision. ‘Survivor’ is rather used widely by service provision organisations to recognise the strength and courage it takes to overcome victimization.

⁵ Victim Sensitive Courts, A Handbook for ASEAN Member States, Leisha Lister, June 2022, available at <https://aseanactpartnershiphub.com/resource/vsc-handbook/>

In the justice system, the victims should be treated with compassion and respect. All services should be victim-centric, and special protections are afforded to those especially vulnerable, such as children and persons with disabilities. The key principle of the VSC is to ensure that the justice system empowers victims by actively supporting and engaging them and minimizing the risk of further revictimization and retraumatization. The approach aims to build victims' confidence, while upholding the rights of the respondents or accused, thereby protecting the integrity of the justice system.

3. Child

Child refers to a person below 18 years of age or older but are incapable of taking care of themselves⁶ from abuse, neglect, cruelty, exploitation, or discrimination because of a physical, mental, intellectual, or sensory disability or condition.⁷

The definition of a "child," as expanded under some laws, is adopted in this Guidelines.

4. Stakeholders

Stakeholders refer to those individuals or organizations who have an interest and level of influence in the implementation of the Guidelines. They include all those who, in the performance of their duties, deal with victims of violent crimes.

5. Violent crime

Violent crime refers to an offense committed with malice that resulted in death or serious physical and/or psychological injuries, permanent incapacity or disability, insanity, abortion, serious trauma, or is committed with torture, cruelty, or barbarity.⁸

6. Sensitivity

Sensitivity refers to the awareness, understanding, and consideration that everyone has their own unique experiences based on gender, race, class, physical ability, age, and other factors that can intersect or overlap to increase disadvantage, vulnerability, and discrimination. In the context of victims of crimes, this makes certain victims or social groups face more than one form of vulnerability to be victims.⁹ Sensitivity also involves being attuned to cultural, gender, and individual differences among victims, as well as adapting interventions and support services accordingly, to meet their diverse needs in a non-judgmental and empowering manner.

7. Cultural Sensitivity

Cultural sensitivity or cultural competency is the process of recognizing, understanding, and listening to people from different cultures or belief systems without preconceived opinions, judgments, or prejudices.

⁶ RA 9262

⁷ Republic Act No. 11930 or the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act

⁸ Section 3 (d), Republic Act No. 7309 or "An Act Creating a Board of Claims under the Department of Justice for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for other purposes."

⁹ Adapted from ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)- Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons, P13. Available at <https://asean.org/wp-content/uploads/2023/07/ACWC-Modules-Advanced-1.pdf>

Cultural sensitivity increases an individual's or organization's ability to effectively provide services to diverse victims. The goal of acquiring gender and cultural competence for frontline responders is improved communication and interaction with victims. Cultural sensitivity will reflect a person's self-awareness and reflection on their own culture, and world view, adoption of a positive (or neutral) attitude towards cultural differences, and open-mindedness to actively listen on respectful terms.¹⁰

8. Compensation

Compensation refers to a payment, reparation, or financial assistance for injury or harm to victims of violent crimes.

It may be used interchangeably with "restitution." There are two primary compensation methods: (1) court-awarded compensation against the perpetrator and (2) state-funded compensation.¹¹

9. Vulnerability

Vulnerability refers to a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved. It encompasses any state of hardship in which a human being is impelled to accept being exploited. This hardship includes physical, psychological, social, or economic hardship in which a human being is impelled to accept or submit to exploitation.¹²

The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence, or fragile health. Vulnerability in victims of crimes is typically used to refer to those inherent, environmental, or contextual factors that increase the susceptibility of an individual or group to being victimized.¹³

10. Victim-centered approach

A victim-centered approach is a systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner.¹⁴ This approach positions the victims' needs and priorities at the heart of any response.¹⁵

11. Trauma

Trauma is an adverse psychological impact that can result from negative events, such as being a victim of a crime, leading to feelings of powerlessness and isolation. It can negatively affect mental health, sometimes resulting in serious conditions like Post Traumatic Stress Disorder (PTSD). Its effects can be immediate or delayed, short-term or long-term. Emotional and behavioral conditions associated with trauma include fear, loss of control, helplessness, depression, suicidal thoughts or actions, self-harm, substance abuse, and sensation-seeking behaviors. Trauma can result from a single event or repeated traumatic experiences, with more severe impacts likely when multiple

¹⁰ Ibid at P19.

¹¹ "National Approaches to Compensation of Victims of Trafficking in Persons", Working Group on Trafficking in Persons, UNODC, https://www.unodc.org/documents/treaties/organized_crime/COP5/CTOC_COP_WG4_2010_CRP1/CTOC_COP_WG4_2010_CRP1_E.pdf

¹² UNODC, "Issues paper Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons", p.13. https://analys.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf

¹³ Explanatory Report to the Council of Europe Convention on Action against Trafficking in Human Beings Warsaw, 16.V.(2005) <https://rm.coe.int/16800d3812>

¹⁴ ASEAN Do No Harm Guide for Frontline Responders Safeguarding the Rights of Victims of Trafficking in Persons, ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC), available at https://asean.org/wp-content/uploads/2023/01/2022-12-07-DNH-Final-ENG_Formated.pdf

¹⁵ The UNHCR describes it in the context of sexual exploitation, abuse, and harassment as an approach that prioritizes listening to the victims, avoids re-traumatization, and systematically focuses on their safety, rights, well-being, expressed needs, and choices. This approach aims to give back as much control to the victim as possible and ensures the empathetic and sensitive delivery of services and accompaniment in a non-judgmental manner. The Bali Process defines a victim-centered approach as one that considers the individual needs of the victims and customizes the protection responses accordingly. It should be grounded on the fundamental principles of safety, confidentiality, and non-discrimination. It should also be applied regardless of whether the victim participates in the criminal justice process.

damages (physical, emotional, economic) are involved. Prior vulnerabilities like physical or mental disabilities, a history of trauma, and lack of support can increase susceptibility to trauma.¹⁶

12. Trauma-informed care approach

This approach recognizes the impact of traumatic experiences (specifically, a range of physical or psychological violence that may include abuse before and during the ordeal of the crimes) on an individual's life and behavior, and their perceptions of themselves and their bodies.¹⁷ It recognizes the signs and symptoms of trauma in victims, focuses on the victims' safety and security, and safeguards against policies and practices that may traumatize victims.¹⁸

13. Retraumatization

Retraumatization refers to an instance where a victim re-experiences the trauma of their ordeal,¹⁹ due to exposure to triggers such as but not limited to situations, people, events, places or environments that are similar to their past experiences.

14. Revictimization

This refers to victimization that takes place at multiple points in time. For violent crimes, revictimization can occur at any time from identification to reintegration when victims are interacting with stakeholders, such as when victims are being interviewed, being sheltered, undergoing a medical check, being assessed for reintegration or recovery programs, or participating in the court process.²⁰

15. Best interests of the child approach²¹

The principle can be understood as a three-fold concept that includes a substantive right, a fundamental and interpretative legal principle, and a rule of procedure. It is aimed at ensuring the full and effective enjoyment of all the rights recognized in the Convention on the Rights of the Child and of which the primary consideration is to ensure the holistic development of the child.²²

¹⁶ UNODC "University Module Series: Crime Prevention and Criminal Justice - The impact of crime, including trauma", <https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-11/key-issues/2--the-impact-of-crime-including-trauma.htm>

¹⁷ IOM (2009). Caring for Trafficked Persons, Guidance for Health Providers. Geneva: IOM.

¹⁸ Human Trafficking Task Force e-Guide: Using a trauma-informed approach. Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. <https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/41-using-a-trauma-informed-approach/> (accessed 15 October 2021)

¹⁹ ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)- Advanced Training for Frontline Responders on Gender Sensitive and Victim centred Approaches to Working with Victims of Trafficking in Persons, P 12. Available at <https://asean.org/wp-content/uploads/2023/07/ACWC-Facilitators-Guide-1.pdf>

²⁰ Ibid.

²¹ Article 3 (1) of the UN Convention on the Rights of the Child (CRC) serves as the foundation for the principle of the best interests of the child.

²² European Migration Network (EMN) available at https://ec.europa.eu/home-affairs/pages/glossary/best-interests-child-bic_en

C. VICTIM-SENSITIVE JUSTICE SYSTEM INDICATORS

Victim-Sensitive Indicator 1



SAFETY AND PRIVACY OF VICTIMS

Victims have many reasons to be afraid, embarrassed, insecure, or distrustful, leading to their reluctance to speak out or to participate in proceedings. The impact of trauma exacerbates this further.

To protect victims from further harm, threats, intimidation, or retaliation, it is important to ensure that any identifying details of the victim, the immediate members of the family, and household²³ are not disclosed to the public during case buildup, preliminary investigation, and trial. The non-disclosure includes restricting access to sensitive information.

Reasonable steps should be taken to ensure the safety and well-being of victims and that of their families throughout the process by keeping personal data secure and confidential.



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Scheduling cases:

In calling the calendar of cases, the court should call victim-sensitive cases separately from the other cases. As far as practicable, hearing dates should be scheduled exclusively for victim-sensitive cases.

The court should exclude the public when the victim testifies on sensitive matters. Interpreters and other concerned stakeholders should be educated on the importance of maintaining confidentiality of data such as deleting names of victims in the court calendar.

²³ Supreme Court Amended Administrative Circular No. No. 83-2015 or the "Protocols and Procedures In the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Name/Personal Circumstances," dated September 5, 2017.

1.1 Ensure a closed-door investigation, prosecution, and trial.

- During case build-up and preliminary investigation, law enforcers and prosecutors should provide a private and secure environment for the victim when giving evidence, away from the public view and potential intimidation.
 - In simple language, introduce the main characters of the persons in the room/ court (law enforcer, social worker, prosecutor, defense counsel, judge) and their roles in the proceeding (investigation, prosecution, trial).
 - Explain the basic rules of the proceedings and other necessary information. (See Indicator 2)
 - Give the victim the opportunity to ask questions and sign an informed consent.²⁴ (See Indicator 2 and Annex C).
- The victim may testify in open court only after the public has been excluded. Alternatively, a hearing in the judge's chamber can be conducted to prevent exposing the victim to the public. (See 3.3 on other alternative modes)

1.2. The stakeholders should prepare risk assessments or safety plans to protect victims from the time of seeking redress up to the time of reintegration. Safety plans should always be prepared in consultation with the victims and, when necessary, their families or guardians.

- Have a risk assessment checklist and ask victims questions to determine possible risks.
- Discuss the protection, assistance, and necessary arrangements to enable victims to actively participate without fear of retaliation.
- Devise an individualized safety plan with detailed protection and safety measures.
- Check the eligibility of victims to avail of the benefits under the Department of Justice - Witness Protection, Security and Benefit Program (DOJ-WPSBP) and discuss the details of entitlement with the victim, including the comforts and discomforts of being under the program.
- Identify the office and/or persons in charge of the victim's safety and security and share their contact details with the victim.

1.3. Protect the identity and personal details of the victims, their immediate family, and their household members during investigation, prosecution, and trial, as well as in the publication of decisions, resolutions, or orders.

- Names in documents should be anonymized.
 - Example: Using the following codes: AAA and ascending onwards for the victim/s and their immediate family and household; ZZZ and descending onwards for the offenders.
- Court decisions, resolutions, orders, and even court calendars should be anonymized as to the following: names, birth dates, addresses, and other identifying information of the victim, their immediate family and household.²⁵
- Concerned officers should only disclose a victim's information on a need-to-know basis to those individuals directly involved in the case, who should also be bound by the rule on anonymity.

1.4. Prohibit publication of any identifying details of the victim, their immediate family, and household in any media outfit or platform.

- The court should issue an order prohibiting the disclosure or publication of identifying information to the media (print, radio, television, broadcast, film, social media, and other platforms) to protect vulnerable victims and their immediate family members.
- Designate an officer and an alternate, in coordination with the concerned agencies'

²⁴ Informed consent is a voluntary process to educate the people about their rights, risks and benefits of participation and can make a voluntary decision about participating in the criminal proceedings. The informed consent document must be in simple language that reflects the voluntariness of the signatory after having been duly informed and assisted by social worker, or support person, if necessary.

²⁵ Ibid.

spokesperson or head of office, trained in handling sensitive information and the media. Ensure that sensitive and identifying details of victims and their immediate family members are not disclosed unnecessarily when posting news, texts, photos, videos, or reels, whether through one's official or personal social media account.

Confidentiality:

A.M. No. 23-10-18-SC (February 4, 2025)

Further Amendments to Supreme Court Amended Administrative Circular no. 83-2015 (Re: Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Order Using Fictitious Names/ Personal Circumstances)

People vs. Cabalquinto, G.R. No. 167693, Sept. 19, 2006: The Supreme Court upheld the conviction of the accused and took into account the enactments which unequivocally express the intention to maintain the confidentiality of information in cases involving violence against women and their children. It ruled "In this case and henceforth, the Court shall withhold the real name of the victim-survivor and shall use fictitious initials instead to represent her. Likewise, the personal circumstances of the victims-survivors or any other information tending to establish or compromise their identities, as well those of their immediate family or household members, shall not be disclosed."

Victim-Sensitive Indicator 2



INFORMATION AND SERVICES



Victims have the right to information. Appropriate information and materials regarding the victims' right to an adequate response to their needs and right to protection and assistance shall be provided in a variety of formats and presented using simple, age-appropriate, disability-inclusive, and easy-to-understand language. Providing them with clear and timely information will help ease their doubts and apprehension in navigating through the justice system.

Information relevant to the needs of the victims should be available and accessible, and stakeholders should ensure that the process of accessing information is simple and inexpensive. By having ready access to information, the victim can make an informed decision.

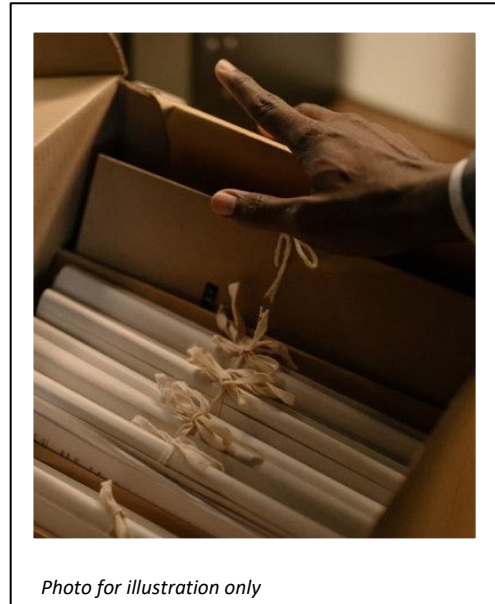


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2.1. Victims and their non-erring family

members should be made aware of their rights; the legal processes and available remedies; and adequate and appropriate protection and support services.

- Information about the rights of the victims should include information on the right to be recognized and respected as a victim, the right to privacy and confidentiality, the right to information, the right to legal assistance, the right to a fair and transparent trial, and the right to legal compensation and/or restitution, when warranted.
- Information about legal processes and remedies should include information on trial procedure/processes; timelines; roles of prosecutors, lawyers, judge, and court personnel during the trial; physical layout of the courtroom; financial assistance available to them; and access to compensation and/or restitution.
- Information about protection and support services should include those mentioned in Indicator 5.
- Victims should be informed of the following critical services:
 - The victim compensation program of the DOJ Board of Claims²⁶ grants compensation for victims of unjust imprisonment or detention and victims of violent crimes. A person who is a victim of a violent crime, which includes rape and offenses committed with malice which resulted in death or serious physical and/or psychological injuries, permanent incapacity or disability, insanity, abortion, serious trauma, or committed with torture, cruelty, or barbarity.

²⁶ Republic Act No. 7309 or An Act Creating a Board of Claims under the Department of Justice for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for other Purposes, March 30, 1992.

- The claim should be filed with the Board within six (6) months from the date the victim suffered damage or injury; otherwise, the victim is deemed to have waived the claim.
- The Board may approve a claim not exceeding Ten Thousand Pesos (P10,000.00), or the amount necessary to reimburse the claimant the expenses incurred for hospitalization, medical treatment, loss of wages, loss of support, or other expenses directly related to the injury, whichever is lower, to be determined by the Board.
- The DOJ Witness Protection, Security and Benefit Program (WPSBP)²⁷ seeks to encourage a person who has witnessed or has knowledge of the commission of a crime to testify before a court or quasi-judicial body, or before an investigating authority, by protecting him from reprisals and from economic dislocation. The benefits include the following:
 - Security protection and escort services.
 - Immunity from criminal prosecution and not to be subjected to any penalty or forfeiture for any transaction, matter or thing concerning his compelled testimony or books, documents or writings produced.
 - A secure housing facility, during trial and post-judgment.
 - Assistance in obtaining a means of livelihood.
 - Reasonable traveling expenses and subsistence allowance while acting as a witness.
 - Free medical treatment, hospitalization and medicine for any injury or illness incurred or suffered while acting as a witness.
 - Burial benefits of not less than Ten Thousand pesos (P10,000.00) if the witness is killed because of his participation in the Program.
 - Free education from primary to college level for the minor or dependent children of a witness who dies or is permanently incapacitated.
 - Non-removal or demotion in work because of absences due to being a witness and payment of full salary or wage while acting as witness.
 - After being honorably discharged as a witness, he and any member of his family within the second civil degree of consanguinity or affinity may be relocated to an area where he will be safe and/or given a new personal identity. He may also be given one-time financial assistance for his support and that of his family.
- Department of Social Welfare and Development - The Recovery and Reintegration Program for Trafficked Persons is a comprehensive program that ensures adequate recovery and reintegration services are provided to trafficked persons. Services include temporary shelter, psycho-social counseling, skills training, and various forms of assistance such as transportation, financial, medical, and educational.

²⁷ Republic Act No. 6981 or An Act Providing for a Witness Protection, Security and Benefit Program and for other Purposes, April 24, 1991

- Free Legal Aid from the Public Attorney’s Office, Integrated Bar of the Philippines, law school clinics²⁸, [Unified Legal Aid Service](#) and other legal assistance non-government organizations, accessible through the Supreme Court’s Online Free Legal Aid Directory.
- All these materials should include the relevant contact information. The concerned stakeholders must ensure that the contact information are regularly updated.
- During the engagement process, victims are free to ask any questions they wish. When a victim is fully informed about his or her rights, the proceedings, protections, assistance, benefits, and risks involved, and considers participating in the proceedings, the stakeholder should explain the need for the victim to sign an informed consent.

Claiming reimbursement of transportation and food expenses of TIP victims:

Stakeholders or the victim may claim reimbursement from the designated special reimbursement officer of DOJ-IACAT or anti-trafficking task force member, subject to government accounting rules and regulations.

2.2. Provide the victims with physical materials that are simple, illustrative, easy-to-understand, and in their vernacular language, and digital materials that are creative, relatable, easy-to-understand, and interesting. All these materials should include the relevant information listed in Item 2.1.

- Ensure that these materials are available and accessible in print, videos, radio, television, movie theaters, help desks, the internet, audio, and on other future media platforms.
- Play informational videos through government channels, platforms, and digital boards located in public places.
- Concerned stakeholders should allocate a budget for projects, activities, and programs (PAPs) related to information, education, and communication (IEC) materials, including the production and dissemination of the IECs on the Guidelines and the rights of victims.

Good practice in Calamba City:

The Calamba City Justice Zone implements the “Dulugang Bayan” Project for information dissemination on court systems and procedures. This Program involves conducting a townhall session to provide free legal services every Friday of the week. Additionally, the Calamba City Justice Zone Convenor- Executive Judge holds the “Itanong Mo kay EJ Day” to entertain questions on court matters and other related information for the general public.

²⁸ Clinical Legal Education Program (CLEP), Rule 138-A: Law Student Practice, A.M. No. 19-03-24-SC, dated June 25, 2019.

Good practice in Angeles City:

The Supreme Court of the Philippines piloted the installation of the “e-Court Kiosk” at the Angeles City Hall of Justice to provide easy access to information on the calendar and status of cases in court.

- a. Government offices should have an online up-to-date database of their orders, circulars, codes of conduct listed in item 3.2, internal rules, procedures, and decisions, which is accessible to the public with a simple and user-friendly search interface.
- b. Stakeholders should set up a public information or assistance help desk to disseminate physical materials containing the information listed in item 2.1.

Good practice by PNP:

Police desks have been established to support LGBTQIA+ victims of crimes. Police investigators enable victims to choose the sex of the interviewer.

- 2.3. There should be a focal person who maintains communication with the victim, provides updates on the case, as well as referral information to victims in a simple and easy-to-understand language on the rights of and services available to victims.
 - The focal person should connect victims with victim advocates, counseling services, and other resources to help them cope with the aftermath of the crime. They should be able to refer victims to these resources as needed.
 - Inform victims of their rights reflected in 2.1.
 - Communicate with victims in a timely and transparent manner, keeping them informed about the progress of the case and any relevant developments.

Good practices on victim support by the DOJ:

The DOJ employs a Victim Witness Coordinator (VWC) who is stationed at the local Prosecutor’s Office. During court hearings, the VWC accompanies the TIP victims and ensures that they are not approached by the accused, accused’s family members, the defense lawyer, or the media. The VWC also assists the victims in obtaining financial assistance from the DOJ Board of Claims and admission in the DOJ-WPSBP. In an evaluation conducted in 2017, 90% of victims who benefitted from the assistance of a VWC throughout the justice process felt safe, less alienated from the judicial system, and testified confidently.

Victim-Sensitive Indicator 3



EVIDENCE AND PROCEEDINGS



Unfamiliarity with the justice system and processes can overwhelm victims who are at risk of revictimization through insensitive responses from the stakeholders.

Measures are put in place to prevent further trauma that may result from involvement in the justice system, such as when giving a statement to the police or a prosecutor, attending a trial, and testifying in court. Victims need a friendly and enabling environment where they feel safe and comfortable while recounting their ordeal.

3.1. Cases involving violent crimes should be prioritized.

- Respond quickly and appropriately within the required timelines as much as possible.²⁹
- Monitor the aging of cases and ensure that these are resolved within the mandated period.
- Prioritize issuance of temporary protection or restraining orders where necessary, or other measures to protect victims from further harm or intimidation.

3.2. Measures to ensure victims are supported in the criminal proceedings

- If necessary, provide the victim a minimum of 24 hours rest before engaging the victim on matters concerning the case.
- Provide a friendly and enabling environment for victims to feel safe, at ease, and comfortable.
- Ensure that victims and offenders are separated and provide separate entrances, exits, and waiting areas for them.
- Orient the victim on the court setting and proceedings, including the respective roles of the court personnel and officers. Familiarize the victim with an actual court visit prior to the court appearance.
- Allow the victim to have a support person of their choice during the case build-up, interview, preliminary investigation, and trial, even in closed proceedings.



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²⁹ Existing rules pertaining to required timelines per agency.

Good practice by the DOJ VWC:

The DOJ VWC serves as a support person to some TIP victims. They provide emotional support by maintaining frequent personal contact, managing their expectations, and constantly updating them about their cases and other related matters.

- a. Allow a facilitator³⁰ to assist in the testimony of the victim.
- b. Provide qualified language or sign language interpreters if necessary.
- c. Ensure a respectful and fair trial and avoid the use of insensitive and gender discriminating language and behavior when questioning the victim.
- d. Use fair and gender- and culture-sensitive language and behavior in all proceedings, resolutions, and decisions.
- e. Proper decorum must be maintained. Request the right of the victim or witnesses to be free from harsh or insulting demeanor and language.
- f. Prosecutors should conduct case consultations with the victim before or after arraignment and orient the victim on the documentary and other evidence required during pre-trial.
 - i. Allow a reasonable period of recess or break to the victim when testifying.
 - ii. Regularly update the victim on the status of the case. Provide the victim with a case status booklet to ensure that the victim is kept informed of the status and progress of the case.
 - iii. Should there be threats, refer the victim to the DOJ WPSBP or to the proper law enforcement authorities.

Good practice on witness location and close-in security services by IACAT:

In TIP cases, IACAT Operation Center (OPCEN) locates victim-witnesses and provides transportation, food, accommodation, and security assistance to the victims during court hearings and case conferences. IACAT covers all expenses related to the services. In order for them to locate and secure the attendance of the victim, they require a letter-request from the Court, along with an attached subpoena, and at least a one month's lead time. For a case conference or briefing, they require a letter from the prosecutor's office.

3.3. Ensure victims can avail of alternative modes when giving a statement or testifying without directly seeing the respondent/accused.

- Allow victims to avail of any of the following alternative modes:
 - Deposition³¹

³⁰ An intermediary or facilitator is an impartial participant in the justice process who helps in the effective communication of testimonial evidence by posing questions to the victim/witness in comprehensible words and as intended by counsel or judge (ex. counselor, psychologist, psychiatrist, social worker, teacher, police, cultural expert witness)

³¹ Depositions pending action, when may be taken. –Upon ex parte motion of a party, the testimony of any person, whether a party or not, may be taken by deposition upon oral examination or written interrogatories. The attendance of witnesses may be compelled by the use of a subpoena as provided in Rule 21. Depositions shall be taken only in accordance with these Rules. The deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes, Sec.1, Rule 23, 2019 Rules on Civil Procedure,

- Video In-depth Disclosure Interview (VID)³²
 - The transcript and the audio or video of the interview can be utilized as evidence before the Office of the Prosecutor and before the court, in lieu of the sworn statement.
 - The interviewer and/or the person who recorded the interview shall execute an affidavit stating the manner the interview was conducted and how the interview was recorded.
- Video conferencing (online mode of presenting testimony)³³
- Live-link television (in the chambers of the judge or another room)³⁴
- Separate room with a one-way mirror³⁵
- Partition in the room/court to protect the victim from seeing the offender, such as dividers or curtains.
- Avail of online language interpretation services and other resources to improve accessibility and communication with victims who may face barriers to in-person interactions.

Good practice on the civil aspect:

Assist the victims in pursuing the civil liability by asking them about the emotional, physical, and financial impact of the crime on their lives, which must be included in the sworn statement. Provide the judge a sworn statement that outlines the full extent of the harm and attach evidence of actual damages incurred.

Good practice on taking statements:

In inquest proceedings, law enforcers only have a 36-hour reglementary period to file a criminal case against the arrested offender. In cases involving traumatized victims, the period is not sufficient to process the traumatic experience, information given, and the options available to them. To mitigate further harm to the victims, the law enforcer and inquest prosecutor allow the use of video-in-depth-interviews and/or video conferencing to secure the statement of the victims.

³² Video In-Depth Interview (VIDI) is a recorded interview conducted by the investigator, social worker, or forensic interviewer who are specially trained to conduct such interview, concerning the personal information of the victim and the manner by which the rescued victim was abused, or exploited

³³ The Guidelines on the Conduct of Video Conferencing, A.M. No. 20-12-01-SC.

³⁴ Rule on Examination of a Child Witness, [A.M. NO. 004-07-SC](#)

³⁵ Ibid.

Victim-Sensitive Indicator 4



INTERACTION WITH VICTIMS

All concerned stakeholders should regularly enhance their knowledge and skills in interacting sensitively with victims and providing them the appropriate services. These stakeholders should be provided with specific tools, materials, and training on victim protection

The stakeholders should establish standard operating procedures (SOPs), service standards, or codes of conduct to guide their actions and behavior by outlining expectations and consequences for breaches of professional responsibility.

4.1. Create specialized units or assign personnel to specific crimes

- Foster close coordination by conducting multi-sectoral rescue, case build-up, and victim-sensitive interviews.
- Use a uniform intake template from the first point of contact, which should include:
 - Name of victim
 - Age
 - Gender
 - Address
 - Contact number
 - Social media account
 - Ethnicity (if applicable)
 - Disability (if any)
 - Nationality
 - Passport number, validity, date, and place issued
 - Language/dialect spoken
 - Nearest kin/Support person
 - Relationship
 - Address



Photo for illustration only

- Contact number
- Use VIDI from the filing of the complaint
- 4.2. Ensure observance of codes of conduct on expected standards of behavior of stakeholders and the consequences of failure to adhere to these standards.
 - Stakeholders must adhere to their respective codes of conduct.
 - CSOs and NGOs must adopt a Child Protection and Safeguarding Policy.
- 4.3. Training is provided to all stakeholders to ensure that trauma-informed, victim-sensitive, and 'best interests of the child' approaches are understood and applied.
 - Stakeholders should have regular continuing education and professional development opportunities and training on:
 - Trauma-informed practices to better understand the impact of trauma on victims. It should cover topics such as recognizing trauma symptoms and avoiding revictimization using the Do-No-Harm approach.
 - Cultural sensitivity competency to help understand the diverse backgrounds and needs of victims from different cultural and ethnic groups. This training should focus on recognizing biases, respecting cultural differences, and adapting communication styles accordingly.
 - Effective communication skills, including active listening, empathetic responses, and clear and respectful language.
 - Proper handling of sensitive information and safeguarding of the confidentiality and privacy of information.
 - Training methodology should include case studies and experiential role-playing exercises.
 - Mandatory continuing education and professional development training modules on topics related to victim sensitivity are integrated in existing training institutes or academies' curriculum or training modules, as the case may be.
 - Train language interpreters on the legal jargon and the court processes.
 - Have a systematic transition (with checklist), and conduct an orientation or immersion program for new staff. This will ensure proper turn-over of work, documents, and cases handled, and that victims are informed about the transition.

Impact of no proper work turnover and transition

The Court convicted and ordered a foreign national to pay the moral and exemplary damages in the amount of Php400,000. The accused deposited the full amount to the Court. The social worker who assisted the victim during the trial was informed of the award payment, but her efforts to locate the victim were futile. Eventually, the social worker transferred to another office, but the case files were not properly turned over to the incoming social worker. It was only after the prosecutor asked whether the victim had received the monetary award that the new social worker learned about the case and secured the necessary documents from the court.

Victim-Sensitive Indicator 5



INTER-AGENCY COORDINATION FOR THE PHYSICAL, PSYCHOLOGICAL, AND SOCIAL RECOVERY OF VICTIMS

Victims of violent crimes often face physical, psychological, and social challenges that require comprehensive support for their recovery and well-being.

Government and non-government organizations work together in a coordinated way to provide holistic services to victims and ensure their access to various support services and assistance. By working together with a common goal to help the victims heal and rebuild their lives, these entities can provide a range of wrap-around services to address their diverse needs.

5.1. Stakeholders should provide victims support and assistance from rescue to recovery, including monitoring victim's reintegration and well-being. These holistic support services include the following:

- shelter, physical³⁶, medical³⁷, mental, psychological, counseling, crisis intervention, and social recovery
- legal aid, protection order, court accompaniment
- education, vocation, mentoring, and livelihood skills training
- life, business, and financial management skills training, etc.

5.2. Concerned stakeholders should be aware of the existing support service providers and their capacity and referral protocols.

- Maintain an updated list of referral service providers and their contact details
- Referral pathways must be specific and regularly updated.
- Assist the victims in accessing the services by informing them about the available services and assistance under 5.1. Allow victims to process the information and decide on the support service or assistance they wish to avail of.
- Compensation

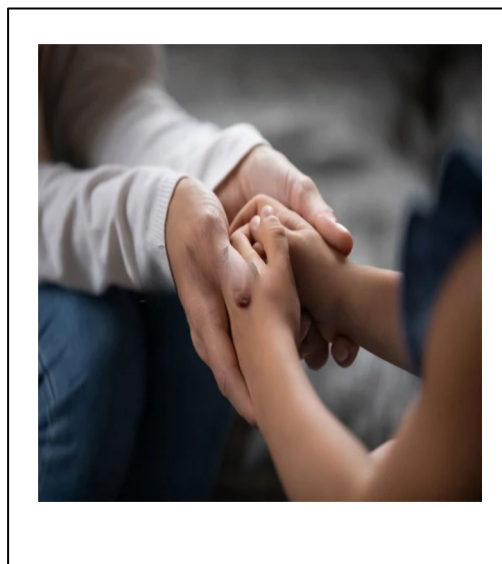


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³⁶ Physical - refers to assistance provided for the nourishment or well-being of the body.

³⁷ Medical – refers to the assistance provided such as medicines, or invasive procedures once the state of nourishment or well-being of the body is breached.

- (1) State-funded compensation schemes
 - Stakeholders shall assist victims in availing of the compensation and financial assistance from government agencies such as the DOJ and DSWD.
- (2) Court-based compensation
 - In court cases, the Judge shall determine the civil liability and award of damages whenever warranted.
- Legal
 - Whenever necessary, the stakeholder shall assist the victim in availing of the DOJ-WPSBP (refer to the critical service mentioned in 2.1)
 - Refer victims to legal aid providers to deal with intersecting legal concerns.
 - The victim, through counsel, may apply for support during trial and appeal.
 - In crimes where the accused applied for a plea bargain to a probationable penalty, or in a conviction where the imposed penalty is probationable, the judge should take into consideration the satisfaction of the civil liability as one of the conditions in granting probation.
- Stakeholders should collaborate and provide victims the assistance and support requested or promptly refer them to appropriate service providers available within the community.
- Where appropriate, family members of the victims should also be involved in the support and referral process.
- The court may motu proprio order the concerned stakeholder to provide the necessary physical, psychological, and social support services, such as temporary shelter, sign language interpreter, trauma response, and other protection measures.
- After the victim testifies, the Court may order the social worker, the Family Court social worker³⁸ when the victim is a child, and/or the multidisciplinary team to continue monitoring the victim's safety and requirements for other interventions.

Good practice on coordination by the Court and DSWD:

The Court, through an Order, directed the DSWD-CAR's Regional Haven for Women and Girls (RHWG) to provide the victim shelter and other necessary services to ensure her safety and protection pending trial. The Haven provides an array of assistance, through the help of a multidisciplinary team, including: social, home life, educational, psychological, health, economic, recreational, developmental and spiritual services.

5.3. Ensure sustainability of collaboration or partnership between or among stakeholders.

- Enter into memoranda of understanding or agreements to encourage and facilitate cooperation/ collaboration in providing services and support to victims, including budget allocation, as needed.

³⁸ Family Court Social worker immediately joins the multidisciplinary team, once the case is filed in court. The case manager shall update and share all the information and data relevant to the case with the court social worker).

- Establish inter-agency “one-stop-shop” within a designated area to provide coordinated ‘wrap-around’ services for victims. This will involve coordinating with the LGU, local NGO, and the community network.

Criminalization as³⁹ a result of non-identification of a trafficked victim and weak coordination among stakeholders:

In 2010, an overseas Filipino worker (OFW) was arrested at an airport in Indonesia for smuggling more than two kilograms of heroin. The Court convicted and sentenced the OFW to death by firing squad. The OFW maintained that she was deceived into taking a suitcase that was not hers. Despite such a claim, the OFW was not given access to Indonesia’s victim identification during her arrest, investigation, and trial. The OFW maintained her position and filed criminal cases against her Filipino recruiters for trafficking in persons and illegal recruitment.

³⁹ The non-punishment principle exists predominantly in context of trafficking in persons offences. It sets out that victims of trafficking should not be prosecuted or otherwise punished for unlawful acts they commit as a consequence of trafficking. The non-punishment principle does not provide blanket immunity from crimes they have been commit with the requisite criminal intention. (Commentary to the Recommended Principles and Guidelines on Human Trafficking and Human Rights (OHCHR), p.133) Rather, it is a tool to ensure that victims of trafficking are not subject to arrest, charge, detention, prosecution, penalty or otherwise punished for illegal conduct they may have engaged in as a consequence of being trafficked. This can principle cover a broad range of unlawful acts committed during the course of their victimization and can be applied all stages of the criminal justice system, and can also apply in non-criminal proceedings. The Inter-Agency Coordination Group against Trafficking in Persons, “Non-Punishment of Victims Of Trafficking”, accessible at https://www.unodc.org/documents/human-trafficking/ICAT/19-10800_ICAT_Issue_Brief_8_Ebook.pdf

Victim-Sensitive Indicator 6



FORENSIC EVIDENCE AND SERVICES



The stakeholders should understand the reliability and admissibility of scientific evidence and when evidence should or should not be collected. When presented as corroborative evidence, forensic evidence,⁴⁰ whether physical or digital, can link an offender to the crime scene. Given its weight, reliability, and relevance, forensic evidence can strengthen a case against the offender. In some cases, victims may not need to testify.

6.1. Relevant stakeholders should receive specific training on forensic evidence.

- Stakeholders who gather, collect, prepare, present, and appreciate evidence must be provided with specific training on forensic evidence involving both digital and physical evidence; its strengths, limitations, and relevance; and the methods of preserving its integrity from collection to presentation.

6.2. National protocols for forensic examinations should be in place and based on internationally accepted guidelines.

- Design protocols specific for sexual assault forensic examinations based on World Health Organization (WHO) Guidelines⁴¹.
- Relevant stakeholders should maximize the use of rape and DNA kits to strengthen their case build-up.

6.3. Conduct annual formal exchanges of information inviting national and regional forensic experts to develop expertise and foster collaboration among stakeholders.

- Relevant stakeholders should attend knowledge exchange forums on forensic evidence and examination to enhance expertise.

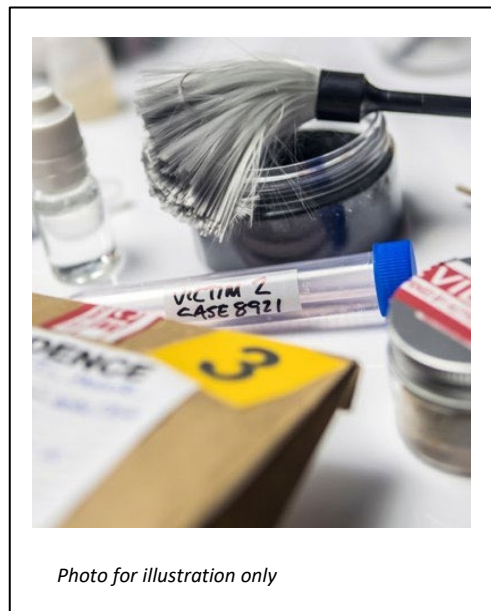


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⁴⁰ Forensic evidence refers to evidence derived through the application of certain field(s) of science or scientific discipline. The objective of forensic evidence is to prove or exclude a physical connection between individuals and objects or places that can absolve an innocent person from suspicion or assist in the investigation and prosecution of perpetrators of crime. The discipline can range from psychology or social science to methods such as biology or chemistry. This also includes digital forensics evidence which is evidence obtained from a person's use of electronic equipments that can leave digital footprint that can reveal information about them including age, gender, race, ethnicity, nationality, sexual orientation, thoughts, preferences, habits, hobbies, medical history and concerns, psychological disorders, employment status, affiliations, relationships, geolocation, routines, and other activities.. Forensic evidence can include biological material - blood, semen or saliva, fingerprints, Impression evidence – shoe prints, tire tracks or tool marks, injuries, chatlogs, online financial transactions. The admissibility of forensic evidence in the court is strictly governed by relevant rules on evidence.

⁴¹ World Health Organization (WHO) [Guidelines for medico-legal care for victims of sexual violence](#).

Digital evidence: Christian Cadajas vs. People, G.R. No. 247348, November 16, 2021:

Cadajas argues that the presentation of photos taken from his Facebook Messenger account violates his right to privacy. Thus, he contends that the photos are inadmissible. The Supreme Court disagreed. Firstly, the photos were obtained by AAA, a private individual, and not by a police officer or an agent of the State. As such, the exclusionary rule under the Constitution is inapplicable. Secondly, the Data Privacy Act allows the processing of sensitive personal information where it relates to the determination of criminal liability of a data subject and when necessary for the protection of lawful rights of persons in court proceedings. Thirdly, although his account was password-protected, he voluntarily gave his password to AAA. Hence, he did not have a reasonable expectation of privacy. The SC sustained his conviction for violation of RA No. 9775.

Digital Evidence:

A law enforcer had a series of online communication with the accused which he saved in his computer and later on in a compact disk (CD). This CD contained text communications with the accused before and during the entrapment operation, printouts of his chat logs with the accused in Yahoo Messenger, as well as screen shots. These pieces of evidence proved the act of providing and offering live nude shows to be performed by the victim for a fee.

- Collaborate with international law enforcement agencies on digital forensics.

DNA evidence: People of the Philippines vs. Victoriano Paras, Criminal case nos. 85974-85978, Regional Trial Court, Branch 163 Pasig City

This case involved a man charged with sexual assault resulting in the victim's pregnancy and birth of a child. DNA evidence was obtained by conducting a simple paternity test on the DNA of the suspect, the victim, and the child AAA. The accused was charged with five counts of rape committed on various dates, namely: December 31, 1989, the first, second and fourth weeks of January 1990, and first week of February 1990 leading to the birth of a child on November 8, 1990. The case was filed on March 31, 1991. However inconsistencies were detected in the testimony and subsequent cross examination of the victim. In addition, the defense presented evidence that showed the accused was not in Pasig during the period covered by the charges. The defense also argued that the child was born 10 months after the last incident of the supposed rapes. Hence, to determine whether the accused was indeed the father of AAA, the Court ordered the UP-NSRI DNA Analysis Laboratory to conduct DNA tests on AAA, the victim, and the accused. Two weeks later, based on mismatching DNA profiles at four out of five STR markers tested, the accused was excluded from being the father of AAA. The results of the laboratory examination, the inconsistencies of the victim's testimony as well as other evidence presented by the defense in Court on the whereabouts of the accused during the stated time and dates of the incidences of rape 'cast a very serious doubt in the mind of the court as to the guilt of the accused on the five incidences of rape filed against him. The accused was subsequently acquitted and released. Nonetheless, the accused was imprisoned and his petition for bail was denied whilst the case was being tried in court. Thus, prior to acquittal, the accused had already been incarcerated for six years. In contrast, DNA analysis that provided key evidence in this case was conducted within two weeks.

Consideration of these facts highlights the need to incorporate forensic DNA testing in routine criminal investigations to decrease the possibility of erroneous convictions as well as to accelerate the progress of pending cases that clog Philippine courts. (De Ungria, Maria Corazon A., "Forensic DNA Analysis in Criminal Investigations" Phil.Journal of Science, 132 (1):13-19, June 2003, ISSN 0031-7683).

Victim-Sensitive Indicator 7



SPECIAL PROVISIONS FOR CHILD VICTIMS



The 'Best Interests of the Child' is paramount. Child victims have a right to express their views freely in all matters affecting them, and the justice system needs to respect their decision whether to participate in the processes from rescue to recovery.

A child-sensitive justice system recognizes the vulnerability of child victims of violent crimes and mandates special measures to safeguard their well-being.

Stakeholders are responsible for ensuring the safety, physical, and psychological health, and dignity of child victims.

Indicators one to six shall be applicable.

7.1. Stakeholders should provide safeguards for the protection of child victims.

- The protective measures should consider factors such as age, gender, health, and the nature of the crime, particularly in cases of sexual abuse and exploitation, gender-based violence, and violence against children.
- Child victims should be given the opportunity to express their views and concerns at every stage of the legal process.



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Hearsay evidence involving a minor: People versus BBB and XXX, G.R. No. 252507, April 18, 2022

BBB (mother of the minor victim) and XXX were found guilty of conspiring with one another to marry AAA (14-year-old minor) to XXX for the purpose of sexual exploitation. AAA was not presented during the trial but it did not undermine the prosecution's case against the defendant. The Rule on Examination of Child Witness on hearsay exception applies when the testimony of the child is corroborated by other evidence and the child is "unavailable." The Court declared AAA to be an "unavailable" child witness within the context of the said Rules since her presentation in court would expose her to severe psychological injury. The prosecutor presented the social worker, psychologist, medico-legal doctor, police investigator, and the supervising officer of the Commission on Filipino Overseas.

- Balance the rights of the offender with the protection and participation of child victims.
- Stakeholders shall protect victims from undue influence of the family if the offender is a relative.

Good practice of the JSCC Justice Zone: “Kids’ Day Out”

The Calamba City Justice Zone conducts a “Kids’ Day Out” for the CICL and “Itanong Mo kay EJ Day” for child victims. The CICL and child victims are brought to the courtroom to familiarize them with the court set-up, roles of the judge, court officers, and personnel, what it feels like to be inside the courtroom, as well as what to expect during court proceedings.

- Stakeholders must be trained on how to sensitively respond to child victims.
- In addition to the protection measures reflected in Indicators One to Six, stakeholders should implement special protection measures.⁴²
 - Conduct interviews in a child-friendly environment.
 - Conduct hearings in a child-friendly courtroom.
 - Relax the formality when engaging with child victims.
 - Use child-friendly, developmentally appropriate, non-threatening, and non-blaming language, behavior, and demeanor.
 - Prepare a waiting room for child victims separate from the waiting room used by children in conflict with the law, other witnesses, and litigants.

Good practice when interviewing a child by the PNP:

PNP police officers interview child victims in civilian clothing in a separate room, painted in light colors with drawings to ensure their comfort. Trained in child protection, the interviewer tailors the questions according to the child’s age, characteristics and family background, allowing the child victim to tell their story in their own way and at their own pace.

- 7.2. If warranted, a “guardian” should be appointed to accompany the child victim throughout the process from rescue to recovery.
- 7.3. Implement and institutionalize capacity-building activities for stakeholders working with child victims.
- 7.4 Stakeholders must be aware of the available support services and programs for child victims and make the necessary referrals when needed. Listed below are some of the agencies that provide support services for child victims:

⁴² As sanctioned by the United Nations [Convention on the Rights of the Child](#).

- a. The DSWD plays a crucial role in providing comprehensive support services to child victims of violent crimes and their families. Programs focus on strengthening family support systems, promoting child development, and offering community-based interventions to address the unique needs of vulnerable children.
- b. The Philippine National Police (PNP) ensures timely and appropriate interventions for child victims, including referral to support services and collaboration with other agencies.
- c. The National Youth Commission (NYC) oversees youth-related programs and initiatives aimed at empowering and protecting children and adolescents in the Philippines. Through advocacy and capacity-building activities, the NYC promotes the rights and welfare of young people, including those who have been affected by violence and abuse.
- d. The Council for the Welfare of Children (CWC), as the lead agency for child-focused initiatives in the country, coordinates efforts to address the needs of children and promote their rights. The CWC ensures that laws, policies, and programs align with the National Strategic Framework for Plan Development for Children, emphasizing a child-centered and rights-based approach.

Good practices implemented by Family Courts: Family Courts have taken steps to ensure children who enter the justice system are protected and supported. These steps include:

Separate entrance and exit as well as waiting room for the child is provided. To reduce anxiety, the room is decorated in child-friendly painted walls, is well-lit and ventilated, and is equipped with coloring books, crayons, and toys.

As an option, the child may testify in open court using screen dividers, or in the chambers of the judge or another room via live link TV or video conferencing.

- (1) The child is also given the option of recording their testimony in advance.
- (2) The Court allows reasonable breaks, as often as necessary and as age- appropriate.
- (3) To eliminate unnecessary intimidation while the child is testifying, judges do not wear the robe or sit at the bench.

Victim-Sensitive Indicator 8



SPECIAL PROVISIONS FOR VICTIMS WITH DISABILITIES

Victims of violent crimes who are persons with disabilities face unique physical, communication, and attitudinal barriers. When accessing the justice system, they require tailored support and measures to ensure the protection of their overall well-being.

Disabilities are not always visible. Thus, it is critical that victims with disabilities are identified early, and appropriate interventions are made to ensure that they can actively participate in the justice process, access their rights, and be included in all decisions and matters that will affect them.

It is imperative to prioritize the protection and support for victims with disabilities to create a more inclusive and equitable justice system.



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8.1. Ensure that victims with disabilities can effectively participate in the justice system.

- Establish specialized victim support services that cater to the needs of victims with disabilities.
- Stakeholders should eliminate any bias or prejudice against the capacity or credibility of a victim with disabilities to participate in the justice system.
- Enhance accessibility to the justice system for victims with disabilities by providing reasonable and appropriate accommodations, assistive communication devices, sign language interpreters, and trained personnel to support victims throughout the justice process.
 - Appropriate accommodations include Universal Access Symbols, braille information posts, closed-loop hearing links, elevators, ramps, tactile markers, special parking areas, and information desks.
- Victims with disabilities are given priority when extending free legal services.
- Stakeholders should rely on evidence-based and scientific studies in the formulation of policies and interventions that will address the needs and concerns of victims with disabilities. Data collected by the stakeholders must also be disaggregated by disability and the crimes involving persons with disabilities, including the prevalence, types of violence, offenders, and outcome of such crimes.⁴³

⁴³ There is a collection of disability disaggregated data using the Washington Group (WG) Short Set. This set of questions is designed to identify people with functional limitations. The tool can be rapidly and easily deployed in a variety of settings. The six Washington Group short set Questions are:

1. Do you have difficulty seeing, even if wearing glasses?
2. Do you have difficulty hearing, even if using a hearing aid?
3. Do you have difficulty walking or climbing steps?
4. Do you have difficulty remembering or concentrating?
5. Do you have difficulty with self-care such as washing all over or dressing?
6. Using your usual (customary) language, do you have difficulty communicating, for example understanding or being understood?

8.2. Concerned stakeholders must establish partnerships with organizations of persons with disabilities to better understand the needs of victims with disabilities.

- Collaborate with the concerned local government units, organizations and support groups that work on disability rights and programs to provide holistic and tailored or individualized support to victims with disabilities, ensuring their physical, emotional, and psychological well-being.
 - Example: Coordinate with the Philippine Society for the Deaf for assistance when necessary.
- Include in their report the contact details of sign language interpreters⁴⁴ and other relevant experts.
- Ensure a coordinated and multi-disciplinary approach with healthcare providers, social workers, legal professionals, and community leaders in supporting victims with disabilities.

8.3. Implement capacity-building activities for stakeholders to understand the specific needs of victims with disabilities, respond sensitively, and effectively implement special protection measures.

- Conduct comprehensive training for stakeholders so that they can interact effectively with victims with disabilities. Include topics on disability awareness, communication strategies, and sensitivity in responding to victims with disabilities, emphasizing the importance of respect and empathy.
- Include in crime awareness campaigns the increased vulnerability to violence, abuse, and exploitation of victims with disabilities, emphasizing the importance of safeguarding their rights and dignity.
- Integrate disability sensitivity training in regular modules or curricula of stakeholder training institutes or academies.
- Promote inclusivity, respect, and understanding towards victims with disabilities, fostering a culture of acceptance and support when conducting community outreach programs and initiatives.
- Interpreters must undergo basic knowledge and skills training in sign language⁴⁵ to minimize resetting of hearings.

⁴⁴ The draft of the Rule on Filipino Sign Language Interpreters is subject to the final version to be issued by the Supreme Court. Please see Appendix A under Indicator 8 for the full text of the draft.



IV. Monitoring and Evaluation Framework

Monitoring, evaluation, reporting, and learning are critical components of the Guidelines implementation process. A framework to support these components will be developed during the initial phase of the Guidelines implementation. This will involve establishing and tracking progress, developing a simple data collection system to inform monitoring and evaluation, piloting the system, reporting achievements, and sharing of learnings.

To gauge the effectiveness of this Guidelines, a set of learning measures will be identified – adopted from and in line with existing ASEAN and Philippine counter-TIP monitoring and reporting frameworks. Data collection and reporting will be integrated into existing JSCC planning and assessment processes.

The Guidelines is a living document that will be reviewed during the JSCC Justice Zones' planning and assessment processes. It shall be updated as required and the revised version(s) will be shared with the program partners and concerned stakeholders.



V. Appendices

Appendix A: Existing laws, jurisprudence, rules, circulars, orders per victim sensitive indicator

The following existing laws, rules, and policies reflect the government's commitment to upholding the rights of victims to safety as well as privacy and confidentiality in legal proceedings:

INDICATOR 1 – Safety and privacy of victims

Laws, rules, and policies

RA No. 11930 or the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act of 2022 (Please see Indicator 7)

RA No. 9208 (Anti-Trafficking in Persons Act of 2003)/ RA No. 10364 (Expanded Anti-Trafficking Act of 2012)/ RA No. 11862 (Expanded Anti-Trafficking Act of 2022) aim to protect victims of human trafficking and provides for measures to ensure their privacy and confidentiality. It prohibits the disclosure of sensitive information that could compromise the safety and security of trafficked victims and their families.

Section 8(I). Confidentiality. - All records and proceedings under this law, from the initial contact until the final disposition of the case, shall be considered privileged and confidential. The public shall be excluded during the proceedings and the records shall not be disclosed directly or indirectly to anyone by any of the parties or the participants in the proceedings for any purpose whatsoever where the testimony of the child shall be taken in accordance with A.M. No. 004-07- SC or the Rule on Examination of a Child Witness.

It shall be unlawful for any editor, publisher, reporter, or columnist in case of printed materials, announcer or producer in case of television and radio broadcasting and digital media, and producer and director of the film in case of the movie industry, to cause any publicity that may result in the further suffering of the victim. Any person or agency involved in the reporting, investigation, or trial of cases of gender-based violence shall refrain from any act or statement that may be construed as blaming the victim or placing responsibility for the offense committed against the victim."

Revised Rules and Regulations Implementing (IRR) RA No. 9208, as amended by RA No.10364, and further amended by RA No. 11862

Law enforcement officers, prosecutors, and judges to whom the complaint has been referred may, whenever necessary, ensure a fair and impartial proceeding, and after considering all circumstances for the best interest of the parties, order a closed-door investigation, prosecution, or trial.

Prohibition against disclosure of the identity of a trafficked person. The name and personal circumstances of the trafficked person or any other information tending to establish the identity of the trafficked person and his or her family shall not be disclosed to the public.

RA No. 11313 or the “Safe Spaces Act” defines gender-based sexual harassment in streets, public spaces, online, workplaces, and educational or training institutions, providing protective measures and prescribing penalties

Section 26. Confidentiality. — At any stage of the investigation, prosecution and trial of an offense under this Act, the rights of the victim and the accused who is a minor shall be recognized.

Section 27. Restraining Order. — Where appropriate, the court, even before rendering a final decision, may issue an order directing the perpetrator to stay away from the offended person at a distance specified by the court or to stay away from the residence, school, place of employment, or any specified place frequented by the offended person

RA No. 11888 or the “Special Protection of Children in Situations of Armed Conflict Act.” (Please see Indicator 7)

RA No. 9262 or the “Anti-Violence Against Women and Their Children Act of 2004” recognizes the right to privacy of victims of violence against women and their children. It mandates the protection of the victim’s identity and privacy throughout the legal proceedings and prohibits the disclosure of confidential information without the victim’s consent.

Section 44. Confidentiality. — All records pertaining to cases of violence against women and their children including those in the barangay shall be confidential and all public officers and employees and public or private clinics or hospitals shall respect the right to privacy of the victim. Whoever publishes or causes to be published, in any format, the name, address, telephone number, school, business address, employer, or other identifying information of a victim or an immediate family member, without the latter’s consent, shall be liable to the contempt power of the court.

RA No. 8505 or the “Rape Victim Assistance and Protection Act of 1998”

Section 5. Protective Measures. - At any stage of the investigation, prosecution, and trial of a complaint for rape, the police officer, the prosecutor, the court and its officers, as well as the parties to the complaint shall recognize the right to privacy of the offended party and the accused. Towards this end, the police officer, prosecutor, or the court to whom the complaint has been referred may, whenever necessary to ensure fair and impartial proceedings, and after considering all circumstances for the best interest of the parties, order a closed-door investigation, prosecution or trial and that the name and personal circumstances of the offended party and/or the accused, or any other information tending to establish their identities, and such circumstances or information on the complaint shall not be disclosed to the public.

RA No. 7610 or the Special Protection of Children Against Abuse, Exploitation and Discrimination Act of 1992

Section 29. Confidentiality. – At the instance of the offended party, his name may be withheld from the public until the court acquires jurisdiction over the case. It shall be unlawful for any editor, publisher, reporter, or columnist in case of printed materials, announcer or producer in case of television and radio broadcasting, producer and director of the film in case of the movie industry, to cause undue and sensationalized publicity of any case of violation of this Act which results in the moral degradation and suffering of the offended party.

RA No. 6981 or the “Witness Protection, Security and Benefit Act of 1991” provides for the protection of witnesses, including victims, who give evidence in criminal cases.

Section 7. Confidentiality of Proceedings. - All proceedings involving the application for admission into the Program and the action taken thereon shall be confidential in nature. No information or documents given or submitted in support thereof shall be released except upon written order of the Department or the proper court.

RA No. 10173 or the “Data Privacy Act of 2023” provides for the protection of the fundamental human right of privacy, of communication while ensuring the free flow of information to promote innovation and growth.

Supreme Court Administrative Circulars:

SC A.M. No. 23-10-18-SC (February 4, 2025)

Further Amendments to Supreme Court Amended Administrative Circular no. 83-2015 (Re: Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Order Using Fictitious Names/ Personal Circumstances)

SC Amended Administrative Circular No. No. 83-2015 or the “Protocols and Procedures In the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Name/Personal Circumstances”

SC A.M. No. 04-10-11-SC (2004) or the “Rule on Violence Against Women and Their Children” contains provisions on protecting the privacy and confidentiality of victims of violence against women and their children in court proceedings.

Section 40. Privacy and confidentiality of proceedings.—All hearings of cases of violence against women and their children shall be conducted in a manner consistent with the dignity of women and their children and respect for their privacy. Records of the cases shall be treated with utmost confidentiality. Whoever publishes or causes to be published, in any format, the name, address, telephone number, school, business address, employer or other identifying information of the parties or an immediate family or household member, without their consent or without the authority of the court, shall be liable for contempt of court and shall suffer the penalty of one year imprisonment and a fine of not more than Five Hundred Thousand (P500,000.00) Pesos.

SC Administrative Circular No. 83-2006 which the Supreme Court issued to adopt Civil Service Commission (CSC) Memorandum Circular No. 12, Series of 2005 on the use of non-sexist language in all official documents, communications, and issuances of the government.

PNP Child Protection Policy, Guidelines, and procedures to guarantee the special protection and safety of children while they are in the custody of the PNP, MC No. 2021-081

INDICATOR 2 – Information and services

RA No. 11930 or the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act of 2022 and its IRR (on information and services that are made aware to victims and non-erring family members, please see Indicator 7)

RA No. 11313 or the “Safe Spaces Act” and its IRR

Section 8. Duties of Local Government Units (LGUs). LGUs shall have the following duties:

- (a) Pass an ordinance which shall localize the applicability of this Act within sixty (60) days of its effectivity;

- (b) Disseminate or post in conspicuous places a copy of this Act and the corresponding ordinance;
- (c) Provide measures to prevent gender-based sexual harassment in educational institutions, such as information campaigns and anti-sexual harassment seminars;
- (d) Discourage and impose fines on acts of gender-based sexual harassment as defined in this Act; (e) Create an anti-sexual harassment hotline; and
- (f) Coordinate with the Department of the Interior and Local Government (DILG) on the implementation of this Act.

Section 33. Educational Modules and Awareness Campaigns.— The PCW shall take the lead in a national campaign for the awareness of the law. The PCW shall work hand-in-hand with the DILG and duly accredited women’s groups to ensure all LGUs participate in a sustained information campaign and the DICT to ensure an online campaign that reaches a wide audience of Filipino internet users. Campaign materials may include posters condemning different forms of gender-based sexual harassment, informing the public of penalties for committing gender-based sexual harassment, and infographics of hotline numbers of authorities.

All schools shall educate students from the elementary to tertiary level about the provisions of this Act and how they can report cases of gender-based streets, public spaces and online sexual harassment committed against them. School courses shall include age-appropriate educational modules against gender-based streets, public spaces and online sexual harassment which shall be developed by the DepEd, the CHED, the TESDA and the PCW.

IRR Section 42 and 43 on Education Modules and Awareness Campaigns

RA No. 11862 or the “Expanded Anti-Trafficking Act of 2022”

Section 16(j). The Commission on Filipino Overseas shall, in coordination with the IACAT, supervise the operation of a 24/7 hotline facility, 1343 Actionline, against human trafficking that responds to emergency or crisis calls from victims of human trafficking, their families, and the general public. It shall likewise assist in the conduct of information campaigns against trafficking in coordination with LGUs, the Philippine Information Agency (PIA), and NGOs.

(p) The Department of Education shall provide measures to prevent trafficking in persons and other exploitative acts such as OSAEC in educational institutions, such as the conduct of information campaigns and the establishment of reporting mechanisms in the school system consistent with its child protection and gender and development programs; and develop a teacher training manual and modules or curriculum for students aimed at raising their awareness on the perils of trafficking in persons and the prevention of trafficking and other exploitative forms of behavior.

(8) Enact ordinances to localize and strengthen the implementation of this law by providing local services and programs to victims-survivors of trafficking and other exploitative behavior;

RA No. 9262 or the “Anti-Violence Against Women and Their Children Act of 2004”

Section 29. Duties of Prosecutors/Court Personnel. – Prosecutors and court personnel should observe the following duties when dealing with victims under this Act:

- a) xxx...
- b) inform the victim of her/his rights including legal remedies available and procedures, and privileges for indigent litigants.

OCA Circular No. 83-2010 or the “Observance of the Proper Format and Payment of Certified TSNs of Cases Filed in the Lower Courts”

INDICATOR 3 – Evidence and proceedings

RA No. 9262 or the “Anti-Violence Against Women and their Children Act of 2004

SECTION 26. *Battered Woman Syndrome as a Defense.* – Victim-survivors who are found by the courts to be suffering from battered woman syndrome do not incur any criminal and civil liability notwithstanding the absence of any of the elements for justifying circumstances of self-defense under the Revised Penal Code.

In the determination of the state of mind of the woman who was suffering from battered woman syndrome at the time of the commission of the crime, the courts shall be assisted by expert psychiatrists/ psychologists.

SECTION 29. *Duties of Prosecutors/Court Personnel.* – Prosecutors and court personnel should observe the following duties when dealing with victims under this Act:

- a) communicate with the victim in a language understood by the woman or her child; and
- b) xxx....

RA No. 8505 or the “Rape Victim Assistance and Protection Act of 1998”

Section 5. *Protective Measures.* The investigating officer or prosecutor shall inform the parties that the proceedings can be conducted in a language or dialect known or familiar to them.

Section 6. *Rape Shield.* - In prosecutions for rape, evidence of the complainant’s past sexual conduct, opinion thereof or of his/her reputation shall not be admitted unless, and only to the extent that the court finds, that such evidence is material and relevant to the case.

RA No. 7309 or “An Act Creating a Board of Claims under the DOJ for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for other Purposes”

Section 3. *Who may File Claims.* – The following may file claims for compensation before the Board:

- (a) xxx...;
- (b) xxx...;
- (c) xxx...; and
- (d) any person who is a victim of violent crimes. For purposes of this Act, violent crimes shall include rape and shall likewise refer to offenses committed with malice which resulted in death or serious physical and/or psychological injuries, permanent incapacity or disability, insanity, abortion, serious trauma, or committed with torture, cruelty or barbarity.

RA No. 6981 or the “Witness Protection, Security and Benefit Act of 1991”

Section 9. *Speedy Hearing or Trial.* - In any case where a Witness admitted into the Program shall testify, the judicial or quasi-judicial body, or investigating authority shall assure a speedy hearing or trial and shall endeavor to finish said proceeding within three (3) months from the filing of the case.

A.M. No. 21-11-25-SC of the “Proposed Rules on the Use of Gender-Fair Language in the Judiciary and Gender-Fair Courtroom Etiquette”

A.M. No. 15-06-10-SC or the “Revised Guidelines for Continuous Trial of Criminal Cases” shall apply to all newly-filed criminal cases, including those governed by Special Laws and Rules in the First and Second Level Courts, the Sandiganbayan and the Court of Tax Appeals, to protect and advance the constitutional right of persons to a speedy disposition of their criminal cases.

OCA Circular No. 151-2010 or the Speedy Disposition of Cases for Violations of RA No. 9208 (The Anti-Trafficking in Persons Act of 2003) or Trafficking in Persons cases

A.M. No. 04-10-11-SC or the “Rule on Violence Against Women and their Children” provides mechanisms for the protection of victims of violence against women and their children when giving evidence in court proceedings.

A.M. No. 03-04-04-SC of the “Rule on Custody of Minors and Writ of Habeas Corpus in relation to Custody of Minors”

SC Circular No. 4 (April 6, 1987) on the “Taking of Deposition of Witnesses Residing Abroad to be coursed through the Department of Foreign Affairs”

To enable the Department and the Philippine Foreign Service establishments to act on the matter in a judicious and expeditious manner, RTCs, MTCs, and MCTCs are directed, in the interest of justice, to course all requests for the taking of deposition of witnesses residing abroad through the Department of Foreign Affairs.

INDICATOR 4 – Interaction with victims

RA No. 11930 or the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act of 2022 and its IRR (on specialized units, taking statements, please see Indicator 7)

RA No. 9262 or the “Anti-Violence Against Women and Their Children Act of 2004”

Section 29. Duties of Prosecutors/Court Personnel. – Prosecutors and court personnel should observe the following duties when dealing with victims under this Act:

- a) communicate with the victim in a language understood by the woman or her child; and
- b) xxx....

RA No. 8505 or the “Rape Victim Assistance and Protection Act of 1998”

Section 5. Protective Measures. The investigating officer or prosecutor shall inform the parties that the proceedings can be conducted in a language or dialect known or familiar to them.

RA No. 6713 of the “Code of Conduct and Ethical Standards for Public Officials and Employees”

A.M. No. 22-09-01-SC or the “Code Of Professional Responsibility and Accountability

INDICATOR 5 – Inter-agency coordination

RA No. 11862 or the “Expanded Anti-Trafficking Act of 2022”

Victims of trafficking of all ages shall be entitled to immediate temporary protective shelter from the DSWD: Provided, That if the trafficked person is overseas, it shall be the relevant embassy or consulate that shall provide the same.

Victims of trafficking and their family members shall be entitled to protection as well as preferential entitlement to the rights and benefits of witnesses under Republic Act No. 6981, otherwise known as the ‘Witness Protection, Security and Benefit Act’: Provided, That they possess all the qualifications and none of the disqualifications under the said law.

A victim of trafficking shall also be considered as a victim of a violent crime as defined under Section 3(d) of Republic Act No. 7309, entitled ‘An Act Creating a Board of Claims under the Department of Justice for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for Other Purposes,’ so that the victim may claim compensation therein;

RA No. 11596 or the “Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations thereof”

Section 9. *Participation of Women, Girls, Youth Organizations, and Civil Society Organizations.* – Implementing government agencies shall ensure continuing consultations with women, girls, and youth organizations as well as CSOs, whose full and active participation shall be guaranteed in every step and stage of decision-making processes.

RA No. 11313 or the “Safe Spaces Act”

Section 28. *Remedies and Psychological Counselling.*— A victim of gender-based street, public spaces or online sexual harassment may avail of appropriate remedies as provided for under the law as well as psychological counselling services with the aid of the LGU and the DSWD, in coordination with the DOH and the PCW. Any fees to be charged in the course of a victim’s availment of such remedies or psychological counselling services shall be borne by the perpetrator.

RA No. 9745 of the “Anti-Torture Act of 2009”

Section 9. *Institutional Protection of Torture Victims and Other Persons Involved.* - A victim of torture shall have the following rights in the institution of a criminal complaint for torture:

- (a) To have a prompt and an impartial investigation by the CHR and by agencies of government concerned such as the Department of Justice (DOJ), the Public Attorney’s Office (PAO), the PNP, the National Bureau of Investigation (NBI) and the AFP. A prompt investigation shall mean a maximum period of sixty (60) working days from the time a complaint for torture is filed within which an investigation report and/or resolution shall be completed and made available. An appeal whenever available shall be resolved within the same period prescribed herein,
- (b) To have sufficient government protection against all forms of harassment; threat and/or intimidation as a consequence of the filing of said complaint or the presentation of evidence therefor. In which case, the State through its appropriate agencies shall afford security in order to ensure his/her safety and all other persons involved in the investigation and prosecution such as, but not limited to, his/her lawyer, witnesses and relatives; and
- (c) To be accorded sufficient protection in the manner by which he/she testifies and presents evidence in any fora in order to avoid further trauma

RA No. 9262 or the “Anti-Violence Against Women and Their Children Act of 2004”

Section 38. *Exemption from Payment of Docket Fee and Other Expenses.* – If the victim is an indigent or there is an immediate necessity due to imminent danger or threat of danger to act on an application for a protection order, the court shall accept the application without payment of the filing fee and other fees and of transcript of stenographic notes.

RA No. 8505 or the “Rape Victim Assistance and Protection Act of 1998”

Section 3. *Rape Crisis Center.* - The Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of the Interior and Local Government (DILG), the Department of Justice (DOJ), and a lead non-government organization (NGO) with proven track record or experience in handling sexual abuse cases, shall establish in every province and city a rape crisis center located in a government hospital or health clinic or in any other suitable place for the purpose of:

- (a) Providing rape victims with psychological counselling, medical and health services, including their medico-legal examination;
- (b) Securing free legal assistance or service, when necessary, for rape victims;
- (c) Assisting rape victims in the investigation to hasten the arrest of offenders and the filing of cases in court;

- (d) Ensuring the privacy and safety of rape victims;
- (e) Providing psychological counselling and medical services whenever necessary for the family of rape victims;
- (f) Developing and undertaking a training program for law enforcement officers, public prosecutors, lawyers, medico-legal officers, social workers, and barangay officials on human rights and responsibilities; gender sensitivity and legal management of rape cases; and
- (g) Adopting and implementing programs for the recovery of rape victims.

RA No 7877 or the “Anti-Sexual Harassment Act of 1995”

Section 6. Independent Action for Damages. - Nothing in this Act shall preclude the victim of work, education or training-related sexual harassment from instituting a separate and independent action for damages and other affirmative relief.

INDICATOR 6 – Forensic evidence and services

RA No. 8792 or the “Electronic Commerce Act of 2000” shall apply to any kind of electronic data message and electronic document used in the context of commercial and non- commercial activities to include domestic and international dealings, transactions, arrangements, agreements, contracts and exchanges and storage of information

SC OCA Circular No. 136-2021 or the Presentation of Evidence Containing Sexual Abuse Photographs and Recordings

In line with the provisions of existing laws, rules and regulations, and taking into paramount consideration the welfare of women and children, all judges and branch clerks of court of the first and second level courts are hereby directed to ensure that evidence containing sensitive photographs and recordings, including sexual abuse images and sound recordings involving women and children, shall be only be presented through in-court proceedings and NOT through videoconferencing.

A.M. No. 06-11-5-SC or the Rule on DNA Evidence (2 October 2007) applies whenever DNA evidence is offered, used, or proposed to be offered or used as evidence in all criminal and civil actions as well as special proceedings.

AM 01-7-01-SC: Rules on Electronic Evidence shall apply all civil actions and proceedings, as well as quasi-judicial and administrative cases whenever an electronic document or electronic data message is offered or used in evidence.

INDICATOR 7 – Special provisions for child victims

RA No. 11930 or the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act of 2022

(Indicator 1) Section 21. Confidentiality. — The right to privacy of the child shall be ensured at any stage of the investigation, prosecution and trial of an offense under this Act. Towards this end, the following rules shall be observed:

- (a) The judge, prosecutor or any officer of the law to whom the complaint has been referred may, whenever necessary, ensure a fair and impartial proceeding and after considering all circumstances for the best interest of the child, conduct a closed-door investigation, prosecution or trial;

(b) The name and personal circumstances of the child, including the child's immediate family, or any other information tending to establish the identity of the child shall not be disclosed to the public;

(c) Any record regarding a child shall be confidential and kept under seal. Except upon written request and order of the court, a record shall be released only to the following:

- (1) Members of the court staff for administrative use;
- (2) The prosecuting attorney;
- (3) Defense counsel;
- (4) The guardian ad litem;
- (5) Agents of investigating law enforcement agencies; and
- (6) Other persons as determined by the court.

(d) Any form of child sexual abuse or exploitation that is part of the court records shall be subject to a protective order that provides as follows:

- (1) Any form of child sexual abuse or exploitation may be viewed only by the parties, their counsel, their expert witness and guardian ad litem;
- (2) Neither form of child sexual abuse or exploitation nor any portion thereof shall be divulged to any other person, except as necessary for investigation, prosecution or trial; and
- (3) No person shall be granted access to any form of child sexual abuse or exploitation or any part thereof unless there is a written affirmation of the receipt of a copy of the protection order; that such person submits to the jurisdiction of the court with respect to the protective order; and that, in case of violation thereof, such person will be subject to the contempt power of the court; and

(e) It shall be unlawful for any editor, publisher, reporter or columnist in case of printed materials, announcer, producer or social media influencer or content creator, in case of television and radio broadcasting and digital media, and producer and director of the film in case of the movie industry, to cause any undue publicity that may result in the further suffering of the child. Any person or agency involved in the reporting, investigation or trial of cases under this Act shall refrain from any act or statement that may be construed as blaming the victim or placing responsibility on the victim for the offense committed against them.

(Indicator 4) Section 18. Appointment of Special Prosecutors. — The DOJ shall appoint or designate special prosecutors to prosecute cases for the violation of this Act.

(Indicator 5) Section 16. Cooperation of Law Enforcement Agencies in OSAEC and CSAEM Investigation. — Recognizing the transnational nature of OSAEC and CSAEM, and notwithstanding the immediately preceding section, the PNP and NBI shall endeavor to establish cooperation arrangements with foreign law enforcement agencies for faster exchange of information, best practices, and joint investigations on OSAEC and CSAEM cases.

Section 26. Protective Custody of the Child. — The child victim shall be immediately placed under the protective custody of the city or municipal social welfare and development office: Provided, That in cases where (a) the city or municipal social welfare and development office has no registered social worker that can perform case management; (b) the LGU does not have any residential care facility that can afford center-based intervention and rehabilitation; and/or (c) it was assessed that there are safety and risk factors detrimental to the child's stay in the same locality, the DSWD shall provide support and assistance to the concerned city or municipal social welfare and development office by assuming temporary protective custody over the child: Provided, however, That the needs of the child shall be provided for by the concerned LGU: Provided, further, That the custody proceedings shall be in accordance with the provisions of Presidential Decree No. 603, otherwise known as "The Child and Youth Welfare Code."

The DSWD and the DOJ shall extend all necessary legal assistance and support to the city or municipal social welfare and development office for any legal impediment that may arise in performing their functions in assuming temporary protective custody as another form of technical assistance and resource augmentation. In the regular performance of this function, the city or municipal social welfare and development office or the DSWD shall be free from any administrative, civil or criminal liability.

Section 27. *Mandatory Services to Victims of Child Sexual Abuse or Exploitation.* — To ensure recovery, rehabilitation and reintegration into the mainstream of society, concerned government agencies and the LGUs, through its city or municipal social welfare and development office, shall make available the following services to victims of any form of child sexual abuse or exploitation and their families, when applicable:

- (a) Emergency shelter or appropriate housing;
- (b) Counseling;
- (c) Free legal services, which shall include information about the victim's rights and the procedure for filing of complaints, claims for compensation and such other legal remedies available to them in a language understood by the child;
- (d) Medical or psychological services;
- (e) Livelihood and skills training; and
- (f) Educational assistance.

Sustained supervision and follow-through mechanism that will track the progress of recovery, rehabilitation and reintegration of the child victims shall be adopted and carried out.

(Indicator 6) Section 17. Authority of Law Enforcement Agencies to Retain Computer Data. — Notwithstanding the provisions of Sections 15 and 16 of Republic Act No. 10175, whenever a cybercrime warrant is issued for an OSAEC and CSAEM cases, law enforcement authorities shall be authorized to retain a copy of the result of digital forensic examinations for the purpose of identifying additional victims and suspects, and carrying out a further investigation, case build- up, and referral of information, whenever the crime is found to have nexus abroad, to foreign law enforcement authorities for the conduct of a parallel investigation.

(Indicator 8) Section 29. Reasonable Accommodation for Children with Disabilities. — The DOJ and the DSWD shall develop guidelines, within ninety (90) days from the finalization of the implementing rules and regulations of this Act and pursuant to the UN Convention on the Rights of Persons with Disabilities, for the provision, as far as practicable, of necessary and appropriate modification and adjustments across all stages of case management of OSAEC cases to ensure children with disabilities will have access to justice.

The Supreme Court shall, in accordance with its rules and the UN Convention on the Rights of Persons with Disabilities, issue guidelines for the provision, as far as practicable, of necessary and appropriate modification and adjustments across all stages of case management of OSAEC and CSAEM cases to ensure children with disabilities will have access to justice.

IRR, Section 73. Prohibition against victim blaming, Section 77 information campaigns

RA No. 11888 or the “Special Protection of Children in Situations of Armed Conflict Act.”

Section 19. *Protection of Victims and Witnesses.* - In addition to existing provisions in Philippine law for the protection of victims and witnesses, the following measures shall be undertaken:

- (a) The court shall take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of child victims and witnesses. Pursuant thereto, the court shall give due regard to all relevant factors, including age, gender and health, and the nature of the crime, particularly where the crime involves sexual or gender-based violence or violence against children;
- (b) The court shall protect the privacy of child victims and witnesses and observe confidentiality consistent with existing rules on examination of child victims and witnesses;
- (c) Where the personal interests of the child victims are affected, the court shall consider the child victim's views and concerns in accordance with established rules of procedure and evidence; and
- (d) Where the disclosure of evidence or information may be prejudicial to the security of the child, witness or the family, the prosecution may withhold such evidence or information and instead submit a summary thereof consistent with the rights of the accused to a fair and impartial trial.

Section 20. *Reparation to Victims.* - In addition to existing provisions in Philippine law and procedural rules for reparations to victims, the following measures shall be undertaken:

- (a) The court shall follow the principles relating to the reparations to, or in respect of, child victims, including restitution, compensation and rehabilitation, taking into consideration the scope and extent of any damage, loss or injury suffered by child victims;
- (b) The court shall make an order directly against a convicted person specifying appropriate reparations to child victims, including restitution, compensation and rehabilitation; and
- (c) Before making an order under this section, the court may invite and shall take account of representations from or on behalf of the convicted person, child victims or other interested persons.

IRR, Section 77, information campaigns

RA No. 9262 or the “Anti-Violence Against Women and Their Children Act of 2004”

Section 28. *Custody of children.* – The woman victim of violence shall be entitled to the custody and support of her child/children. Children below seven (7) years old older but with mental or physical disabilities shall automatically be given to the mother, with right to support, unless the court finds compelling reasons to order otherwise. A victim who is suffering from battered woman syndrome shall not be disqualified from having custody of her children. In no case shall custody of minor children be given to the perpetrator of a woman who is suffering from Battered woman syndrome

RA No. 9231 or the “Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, amending for this purpose RA No. 7610, as amended”

Section 9. The same Act is hereby further amended by adding new sections to Section 16 to be denominated as Sections 16-A, 16-B and 16-C to read as follows:

“Sec. 16-A. *Jurisdiction* - The family courts shall have original jurisdiction over all cases involving offenses punishable under this Act: Provided, That in cities or provinces where there are no family courts yet, the regional trial courts and the municipal trial courts shall have concurrent jurisdiction depending on the penalties prescribed for the offense charged.

“The preliminary investigation of cases filed under this Act shall be terminated within a period of thirty (30) days from the date of filing.

“If the preliminary investigation establishes a prima facie case, then the corresponding information shall be filed in court within forty-eight (48) hours from the termination of the investigation.

“Trial of cases under this Act shall be terminated by the court not later than ninety (90) days from the date of filing of information. Decision on said cases shall be rendered within a period of fifteen (15) days from the date of submission of the case.

“Sec. 16-B. *Exemptions from Filing Fees.* - When the victim of child labor institutes a separate civil action for the recovery of civil damages, he/she shall be exempt from payment of filing fees.

“Sec. 16-C. *Access to Immediate Legal, Medical and Psycho-Social Services* - The working child shall have the right to free legal, medical and psycho-social services to be provided by the State.”

RA No 7877 or the “Anti-Sexual Harassment Act of 1995”

RA No. 7610 or the “Special Protection of Children Against Abuse, Exploitation and Discrimination Act of 1992”

Section 30. *Special Court Proceedings.* – Cases involving violations of this Act shall be heard in the chambers of the judge of the Regional Trial Court duly designated as Juvenile and Domestic Court the 2nd VSC Consultation:

A.M. No. 22-09-15-SC (2023) or the “Rule on International Child Abduction Cases” shall apply to all international child abduction and retention cases in accordance with The Hague Convention on the Civil Aspects of International Child Abduction of 1980 (HCAC), provided that the HCAC has entered into force between the Philippines and the other Contracting State.

Section 2. *Objective.* The objective of this Rule is to protect children from the harmful effects of wrongful removal or retention across international boundaries by providing an expeditious procedure designed to bring about the prompt return of such children to the state or country of their habitual residence, based on the presumption that, save in exceptional circumstances, such wrongful removal or retention is not in the best interests of the child. The prompt return of the child is designed to restore the status of the parties which existed before such wrongful removal or retention. This Rule also aims to ensure that rights of custody and of access under the laws of the state or country of the child’s habitual residence are effectively respected.

A.M. No. 02-1-18-SC (Nov 2009) or the “Rule on Juveniles in Conflict with the Law” apply to all criminal cases involving children in conflict with law.

A.M. NO. 004-07-SC (Nov 2000) or the “Rule on Examination of a Child Witness” shall govern the examination of child witnesses who are victims of crime, accused of a crime, and witnesses to crime. It shall apply in all criminal proceedings and non-criminal proceedings involving child witnesses.

Section 2. *Objectives.* - The objectives of this Rule are to create and maintain an environment that will allow children to give reliable and complete evidence, minimize trauma to children, encourage children to testify in legal proceedings, and facilitate the ascertainment of truth.

INDICATOR 8 – Special provisions for victims with disabilities

RA No. 9262 or the “Anti-Violence Against Women and Their Children Act of 2004

SECTION 28. Custody of children. – The woman victim of violence shall be entitled to the custody and support of her child/children. Children below seven (7) years old older but with mental or physical disabilities shall automatically be given to the mother, with right to support, unless the court finds compelling reasons to order otherwise.

RA No. 7277 of the Magna Carta for Persons with Disability, as amended by RA 10524, an Act Expanding the Positions Reserved for Persons with Disability ensures strict adherence to upholding the rights of the persons with disabilities, particularly those who have experienced violence.

IRR, Rule 3(7) Reasonable Accommodation – means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure persons with disability the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms. This includes: (1) improvement of existing facilities used by employees in order to render these readily accessible to PWD; (2) modification of work schedules; (3) acquisition or modification of equipment or devices; (4) modifications of examinations, training materials or company policies, rules and regulations pertaining to hiring; and (5) provision of auxillary aids and assistive devices, and other similar accommodations for PWDs.

A.M. No. 21-12-04-SC – Proposed Rules on Filipino Sign Language Interpreting in the Judiciary (This draft is subject to the final version to be issued by the Supreme Court.)

GENERAL PROVISIONS

SEC. 1. Title. – These Rules shall be known as the Rules on Filipino Sign Language (FSL) Interpreting in the Judiciary. For brevity, it shall be referred to as FSL Rules.

SEC. 2. Coverage and Applicability. – The FSL Rules shall apply to court proceedings involving all d/Deaf Filipinos as parties and/or witnesses.

- a. Courts covered by the FSL Rules. – The FSL Rules shall govern FSL interpreting in the first and second level courts, including the Shari’ah Circuit Courts, Shari’ah District Courts, Shari’ah High Court, Court of Appeals, Sandiganbayan, Court of Tax Appeals, and Supreme Court.
- b. Cases covered by the Rules. – The FSL Rules shall apply to all actions and proceedings involving the d/Deaf Filipinos, including small claims cases, in whatever stage, without prejudice to the right of the d/Deaf to choose other forms or modes of communication, if they so prefer.

SEC 3. Objective. – The FSL Rules aim to ensure equal and effective access to justice for the d/Deaf Filipinos to enable them to participate fully and fairly in court proceedings.

SEC. 4. Interpretation. – The FSL Rules shall be liberally construed and interpreted to promote the interests of the d/Deaf Filipinos to accomplish the objectives of the FSL Act.

SEC. 5. Definition of Terms. – In accordance with Section 7 of the 2021 Implementing Rules and Regulations of Republic Act No. 11106 and for purposes of the FSL Rules, the following terms are defined:

- a. deaf (with the lowercase “d”) – refers to Filipinos who cannot fully use their hearing to process information. They may or may not be signers or identify themselves with the community of other persons with hearing loss. Persons with hearing loss who are isolated and use gestural non-standard signs are also included under this term.
- b. Deaf (with the uppercase “D”) – used as a noun to indicate a group of deaf Filipinos with hearing loss who use the natural visual language of the community and support its goals and values as a linguistic and cultural minority. Thus, the Deaf in the Philippines are those deaf Filipinos who collectively identify as a linguistic and cultural community that uses FSL and actively supports its goals and values. All Filipino Deaf are deaf, while not all deaf Filipinos are Deaf.
- c. deaf community – refers to a group of deaf Filipinos who are unable to fully use their hearing to process information.
- d. Deaf community – a group of Deaf Filipinos who share a culture and language, interest, value systems, rules of behavior, and norms. The Filipino Deaf community is thus the group of Deaf Filipinos who

share FSL and the culture associated with it including the interest and vision, value systems, rules of behavior, and norms.

- e. Filipino Sign Language interpreter – typically a hearing person who produces or renders a message from spoken language into Filipino Sign Language and/or vice versa.
- f. Deaf Relay Interpreter – an interpreter who is Deaf and relays information (together with a hearing interpreter) between a linguistically isolated deaf person and hearing non-signers.
- g. linguistically isolated deaf person – a deaf individual who has not had any significant exposure to sign language, resulting in limited communication abilities.
- h. hearing non-signer – a person who possesses the sense to perceive sounds through the ear but does not know or use sign language as means of communication.
- i. Filipino Sign Language – the term used by Deaf Filipinos to refer to their visual-spatial language, with no orthographic system (as distinguished from spoken languages), and is rule-governed at the structural levels of phonology, morphology, syntax, and discourse.
- j. interpreting – the process of producing or rendering a message from a source language to a target language. It shall mean the process of producing or rendering a message to and from FSL, or non-standard manual communication based on FSL principles.
- k. sign language competency – the ability to use language receptively (visually) and expressively (signing).
- l. court-appointed FSL and/or Deaf Relay Interpreter – one who is sworn to interpret accurately for the record and ensure the full participation of the d/Deaf.
- m. translation – for purposes of the FSL Rules, the term refers to the transmission or rendering of a message from FSL to written English, Filipino or other Philippine language, such as in legal affidavits.
- n. consecutive mode – refers to a method of communication where one person makes a statement, then pauses and allows the FSL interpreter or Deaf Relay Interpreter to interpret the same before the person continues with his or her statement, or before the next person speaks.
- o. simultaneous mode – refers to a method of communication where the FSL interpreter or Deaf Relay Interpreter listens to the speaker, while synchronously signing for the d/Deaf participant. Additionally, the FSL interpreter or Deaf Relay Interpreter pays attention to the statement of the d/Deaf and verbally relays his or her message to the other participants in real-time.
- p. privileged information – refers to any and all forms of data which constitute privileged information under the Rules of Court and other pertinent laws.
- q. Visual Communication Assessment for the Deaf (VCAD) – a tool to determine the communication features and preferences of a d/Deaf person involved in a case, conducted one-on-one by a Deaf administrator, and recommendations of which are submitted to the trial court or relevant agency.

Rule II

PROCEDURE AND GUIDELINES

SEC. 1. *Engagement of Court-Appointed FSL Interpreter and Deaf Relay Interpreter.* – In the engagement of the services of an FSL interpreter and a Deaf Relay Interpreter, the courts shall follow this process, viz.:

- a. The Office of the Court Administrator (OCA) must furnish all courts with an up to date list of accredited FSL interpreters and Deaf Relay Interpreters. The list must indicate the interpreters' names, eligibility, addresses, contact numbers, and other material details that could aid the court in identifying the most qualified FSL interpreter and/or Deaf Relay Interpreter for the case. The OCA shall review and update the list annually.
- b. In cases where a party or a witness is d/Deaf, the court on its own initiative or within three (3) calendar days from receipt of the motion, shall refer the concerned d/Deaf party or witness to the Komisyon sa Wikang Filipino for the conduct of the VCAD.
- c. If the d/Deaf party or witness manifests that he/she is proficient in FSL, VCAD shall not be required. Instead, the requesting court may require the party or witness to provide certifications of his/her competence or education level in FSL. Thereafter, the court shall appoint an FSL interpreter and/or Deaf Relay Interpreter from the list recommended by the OCA.
- d. In cases where VCAD is administered, the Komisyon sa Wikang Filipino shall send the assessment and evaluation result of the VCAD to the requesting court within ten (10) calendar days from receipt of the order requesting the conduct of the VCAD.
- e. Within three (3) calendar days from receipt of the VCAD assessment and evaluation report recommending the appointment of an FSL interpreter and/or Deaf Relay Interpreter, the requesting

court shall appoint an FSL interpreter and/or Deaf Relay Interpreter from the list recommended by the OCA. As far as practicable, at least one of the recommended FSL interpreters and/or Deaf Relay Interpreters either works or resides in the territorial jurisdiction of the requesting court. Provided, however, that the requesting court shall not choose an FSL Interpreter/Deaf Relay Interpreter when it perceives a conflict of interest in the case such as when: (1) the FSL Interpreter/Deaf Relay Interpreter or his or her immediate family member is a relative, employer, employee, client of a party, counsel or advocate for a party involved in the case or proceeding; (2) has served in an investigative capacity for a party involved in the case; (3) the FSL interpreter or Deaf Relay Interpreter or a member of his or her immediate family has a financial interest in the subject matter in controversy or with a party in the proceeding, or any other interest that might be affected by the outcome of the case; or (4) the FSL interpreter or Deaf Relay Interpreter has been involved in the choice of counsel or law firm for the case;

- f. If the d/Deaf party refuses the services of an FSL interpreter and/or Deaf Relay Interpreter offered by the court on the grounds of unavailability, incompetence, conflict of interest, or other justifiable reasons, he/she may obtain the services of an FSL interpreter and/or Deaf Relay Interpreter at his/her own expense, provided that the other party consents. The refusal to engage the services of an FSL interpreter and/or Deaf Relay Interpreter offered by the court shall be made in writing and signed by the d/Deaf and their counsel. The FSL interpreter and/or Deaf Relay Interpreter chosen by the d/Deaf must be an accredited FSL interpreter and/or Deaf Relay Interpreter in accordance with Title III of the FSL Rules. The court must also establish that the FSL interpreter and/or Deaf Relay Interpreter chosen by the d/Deaf party is competent and capable.
- g. In case of lengthy or complex proceedings, the requesting court, in its own discretion, may choose two FSL interpreters and/or Deaf Relay Interpreters from the list recommended by the OCA, taking into consideration Rule II, Section 3(g) of the FSL Rules.
- h. The requesting court shall issue an order to the chosen FSL interpreter and/or Deaf Relay Interpreter, informing the latter of the hearing date, time, place, court, and branch number.
- i. The FSL interpreter and/or Deaf Relay Interpreter shall appear in court on the date of the scheduled hearing or proceeding. In cases of force majeure, or if the court-appointed FSL interpreter and/or Deaf Relay Interpreter is indisposed, the court shall choose a replacement from the list of FSL interpreters and/or Deaf Relay Interpreters submitted by the OCA.
- j. If the court-appointed FSL interpreter and/or Deaf Relay Interpreter fails to appear on the date of the scheduled hearing, and the hearing involves the taking of testimony of a d/Deaf party or witness, his or her testimony shall be postponed to another date. However, if the hearing involves examining a non-deaf party or witness, the court, in its own discretion, shall determine whether the hearing may proceed in the absence of an interpreter.
- k. After the hearing, the clerk of court or any authorized personnel of the requesting court shall issue a Certificate of Court Appearance for the court-appointed FSL interpreter and/or Deaf Relay Interpreter. For the first and second level courts, the clerk of court or the authorized personnel shall then send an electronic copy of the Certificate of Court Appearance to the Financial Management Office (FMO), OCA along with the Land Bank of the Philippines (LBP) account number, or any bank account number submitted as the case may be, of the FSL interpreter and/or Deaf Relay Interpreter, for the processing of fees. For cases before the appellate courts, the clerk of court or any authorized personnel of the said courts shall send an electronic copy of the Certificate of Court Appearance and the bank account details of the FSL interpreter and/or Deaf Relay Interpreter to their respective finance offices, for the processing of fees. For hearings outside the province, city, or municipality of residence of the FSL interpreter and/or Deaf Relay Interpreter, travel allowances shall also be provided.
- l. The FMO, OCA, or the respective finance offices of the appellate courts, shall deposit the fees and/or travel expenses of the chosen FSL interpreter and/or Deaf Relay Interpreter to the LBP account or the bank account submitted other than the LBP, within a period of three (3) calendar days from receipt of the Certificate of Court Appearance and bank account details.
- m. The manner of payment and the setting and fixing of FSL Interpreter, Deaf Relay Interpreter, and VCAD assessor's fees, may be subject to the rules on the decentralization of administrative processes from the OCA to the Offices of the Regional Trial Court Managers (ORCMs) in the judicial regions.

SEC. 2. *Setting and Fixing of FSL Interpreter, Deaf Relay Interpreter, and VCAD Assessor's Fees.* – The compensation rates and benefits of FSL interpreters, Deaf Relay Interpreters, and VCAD Assessors shall be approved and revised as may be necessary by the Supreme Court, in consultation with the Komisyon sa Wikang Filipino, with the involvement of and close coordination with the d/Deaf community, the OCA, and other stakeholders. In fixing the fees of the FSL interpreter and Deaf Relay Interpreter, the Supreme Court shall be guided by the following:

- a. The FSL interpreter and/or Deaf Relay Interpreter shall be entitled to a reasonable fee for services rendered, including waiting time and time reserved by the courts for the assignment.
- b. The FSL interpreter and/or Deaf Relay Interpreter shall have a guaranteed minimum payment equivalent to two hours of work. In case of cancellation of hearing, the court must inform the FSL interpreter and/or Deaf Relay Interpreter of such cancellation at least one (1) calendar day before the date of the scheduled hearing or as soon as practicable for the court.
- c. The Supreme Court shall set amounts to cover travel, accommodation, communication, and subsistence expenses, including but not limited to lodging, meals, and incidental expenses, which shall be subject to the periodic review and adjustment.
 - c.1 If the FSL interpreter and/or Deaf Relay Interpreter shall be exposed to occupational risks, perils to life, or physical hardships while performing his/her duty, a hazard allowance may be paid in addition to regular fee.
 - c.2 To reduce costs, courts shall prioritize in their calendar the cases that employ FSL interpreters and/or Deaf Relay Interpreters. As much as practicable, the court should hear on the same day the cases where an FSL interpreter or Deaf Relay Interpreter will be engaged.

SEC. 3. *Filipino Sign Language Interpreting in On-site or In-Person Hearings.* – The court shall observe the following guidelines before, during, and after on-site hearings involving the d/Deaf needing FSL interpreters and/or Deaf Relay Interpreters:

- a. Prior to the commencement of the hearing, the judge or clerk of court shall assess the courtroom to remove any barriers that would impede effective communication such as noise, lighting, sightlines, and positioning. In case the court is deemed unsuitable due to distractions, the judge shall conduct the testimony in chambers together with the FSL interpreter and/or Deaf Relay Interpreter, necessary court personnel, and counsels for the parties.
- b. The judge shall ask the FSL interpreter and/or Deaf Relay Interpreter's input on the best location or proper positioning and proximity of the interpreter in relation to the d/Deaf participants and the speakers, to allow optimal access to communication. The judge shall ensure that the d/Deaf is able to watch the interpreter and then look at any visual evidence. If there is written evidence, the court shall allow the FSL interpreter and/or Deaf Relay Interpreter to suspend interpretation to provide the d/Deaf participant ample time to review the documents.
- c. To the extent feasible and within the discretion of the judge, the FSL interpreter and/or Deaf Relay Interpreter may view case files and exhibits, photos, or other records that will be introduced into evidence. The judge may provide vocabulary lists, documents, or pleadings to the interpreters in advance to ensure a more successful and accurate interpretation.
- d. The FSL interpreter and/or Deaf Relay Interpreter shall explain their roles and responsibilities to the d/Deaf participants and ensure understanding differences such as accents, dialect, pronunciation, expressions, and signs. The FSL interpreter and/or Deaf Relay Interpreter shall inform the judge of any conflict or lack of comprehension between them.
- e. At the start of the hearing, the judge shall advise everyone in the courtroom of the presence of the FSL interpreter and/or Deaf Relay Interpreter and clarify their roles.
- f. The judge shall administer the following FSL interpreter and/or Deaf Relay Interpreter's oath:

"Do you solemnly swear to abide by the Rules of Filipino Sign Language Interpreting in the Judiciary and to accurately, completely, and impartially translate and interpret to the accused/defendant/complainant/witness the proceedings of this case?"

The oath shall be translated into FSL when administered to a Deaf Relay Interpreter.
- g. The judge may, on their own initiative or on motion, allow scheduled breaks during the proceeding for FSL interpreters and/or Deaf Relay Interpreters. Whenever necessary, a team of two FSL interpreters and/or Deaf Relay Interpreters shall be made available for longer proceedings with continuous interpreting. The judge shall allow the interpreters to switch roles or replace each other every 30 minutes to ensure effective communication.
- h. Before the start of the testimony of the d/Deaf participant, the court shall set up a camera recording device wide enough to show the signing space of both the d/Deaf participant and the interpreter. The signing space shall be positioned in front of the top half of the body and around the head of a person.

The video recording of the said testimony shall be kept in the official OneDrive of the court under PJ365 and shall form part of the court docket.

SEC. 4. *Remote Sign Language Interpreting.* – The FSL interpreter and/or Deaf Relay Interpreter may work from a location outside the courtroom when:

- a. an accredited on-site FSL interpreter and/or Deaf Relay Interpreter is not readily available around the location of the requesting court;
- b. the services of an FSL interpreter and/or Deaf Relay Interpreter are immediately needed and no interpreter is readily available to attend the meeting in person;
- c. the proceeding is relatively short and does not involve testimonial evidence;
- d. there is no readily available interpreter in the area where the proceeding is held because the interpreter is needed to interpret a language that is rare or uncommon in the area where the proceeding is held; or
- e. the proceeding involves controversial or sensitive matters with possible safety issues for FSL interpreters and/or Deaf Relay Interpreters.

SEC. 5. *Guidelines for Remote Sign Language Interpreting.* - In cases of remote sign language interpretation, the guidelines on the conduct of videoconferencing must be observed. The FSL interpreter and/or Deaf Relay Interpreter should hear the voices of the people speaking in the courtroom through a microphone or a telephone and should render the message into sign language with the aid of a video camera, which shall transmit the visual message to the d/Deaf participant on a video display. When the d/Deaf participant signs to the camera, the interpreter views it on a video screen at the location outside the courtroom and then speaks the aural interpretation into a microphone or telephone, which transmits the audible message to the courtroom. The following additional guidelines shall also be observed:

- a. The judge shall ensure that the court provides a real-time, full-motion video and audio over a dedicated high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images. The images must be clear and large enough to display the FSL interpreter's and/or Deaf Relay Interpreter's face, arms, hands and fingers, and the participant's face, arms, hands, and fingers, regardless of his/her body position with a clear, audible transmission of voices. There must be adequately trained staff to quickly and efficiently set up and operate the video.
- b. The judge shall inform everyone in the courtroom that an FSL interpreter and/or Deaf Relay Interpreter will be at a remote location and will appear in court through video conference.
- c. The judge shall allow the FSL interpreter and/or Deaf Relay Interpreter and the d/Deaf participant to meet and confer at least 24 hours before the hearing where the FSL interpreter and/or Deaf Relay Interpreter shall introduce himself or herself, briefly describe his or her role, and identify possible signing differences or other concerns.
- d. The judge shall give instructions that the proceedings will be conducted in either or both consecutive and simultaneous modes of communication, to ensure that everything stated in the courtroom is fully and accurately interpreted.
- e. If the d/Deaf participant is detained, he or she shall be transferred to a room where his or her image is unobstructed by bars or double-paned glass, and unhandcuffed. This will allow the FSL interpreter and/or Deaf Relay Interpreter to see the d/Deaf participant's signs and verbalize any responses, questions, or concerns.

SEC. 6. *Mandatory in-court sign language interpretation.* – Remote sign language interpreting may not be allowed in the following cases: (1) during lengthy or complex proceedings; (2) proceedings with multiple d/Deaf participants; (3) those involving d/Deaf children; (4) when the d/Deaf participant has vision loss that impedes the ability to see the screen; or (5) when the equipment cannot be properly positioned, or its use is hampered by noise or poor lighting.

SEC. 7. *Errors or Ambiguities in Interpretation.* – Should errors of interpretation be discovered by the court, the parties, the FSL interpreter, or Deaf Relay Interpreter, the following rules shall be observed:

- a. Whenever the court on its own, or upon manifestation of the FSL interpreter, Deaf Relay Interpreter, or any of the parties discovers errors or ambiguities of interpretation during the testimony of the d/Deaf participants, or after their testimonies have been completed, the court shall confer with the counsel and/or the parties, and the FSL interpreter and/or Deaf Relay Interpreter. The court shall first determine whether the alleged error is substantial enough to warrant correction. If the court finds that

the error is substantial, the court shall notify all the parties concerned regarding the alleged error or ambiguity. Thereafter, the Court shall conduct a hearing to receive evidence as to the correct interpretation that may be offered by the counsel, the FSL interpreter and/or Deaf Relay Interpreter, or from any other person or expert as may be permitted by the court. The court may also allow another accredited FSL interpreter and/or Deaf Relay Interpreter to assist the court in making the determination. The court shall then make a final determination as to the correct interpretation. If the correct interpretation is different from the original interpretation, the court shall order the amendment accordingly. The branch clerk of court shall ensure that all corrections are reflected in the records.

- b. Any error of interpretation after a testimony is given shall be raised within five (5) calendar days from receipt of the Transcript of Stenographic Notes (TSN). In turn, the concerned party shall obtain a copy of the TSN within five (5) calendar days from notice of the completion of the TSN. For this purpose, the court stenographer shall notify the concerned party within three (3) calendar days from completion of the TSN. Court stenographers shall transcribe their notes within ten (10) calendar days from the time such notes were taken. All objections to errors of interpretation not raised within the prescribed period shall be deemed waived.

SEC. 8. *Interpreting Protocols for Filipino Sign Language Interpreters and Deaf Relay Interpreters.* – FSL interpreters and Deaf Relay Interpreters shall interpret and translate during court hearings and proceedings using the appropriate modes of interpretation.

- a. FSL interpreters and/or Deaf Relay Interpreters may use either or both consecutive and simultaneous modes of communication for all question- and-answer exchanges with d/Deaf participants.
- b. FSL interpreters and/or Deaf Relay Interpreters shall translate documents for the d/Deaf participants if ordered by the judge. They shall not add to, delete, or improve a written source text.
- c. FSL interpreters and/or Deaf Relay Interpreters may request a brief recess to review any document that needs to be translated to a d/Deaf participant.
- d. FSL interpreters and/or Deaf Relay Interpreters shall prepare for cases by reviewing relevant materials. They may ask the parties' counsel if they will be referring to any documents during their examination and seek access to review those documents.
- e. If there are critical words, phrases, or concepts that FSL interpreters and/or Deaf Relay Interpreters do not understand, they shall inform the judge. The judge may request an explanation, rephrasing, or repetition. The FSL interpreters and/or Deaf Relay Interpreters may also request the spelling of a word or time to look up any unfamiliar words.
- f. The FSL interpreters and/or Deaf Relay Interpreters shall interpret the exact response of speakers even if the answers to the questions are non- responsive.
- g. If the d/Deaf occasionally signs a few words in English, the FSL interpreters and/or Deaf Relay Interpreter shall repeat such words in English, for the record.
- h. If the d/Deaf participant uses a word, phrase, or concept for which the FSL interpreter and/or Deaf Relay Interpreter finds no appropriate equivalent in his/her language due to lack of cultural equivalent or ambiguity in translation, the FSL interpreter and/or Deaf Relay Interpreter shall inform the judge.
- i. FSL interpreters and/or Deaf Relay Interpreters shall utilize the first person singular when interpreting for the d/Deaf participants giving testimony or in dialogue with another person.
- j. Whenever an objection is made to a d/Deaf participant's testimony taken through an FSL interpreter and/or Deaf Relay Interpreter, the FSL interpreter and/or Deaf Relay Interpreter shall interpret everything that was said up to the time the objection was made and instruct the d/Deaf participant, by hand gesture, not to speak until the judge has ruled on the objection.

SEC. 9. *Ethics and Professionalism.* – Court-appointed FSL interpreters and/or Deaf Relay Interpreters shall:

- a. Conduct themselves in a courteous, professional, and responsible manner;
- b. Provide complete and accurate interpretation;
- c. Not attempt to provide additional services such as legal advice;
- d. Remain impartial and notify the court of any possible conflict of interest;
- e. Preserve the confidentiality of any privileged information and communication and refrain from publicly discussing the matters for which they provided services; and
- f. Refrain from discriminatory attitude and observe respect for the gender orientation, culture, and religious beliefs of the d/Deaf participant.

SEC. 10. *Removal of an FSL Interpreter or Deaf Relay Interpreter.* – The court may, on its own initiative or on motion, and after due proceedings, remove an FSL interpreter or Deaf Relay Interpreter for the following reasons:

- a. Inability to communicate due to physical, mental, or emotional incapacity;
- b. Fraud, dishonesty, or deception related to the functions and duties of an interpreter, including willfully and knowingly making false interpretation;
- c. Willful disclosure of confidential or privileged information obtained while serving in an official capacity;
- d. Failure to appear on a scheduled hearing or proceeding without good cause; and
- e. Willful violation of the rules laid down by the court for FSL interpreting, or any other policies and procedures that the Supreme Court may hereinafter prescribe.

If the FSL interpreter or Deaf Relay Interpreter is removed due to any of the abovementioned grounds, the court shall appoint another FSL interpreter or Deaf Relay Interpreter from the original list submitted by the OCA in accordance with Rule II, Section 1(c) of the FSL Rules.

Rule III

CERTIFICATION AND TRAINING

SEC. 1. *Certificate of Accreditation.* – After assessment, the OCA shall issue a Certificate of Accreditation to an FSL interpreter or Deaf Relay Interpreter, who shall submit a verified application under these Rules.

To be eligible, the FSL interpreter or Deaf Relay Interpreter must be duly certified by the Komisyon sa Wikang Filipino.

SEC. 2. *Qualifications and Contents of the Application.* – All applications for accreditation as an FSL interpreter or Deaf Relay Interpreter shall be verified and shall state, among others, that the FSL Interpreter or Deaf Relay Interpreter:

- a. is a citizen and resident of the Philippines;
- b. is of legal age;
- c. holds a valid certification as an FSL interpreter or Deaf Relay Interpreter issued by the Komisyon sa Wikang Filipino;
- d. is of good moral character;
- e. has attended and successfully completed a basic orientation training administered by the Komisyon sa Wikang Filipino to provide instruction on the role of the interpreter and the skills and ethics required of an interpreter in court;
- f. has passed a written basic court sign language interpreter examination administered by the Komisyon sa Wikang Filipino;
- g. has not been convicted of a crime involving dishonesty; and
- h. has complied with the continuing education requirement as provided in Rule III, Section 5 of the FSL Rules.

All supporting documents shall be attached to the application.

SEC. 3. *Period of validity of accreditation.* – The Certificate of Accreditation issued by the OCA shall be valid for three (3) years from the date of approval of the application.

SEC. 4. *Renewal of the Accreditation.* – The FSL interpreter or Deaf Relay Interpreter may file a verified application to the OCA for the renewal of accreditation within thirty (30) calendar days prior to the expiration of the existing accreditation. The application for renewal of accreditation shall be verified and shall state all the items under Rule III, Section 2(a)(b)(c)(d)(g)(h). All supporting documents shall be attached to the application.

SEC. 5. *Continuing Education and Reassessment of Certified Status.* – After initial accreditation, the FSL interpreter or Deaf Relay Interpreter must complete a minimum of 24 hours of relevant continuing education every three years thereafter to maintain their accreditation status. Accredited FSL interpreters and Deaf Relay Interpreters must submit to the OCA official documentation of their attendance in continuing education programs to maintain their proficient and certified status.

SEC. 6. *Revocation of the Accreditation and Other Sanctions.* – The OCA, upon recommendation by the

Komisyon sa Wikang Filipino, may revoke the accreditation if the FSL interpreter or Deaf Relay Interpreter ceases to possess any of the requirements for accreditation or the existence of any of the grounds for the removal of an FSL interpreter or Deaf Relay Interpreter under Rule II, Section 10 of these Rules.

Rule IV

TRANSITORY PROVISIONS

SEC. 1. *Transitory Provision.* Until a national system of standards, accreditations, and procedures for FSL interpreting has been established by the Komisyon sa Wikang Filipino, the certification required under Rule III, Sections 1 and 2(c), as well as the training and examination under Rule III, Section 2(e) and (f) of these Rules, shall not be a requisite in any application for accreditation as FSL interpreter or Deaf Relay Interpreter. In lieu thereof, a certification from a reputable sign language training institution or a duly organized sign language association shall suffice.

Appendix B:

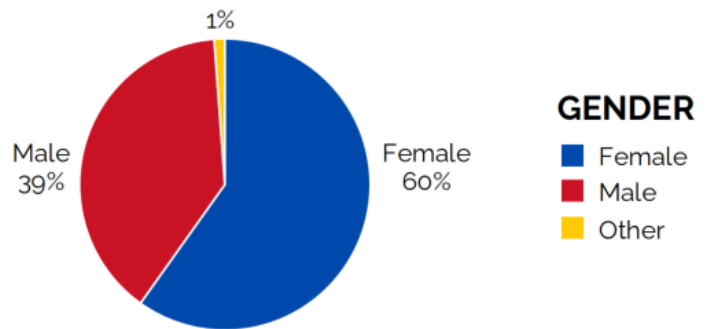
Multi-sectoral survey on victim-sensitive approaches in criminal cases

Survey objectives:

- Gather evidence on the use of victim-sensitive tools and measures by government and non-governmental agencies.
- Gain information on the extent to which relevant institutions and individuals are protecting and advancing the rights of victims of gender base violent crimes, violence against women and children, including TIP
- Contribute to the development of multi-sectoral VSC guidelines.

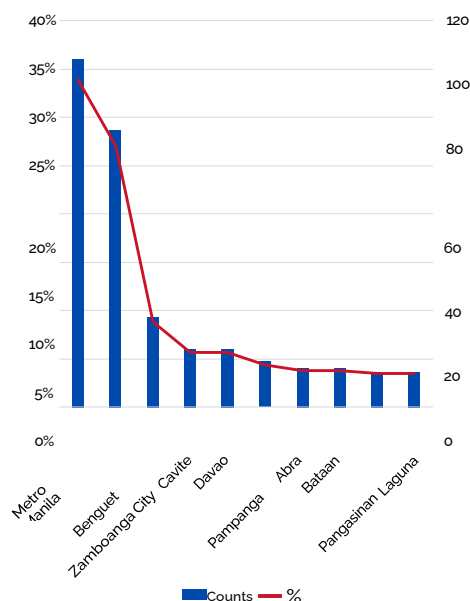
2024 Survey period: 28 February to May 25

- Numbers of survey collected: 426 respondents
- Completed the survey – 56% (239)
- Incomplete responses – 44% (187)
- About the respondents

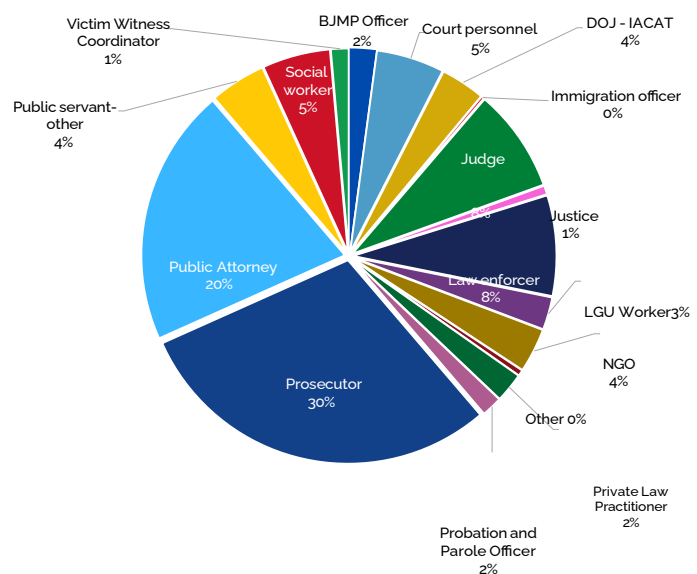


About the respondents

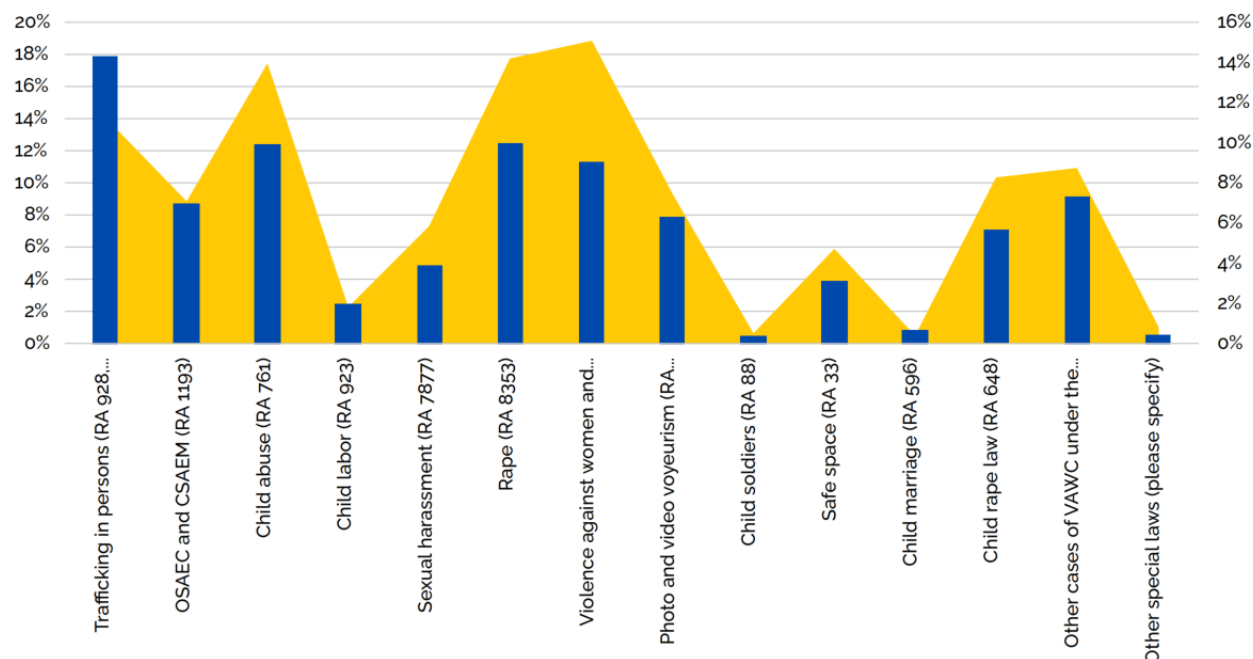
Main location of respondents



Occupation



Crimes and respondents' interaction with victims



■ In your line of work, have you ever dealt/interacted with a victim in any of the following cases?

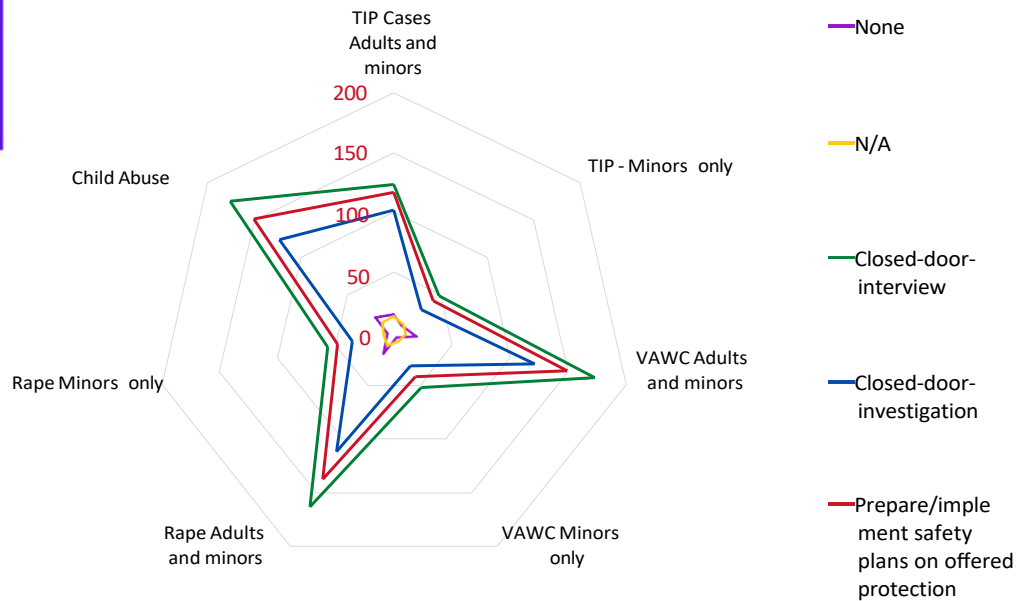
■ Have you handled or are you currently handling any of the following cases?

8 Indicators of Victim Sensitive Courts





Protective measures

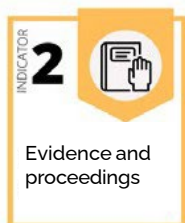


Anonymization/ Redaction

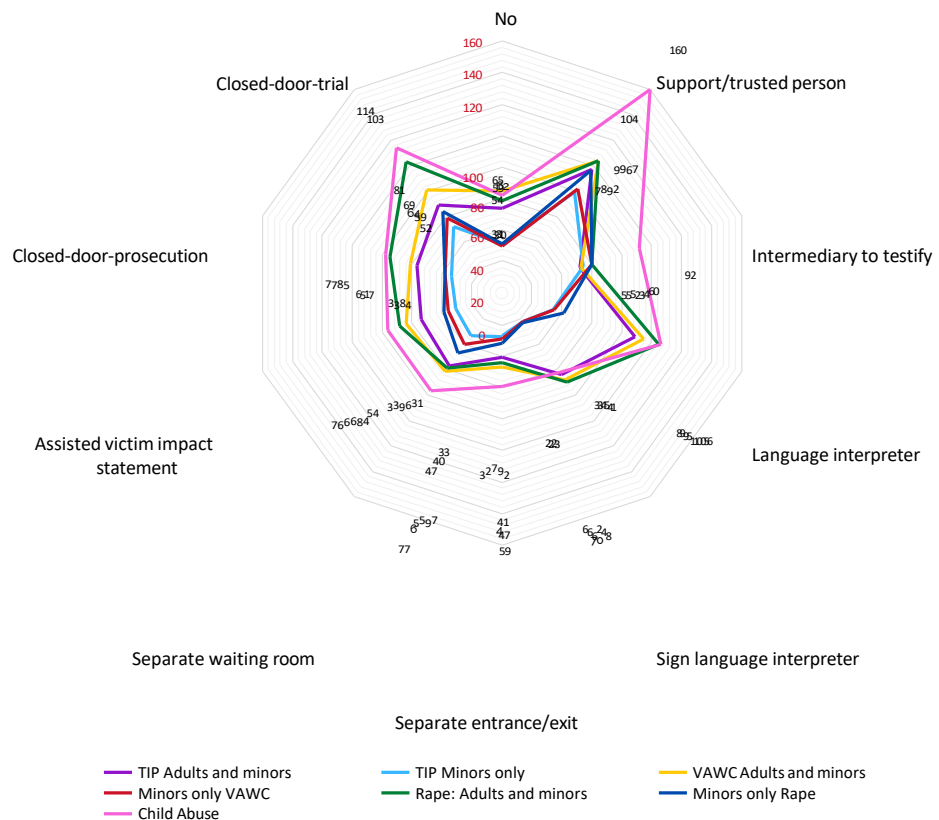
- Widely used for name and address of victims, and that of their parents.
- Commonly used for: VAWC Adults and Minors and Child Abuse cases

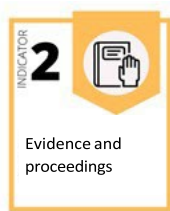
Publication in any media outfit (print, TV, radio, film, social media, etc.) of details that would identify the victims and their families

- 73% - YES
- 27% - NO

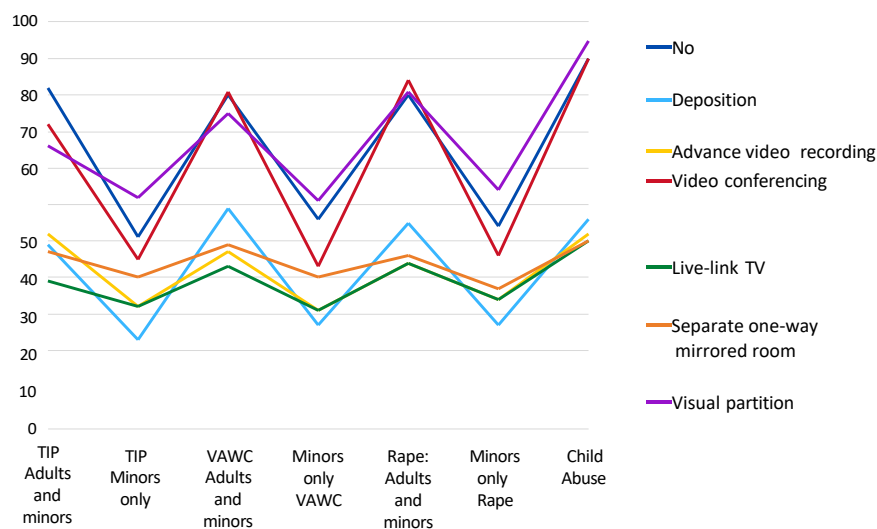


Evidence and Proceedings





Alternative mode of presenting victim testimonial



Expedited case:

Adult/Minor Rape
- 13%

VAWC/Child Abuse/TIP
- 12%

Child rape/OSAEC
- 9%



Trainings/Seminars on victim sensitivity

- Around

15%

of respondents have attended TIP, and VAWC followed by Child Abuse and OSAEC&CSAEM, and rape cases

- This is also in line with a part of respondent's trainings of their respective

Professional service standard, or code of conduct, or procedures for your

- Majority of the respondents indicates child victims and TIP have specific standards in their organization. However nearly

20%

indicates none

- Majority of those standard are publicly available too.



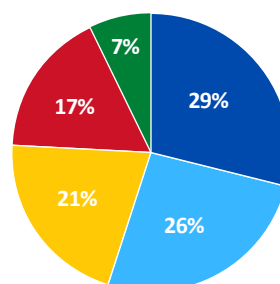
39% responded that there are easy-to-understand language about the legal rights of victims, while 17% indicates no information at all

- Topic concerning roles of prosecutors, lawyers, judge, court personnel during trial is indicated as most available
- Highest number of information material for children.
- Hardcopies (50%) are the most available format, disseminated thru helpdesk
 - Videos (12%) thru internet comes in second
 - Others include thru legal outreach, online text chat
- 29% of the respondents stated that there is no designated focal point for victims throughout the justice process;

26% for victims in general; 21% for TIP victims;

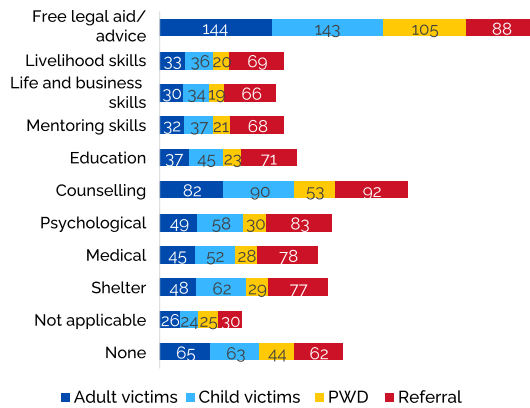
17% for children;

7% for persons with disability

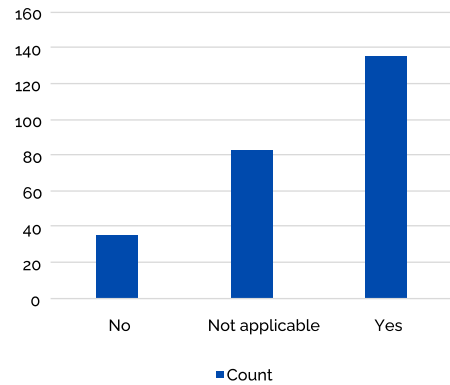




Assistance provided to TIP victims



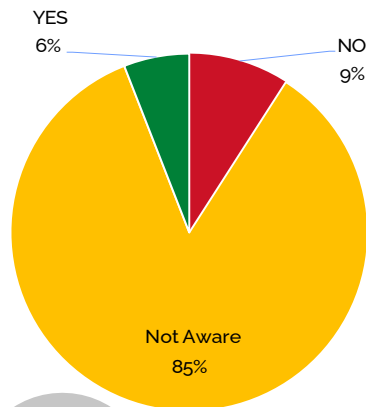
Are victims still required to testify with sufficient evidence?



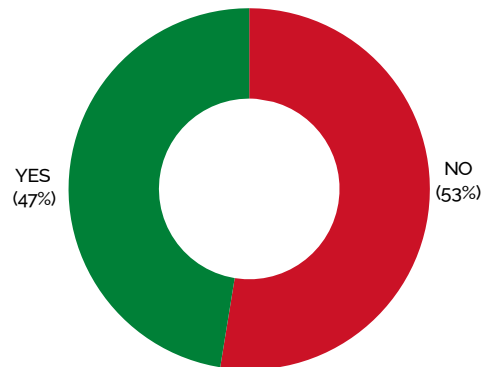
- Majority of offices have partnerships with a focus on shelter, legal aid, and medical support.



Existing protocols for forensic examinations of sexual assault based on WHO Guidelines?

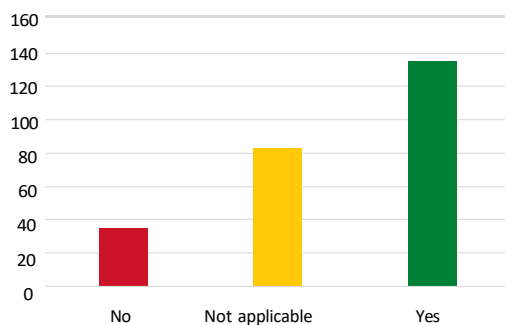


Received training on forensic evidence?



Why?

Are victims still required to testify with sufficient evidence?



• "The victim is a material witness"

- To further clarify their allegations
- To bolster the evidence against the accused
- To identify the accused
- To prove damages
- To cross examine the victim

• Still important to have testimony of witness because:

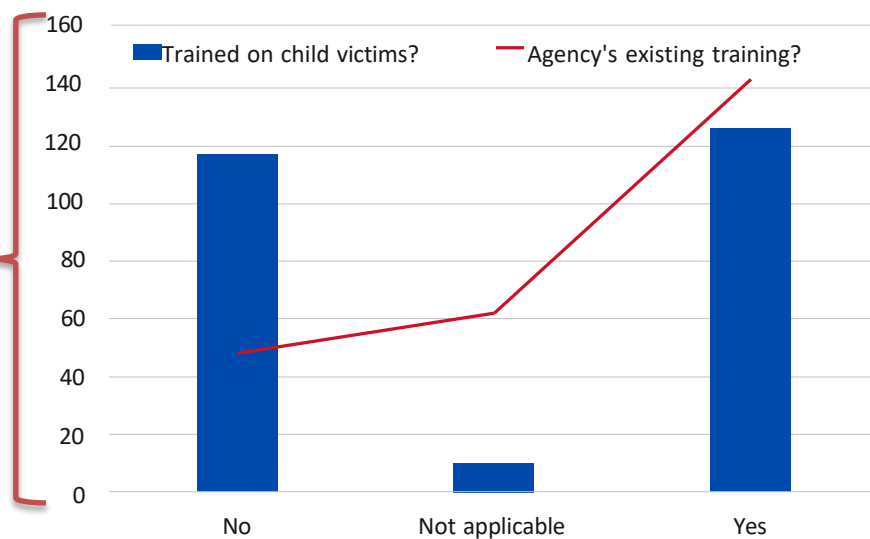
- Digital and physical evidence are just corroborative
- Not given greater weight in this jurisdiction

"Judges in this jurisdiction still heavily rely on testimonial evidence for them to convict accused. In most cases the probative and evidentiary value of these types of evidence are usually questioned during the trial."



Training on child victim sensitivity

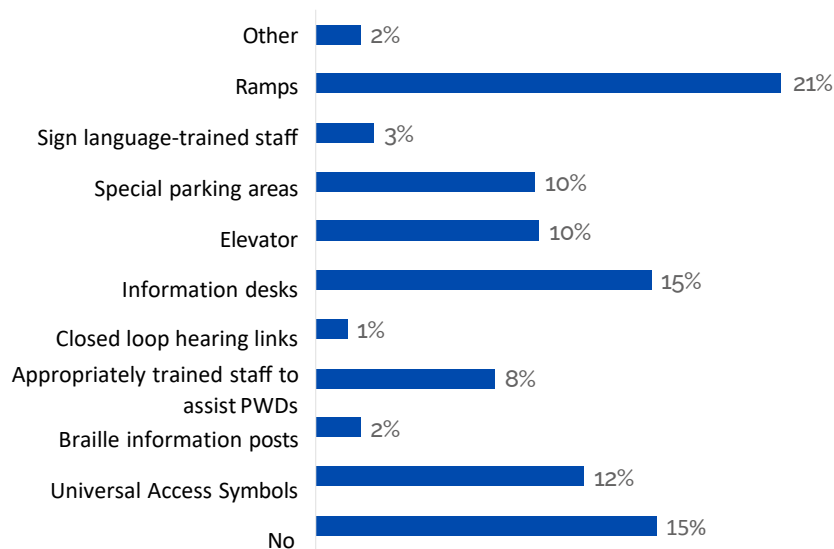
Are these the number of respondents?



Measures	%
Child-friendly interview environment	32%
Allow the presence of a guardian	32%
Child-friendly courtroom environment	21%
Not wearing a black robe during trial	7%
Not applicable	5%
No	2%
Other	1%



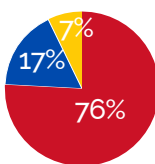
Appropriate accommodation for Persons with disability



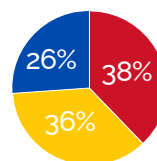


Question on capacity of the staff and their agencies

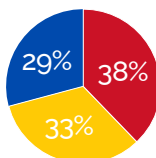
Been trained on how to sensitively respond to Persons with disability victims?



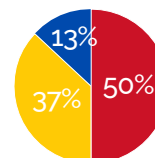
Is the training institutionalized in the respective agency?



Any established partnership with org. of persons with disability?



Collection of disability disaggregated data?



■ YES ■ NO ■ Not applicable (N/A) - Not aware



Appendix C: Government Programs and Services

DOJ Victims Compensation Program

<https://www.doj.gov.ph/victims-compensation-program.html>

https://www.doj.gov.ph/application_victim_compensation.html

DOJ Witness Protection, Security, and Benefit Program

<https://www.doj.gov.ph/witness-protection,-security-and-benefit-program.html>

DSWD Recovery and Rehabilitation Program for Trafficked Persons

<https://financialassistance.ph/dswd-rrptp-recovery-and-reintegration-program-for-trafficked-persons/>

DMW Support Services

R.A. 11641, Section 14 provides for the AKSYON Fund that encompasses all the assistance granted by DMW for distressed OFWs, including victims of trafficking.

Department Order Number 4 Series of 2023 provides for the comprehensive implementation of the AKSYON fund. (<https://dmw.gov.ph/resources/dsms/DMW/ISN-EXT/2023/DMW-DO-04-2023.pdf>)

Department Order Number 5, Series of 2024 has superseded some provisions of the Department Order Number 4. <https://dmw.gov.ph/resources/dsms/DMW/ISN-EXT/2024/DMW-DO-05-2024.pdf>



VI. Resources

International, regional, and national resources

- **ASEAN Do No Harm Guide for Frontline Responders** – is a practical resource for practitioners to evaluate their interventions or actions to avoid or mitigate unintended harm on victims and others involved.
 - <https://www.aseanact.org/resources/asean-do-no-harm-guide/>
- **ACWC Gender-Sensitive Guidelines (2016)** – is a good guide for practitioners to assist victims to apply for court-ordered victim compensation and other kinds of assistance funding for victims
 - <https://asean.org/wp-content/uploads/2021/01/Gender-Sensitive-Guidelines-for-Handling-Women-Victims-of-Trafficking-in-Persons-2016.pdf>
- **The Use of Digital Evidence in Prosecutions in Asia**
 - <https://www.interpol.int/en/How-we-work/Innovation/Artificial-Intelligence-Toolkit>
- **Child Maltreatment, Medico-Legal Terminology and Interpretation of Medical Findings (2015)**
 - https://www.childprotectionnetwork.org/wp-content/uploads/2019/06/MedicoLegalConsensus_3.10-ver-2.pdf
- **The DNA Manual**
 - <https://www.childprotectionnetwork.org/wp-content/uploads/2019/06/DNA-Manual.pdf>

- **Victim Sensitive Courts Handbook** - is a good guide on international good practice on how to implement victim sensitive courts.
 - <https://www.aseanact.org/resources/vsc-handbook/>
- **Exploring the Intersection between Disability and Trafficking in Persons**
 - <https://aseanactpartnershiphub.com/resource/disability-tip/>
- **Implementing the Non-Punishment Principle to Protect Victims of Trafficking**
 - <https://www.aseanact.org/resources/non-punishment-study/>
- **ASEAN Guideline on the Implementation of the Non-Punishment Principle for Protection of Victims of Trafficking in Persons**
 - <https://asean.org/wp-content/uploads/2025/06/ASEAN-Guideline-on-the-Implementation-of-the-Non-Punishment-Principle-for-Protection-of-Victims-of-Trafficking-in-Persons-adopted-ad-referendum-on-27-May-2025.pdf>

Video links:

Victim Survivor Interview

<https://youtu.be/C4ObK4p7yTw?si=l7VE2xuJ6CpmP7hM>

ASEAN Do No Harm for Frontline Responders Guideline

<https://aseanactpartnershiphub.com/resource/dnh-frontliner/>

Victim Sensitive Courts

<https://aseanactpartnershiphub.com/resource/vsc-animation/>

Disability and Trafficking in Persons:

<https://aseanactpartnershiphub.com/resource/animation-disability-tip/>

