

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



23 AUG 10 P6:43

SENATE

S. No. 2401

RECEIVED BY

Introduced by Senator Loren B. Legarda

AN ACT
INSTITUTIONALIZING THE ESTABLISHMENT OF WOMEN AND
CHILDREN PROTECTION UNITS (WCPU) IN ALL GOVERNMENT
HOSPITALS

EXPLANATORY NOTE

In 2022, there were 8,948 child abuse cases in the country recorded by the Council for the Welfare of Children (CWC) based on the data gathered by the Women and Children Protection Units (WCPU) located in all hospitals in the country. From 2021-2022, 72% of all child abuse cases reported by Women and Children Protection Units (WCPUs) involve sexual abuse or sexual assault. In the years 2020 up to 2021, 69.5% of the cases of violence against women reported to the Philippine National Police (PNP) involve physical injuries. During the implementation of the lockdown in the first two years of the Covid-19 pandemic, there was a significant increase in the number of cases and complaints involving Violence Against Women and Children (VAWC).

With the different forms of abuse experienced by the victims, there have been continuous attempts from the government to provide more accessible avenues for seeking help and support with assurance of safety and confidentiality. In the year 2019, with a total of 721 public hospitals in Luzon, Visayas, and Mindanao, there were only 94 WCPUs and Violence Against Women and Children (VAWC) desks that had been established despite the issuance of a 2013 order from the Department of Health

(DOH) to strengthen the implementation of this program. Only 70 of these WCPUs were directly under the management of DOH.

Both the quality and quantity of these units are of equal importance to provide the service needed, complete with adequate facilities, well-trained professionals, and social workers. Building awareness on where and how to seek help can gradually contribute to eradicating unreported cases of violence and abuse to protect the welfare of women and children. According to the Philippine Commission of Women Deputy Executive Director for Operations, only one in three women who have suffered from violence communicates to authorities.

This bill aims to acknowledge the alarming necessity of institutionalizing the establishment of Women and Children Protection Units in all government hospitals to ensure help is within the reach of the victims. The inclusion of this program in government appropriations should be deemed necessary to make certain that protection units are well-equipped to respond to VAWC cases and to deter gender-based violence (GBV).

In view of the foregoing, the early passage of this bill is earnestly requested.



LOREN LEGARDA

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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 Section 1. Short Title - This Act shall be known as the "Women and Children
2 Protection Units Act of 2023."

3 Sec. 2. Declaration of Policy - It shall be the policy of the State to recognize and
4 promote the right to health of the people and shall prioritize the needs of the
5 underprivileged, sick, elderly, disabled, women, and children. The State shall support
6 the elimination of all forms of gender-based violence and promote social justice based
7 on the identification and treatment of violence against women and children and in
8 recognition of the rights of women and children as mandated by the Philippine
9 Constitution, the Convention on the Elimination of All Forms of Discrimination
10 Against Women, the Convention on the Rights of the Child, and the Beijing Platform
11 for Action.

12 Sec. 3. Definition of Terms - As used in this Act, the following terms shall mean
13 the following:

14 (a) "Children" refer to persons below 18 years old or those over but are
15 unable to fully take care of themselves or protect themselves from abuse, neglect,
16 cruelty, exploitation or discrimination because of physical or mental disability;

1 (b) "Violence Against Children" refers to all forms of physical or mental
2 violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation,
3 including sexual abuse. It shall also include the definitions in Republic Act No. 7610,
4 Republic Act No. 9208, Republic Act No. 9775, and other pertinent laws;

5 (c) "Violence Against Women" refers to any act of gender-based violence
6 that results in, or is likely to result in physical, sexual, psychological harm or suffering
7 to women, including threats of such acts, coercion, harassment or arbitrary
8 deprivation of liberty, whether occurring in public or private life. It includes, but is
9 not limited to, the following acts:

10 (i) Physical, sexual, psychological, and economic violence occurring in the
11 family, including battering, sexual abuse of female children in the household, dowry-
12 related violence, marital rape, and other traditional practices harmful to women, non-
13 spousal violence, and violence related to exploitation;

14 (ii) Physical, sexual, psychological violence occurring within the general
15 community, including rape, sexual abuse, sexual harassment, and intimidation at
16 work, in educational institutions and elsewhere, trafficking in women, and
17 prostitution; and

18 (iii) Physical, sexual, and psychological violence perpetrated or condoned by
19 the State, whenever it occurs. It also includes violence against women as defined in
20 Republic Acts 9208 and 9262 and other relevant laws;

21 (d) "Women and Children Protection Unit (WCPU)" is a unit composed of
22 a multidisciplinary team of trained physicians, social workers, mental health
23 professionals and police providing comprehensive medical and psychosocial services
24 to women and children victims of violence;

25 (e) "Child Protection Management Information System (CPMIS)" assures
26 retrieval and management of reports, research and data capture of the WCPU;

27 (f) "Peer Review" is a process of examination of professional or academic
28 efficiency, and competence by others in the same occupation. In cases of child abuse,
29 the peer review would be the process whereby child protection specialists would
30 examine forensic evidence in order to analyze findings of the physician-examiner in
31 the absence of examiner and reviewer bias;

1 (g) "Standard Protocol" is a protocol which is a legally binding or otherwise
2 authoritative document that provides directions for the actions of a group or groups
3 as a benchmark of performance;

4 (h) "Gender Sensitivity" is the ability to recognize gender issues and
5 especially the ability to recognize women's different perceptions and interests arising
6 from their varying gender orientation and gender roles;

7 (i) "4Rs" refer to the processes of Recognition, Recording, Reporting and
8 Referral of Violence Against Women and Child Abuse Cases.

9 Sec. 4. Coverage - This shall apply to the entire health sector, including the
10 DOH health care facilities, LGU-supported health facilities, private health care
11 facilities, other DOH attached agencies, development partners and other relevant
12 stakeholders involved in its implementation.

13 Sec. 5. General Guidelines for the Establishment of Women and Children
14 Protection Units - The following guidelines shall be followed in the establishment of
15 Women and Children Protection Units (WCPUs):

16 (a) Policies and guidelines shall be developed in accordance with recent
17 data gathered through prevalence surveys, efficacy studies, and other research done
18 locally and internationally. Recommendations from international organizations may
19 also be utilized when appropriate;

20 (b) Recognition, reporting, and care management of cases involving
21 violence against women and children shall be through medical and psycho-social
22 teamwork including the mental health intervention and local government unit
23 response and cooperation, whenever necessary;

24 (c) Every province/chartered city shall establish at least one (1) Women and
25 Children Protection Unit;

26 (d) All health facilities shall ensure to have competent and trained gender-
27 responsive professionals who will coordinate the services needed by women and
28 children who were victims of violence;

29 (e) The quality of health care services shall be standardized and maintained
30 by all women and children protection units;

31 (f) A mechanism shall be created and a harmonized database be maintained
32 for all reports submitted by the different women and children protection units; and a

1 (g) Public-Private Partnership shall be enhanced by establishing a service
2 delivery network within their area to ensure sustainability of WCPU human resource.

3 Sec. 6. Implementing Guidelines for the Establishment of of Women and
4 Children Protection Units - The following guidelines shall be followed in the
5 implementation of Women and Children Protection Units (WCPU):

6 (a) Steering Committee on Women and Children Protection (SCWCP) - The
7 Steering Committee on Women and Children Protection, hereinafter referred to as the
8 "Committee," shall be created primarily responsible for policy making, coordinating,
9 monitoring, and overseeing the implementation of this Order.

10 (i) SCWCP Membership, Structure and Functions - The Committee shall be
11 composed of the following:

12 (1) Undersecretary of Health or representative as chairperson of SCWCP;

13 (2) Undersecretary of the Department of the Interior and Local Government
14 or representative;

15 (3) Undersecretary of the Department of Social Welfare and Development
16 or representative;

17 (4) A director of the Department of Health - National Center for Disease
18 Prevention and Control (NCDPC);

19 (5) A director of the Department of Education;

20 (6) A director of a DOH - retained hospital;

21 (7) A director of DOH - Legal Service;

22 (8) Executive Director of the Philippine Commission for Women;

23 (9) A representative duly appointed under the by-laws of an organization
24 or Foundation with expertise and experience in Women and Child protection work;
25 and

26 (10) One representative each from the Philippine Obstetrics and
27 Gynecological Society, Inc., the Philippine Pediatric Society, the Philippine College of
28 Emergency Medicine, the Philippine College of Surgeons, the Philippine Academy of
29 Family Physicians, Inc., and the Philippine Psychiatric Association.

30 The Chairperson shall appoint a Vice-Chair from among the Committee
31 members who shall preside over the meeting in the former' s absence.

32 (ii) Functions - The Committee shall have the following functions:

- 1 (1) Provide overall leadership, policy and program directions;
- 2 (2) Monitor the progress of the program with the assistance of the National
3 Center for Health Facility Development (NCHFD) and Center for Health
4 Development (CHD) using the Performance Standards and Assessment Tools for
5 Services Addressing Violence Against Women in the Philippines;
- 6 (3) Provide assistance in the security/protection of WCPU staff from
7 perpetrators;
- 8 (4) Ensure that networking and inter-organizational linkages are available
9 at the national, regional and local levels;
- 10 (5) Resolve issues, concerns and/or problems, make recommendations and
11 decisions that may affect the execution of the project in terms of strategic direction,
12 significant change of scope, timing, resource, and cost requirements;
- 13 (6) Nominate the members of the Technical Working Group (TWG);
- 14 (7) Draft / review / comment and recommend approval of Resolutions /
15 Circulars / Memoranda and Administrative Orders on VAWC for issuance by the
16 relevant Department(s);
- 17 (8) Propose a Costed Implementation Plan, the whole or elements of which,
18 upon Committee approval, shall be inserted into relevant plans and budgets of the
19 department and which shall be funded fully before any other expenditures of GAD
20 budgets in all levels and instrumentalities of government;
- 21 (9) Sustain Public-Private Partnership to assist in the sustainability of
22 WCPU human resource;
- 23 (10) Submit to the Office of the Secretary of Health its annual report on
24 policies, plans, programs, accomplishment and statistical reports, and narrative
25 description of activities on or before the last working day of February of every year;
26 and
- 27 (iii) The Committee shall meet regularly at least once every quarter. The
28 venue shall be agreed upon by the members. Special meetings may be requested by
29 the Chairperson or any Committee member, as the need arises.
- 30 (iv) Term - The Committee members shall hold office for three (3) years and
31 may be reappointed or until their successors shall have been appointed and duly
32 qualified.

1 The Committee members shall designate the Director III of the NCDPC-FHO
2 as the Chairperson of the Technical Working Group (TWG), as well as the members
3 of the TWG representing the NGO, specialty organizations, faith based, and
4 community-based organization. The selected staff from the Family Health Office will
5 act as the secretariat as may be necessary to discuss and address particular concerns
6 to ensure functionality of WCPUs.

7 (b) Technical Working Group (TWG) - The functions of the Technical Working
8 Group are the following:

9 (i) Identify/map out health care facilities that need to establish WCPUs, using
10 demographic and population ratio criteria;

11 (ii) Formulate standard protocols and procedures for multidisciplinary care
12 for women and children victims of abuse and violence;

13 (iii) Set the criteria and procedures on certification standards of women and
14 children protection units;

15 (iv) Set minimum competency requirements for training programs that are
16 gender-responsive which include but shall not be limited to Certification for Women
17 and Child Protection Specialty Training Program;

18 (v) Monitor and evaluate the efficiency, effectiveness and sustainability of
19 the WCPUs;

20 (vi) Recommend policy reforms and new guidelines anchored on evidence-
21 based interventions and approaches; and

22 (vii) Perform other functions as may be necessary for the implementation of
23 the revised issuance.

24 (c) The Secretariat - The selected staff from the Family Health Office shall act as
25 the secretariat whose functions are the following:

26 a) Provide administrative support to the Steering Committee and TWG in
27 all activities related thereto;

28 b) Facilitate and organize meetings, workshops, symposiums, for a and
29 other activities as instructed by the Steering Committee and/or TWG;

30 c) Prepare minutes of the meeting and other required documentation;

31 d) Ensure availability of logistics requirements during the conduct of the
32 activities.

1 The members of the Technical Working Group and the corresponding members
2 of the secretariat previously appointed by the Steering Committee members shall hold
3 permanent appointments for continuity purposes.

4 Sec. 7. Minimum Requirements for All Hospitals - The following are the
5 minimum requirements for all hospitals:

6 (a) Training - The Committee is mandated to ensure that all hospital
7 personnel undergo training on the recognition, reporting, recording and referral (
8 4R's) of cases of violence against women and children.

9 (b) Women's and Children's Protection Coordinator - Hospitals without a
10 women and children protection unit must have a women and children's protection
11 coordinator (WCPC) responsible for coordinating the management and referral of all
12 violence against women and children cases in a hospital facility.

13 Sec. 8. Roles and Responsibilities - The National Center for Disease
14 Prevention and Control (NCDPC) shall:

15 (a) Manage, supervise and monitor the overall execution of the revised
16 WCPU Policy;

17 (b) Provide overall policy direction and guidance;

18 (c) Monitor and evaluate the impact of WCPU in families and survivor of
19 violence against women and their children;

20 (d) Conduct capacity building activities for Women and Child Protection;
21 and

22 (e) Monitor WCPU reports and analyze data for decision making.

23 The Health Human Resource Development Bureau shall:

24 a) Develop and implement plans and programs on the recruitment,
25 selection, deployment, and utilization of health human resources for WCPU;

26 b) Assist in the development of training programs, designs and manuals
27 for various stakeholders of WCPU;

28 c) Identify and coordinate with institutions that provide capability
29 building on WCPU;

30 d) Institute career development based on training needs; and

31 e) Together with the steering committees, monitor standards on the health
32 human resource of WCPU.

1 The National Epidemiology Center (NEC) shall:

2 a) Manage the development of the operational policies, practices,
3 standards and protocols to ensure the effective and efficient implementation of Online
4 National Electronic Injury Surveillance System (ONEISS); and

5 b) Develop an efficient and effective surveillance system for WCPU.

6 The Information Management Service (IMS) shall:

7 a.) Ensure that the system is updated and that all software-related problems are
8 properly addressed;

9 b) Conduct orientation and training on the ONEISS-V A WC System
10 among the Information Technology staff of the hospital who will manage the ONEISS;
11 and

12 c) Maintain ONEISS-VAWC records submitted to them.

13 The Legal Service shall:

14 a) Render legal assistance and advice to the Secretary of Health and his
15 support staff on matters, policies on VAWC;

16 b) Prepare legal opinions on VAWC matters regarding provision of laws,
17 circulars, rules and regulations as well as VAWC legal queries within the DOH;

18 c) Perform legal counseling and advice regarding the enforcement,
19 application of VAWC laws, rules and regulations; and

20 d) Answer all VAWC legal queries and communication referred to Legal
21 Service regarding VAWC laws.

22 The National Center for Health Promotion (NCHP) shall:

23 a) Translate the evidence based WCPUs research findings into key
24 messages prototype IEC materials that are appropriate for specific population
25 segments; and

26 b) Develop a communication plan for the WCPU Events/campaigns.

27 The National Center for Health Facility Development shall:

28 a) Set standards for the technical operation/management of WCPUs to
29 include reporting mechanism; and

30 b) Provide implementation support for hospitals to comply with the
31 service requirements of WCPU.

32 The Bureau of Health Facilities and Services shall

- 1 a) Integrate standards on WCPU service requirements of health facilities in
- 2 licensing checklist;
- 3 b) Set basic standards for WCPU service requirements for health facilities;
- 4 and
- 5 c) Inspect WCPUs to establish compliance to the set standards.

6 The Centers for Health Development shall:

- 7 a) Ensure the adoption and implementation of this policy by LGUs in the
- 8 different localities within their respective regions in public and private health care
- 9 facilities;
- 10 b) Certify health care facilities in the regions meeting the standard service
- 11 requirements of WCPU through their Licensing Operations Unit;
- 12 c) Provide technical assistance to leverage resources and monitor
- 13 implementation of WCPUs in health facilities;
- 14 d) Formulate and implement advocacy plans for local chief executives to
- 15 generate stakeholders' support from relevant partners; and
- 16 e) Monitor the implementation of this revised policy and guide in both
- 17 public and private hospitals, and in different localities in their respective regions.

18 The Local Government Units shall:

- 19 a) Conduct training and orientation on the 4Rs for medical and non-
- 20 medical staff;
- 21 b) Orient/train public and private health workers;
- 22 c) Provide budgetary allocation for an effective/efficient operation of
- 23 WCPUs, particularly on the hiring of dedicated staff to manage the unit;
- 24 d) Advocate with municipalities/cities and other concerned agencies and
- 25 stakeholders to adopt and implement;
- 26 f) Generate and allocate logistics and human resources in support of
- 27 WCPU provision of services for victims of violence (e.g., counterpart funds for
- 28 training, procurement of supplies); and
- 29 g) Maintain an accurate, complete and timely database on WCPU clients.

30 The Child Protection Network Foundation, Inc. & Women Protection Unit of
31 UP-PGH (Women's Desk), in collaboration with non-government organizations and
32 foundations engaged in women and child protection, shall:

- 1 a) Provide technical expertise and support for the establishment of
2 WCPUs;
- 3 b) Support the training of physicians and social workers in WCPUs as
4 facilitators/resource persons; and
- 5 c) Converge efforts with the Council for the Welfare of Children,
6 Philippine Commission on Women, and other organizations working on women and
7 children health and gender concerns.

8 The Council for the Welfare of Children (CWC) and Philippine Commission on
9 Women (PCW) shall:

- 10 a) Provide expertise and technical assistance on gender-responsive
11 delivery of services to the WCPU service providers; and
- 12 b) Assist the DOH in monitoring the implementation of WCPU in
13 coordination with the Steering Committee. Likewise, the Standard Performance
14 Assessment Tools shall be used for this purpose.

15 The Philippine Health Insurance Corporation (PhilHealth) shall develop a
16 PhilHealth Insurance benefit packaged for WCPU inpatient and outpatient services
17 for the abused/survivors of violence in accredited hospital facilities in consideration
18 to active and non-active members.

19 Sec. 8. Appropriations - The fund needed to initially implement the provisions
20 of this Act must be sourced primarily from the General Appropriations Act. This law
21 shall be in the form of an automatic appropriation that shall be programmed annually,
22 without regard to the budget proposal or approved appropriations of the concerned
23 government agencies and any of its political subdivisions, government owned and/or
24 controlled corporations.

25 Sec. 9. Implementing Rules and Regulations - The Department of Health
26 (DOH) shall promulgate the necessary implementing rules and regulations within
27 ninety (90) days from the effectivity of this Act.

28 Sec. 10. Separability Clause - If any portion or provision of the Act is declared
29 void or unconstitutional, the remaining portions or provisions hereof shall not be
30 affected by such declaration.

31 Sec. 11. Repealing Clause - Any provision of law or regulations inconsistent
32 herewith is hereby repealed, revoked, or modified accordingly.

1 Sec. 12. Effectivity Clause - This Act shall take effect after fifteen (15) days
2 following its publication in the Official Gazette or in any newspaper of general
3 circulation.

Approved,