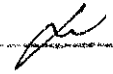


FOURTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

7 JUL 26 1998

SENATE  
S. B. No. 1360

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

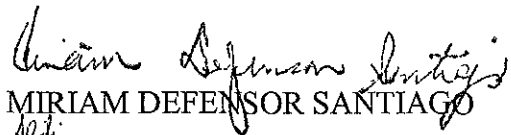

EXPLANATORY NOTE

The Constitution, Article II, Section 14 provides that the state “recognizes the role of women in nation-building.”

The Constitution, Article XIII, Section 14 likewise provides for the protection of women by providing such facilities and opportunities as will enhance their welfare and enable them to realize their full potential in the service of the nation.

The Department of Social Welfare and Development (DSWD) has reported that the number of battered women, aged 18 and above, has increased dramatically in the last six years. Statistics released by the DSWD showed that there were 850 cases in 1991; 1,175 cases in 1992; 1,720 cases in 1993; 2,170 cases in 1994; 5,287 cases in 1995; 7,425 cases in 1996; 7,850 cases by the end of 1997 (4 September 1998, Manila Standard, pp.1-2).

This bill hopes to curb the rise in the number of battered women by facilitating faster conviction of the guilty party. For this purpose, the bill: (1) authorizes the Department of Justice, in coordination with the DSWD and the Commission on Human Rights (CHR), to analyze and disseminate information regarding the admissibility and quality of testimony of witnesses with expertise relating to battered women; and (2) provides for the development and dissemination of training materials to facilitate the appropriate use of experts to provide testimony in criminal trials of battered women, particularly in cases involving indigent women.\*

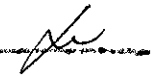
  
MIRIAM DEFENSOR SANTIAGO  


\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

7 JUN 24 2007

SENATE  
S. B. No. 1360

RECEIVED BY: 

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Introduced by Senator Miriam Defensor Santiago

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1 AN ACT  
2 AUTHORIZING THE DEPARTMENT OF JUSTICE TO ANALYZE AND DISSEMINATE  
3 INFORMATION REGARDING THE ADMISSIBILITY AND QUALITY OF TESTIMONY  
4 OF WITNESSES WITH EXPERTISE RELATING TO BATTERED WOMEN,  
5 AND TO DEVELOP AND DISSEMINATE TRAINING MATERIALS TO FACILITATE  
6 THE APPROPRIATE USE OF SUCH EXPERTS TO PROVIDE TESTIMONY IN  
7 CRIMINAL TRIALS OF BATTERED WOMEN, PARTICULARLY IN CASES INVOLVING  
8 INDIGENT WOMEN

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

11 SECTION 1. *Short Title.* – This Act shall be known as the “Battered Women’s  
12 Testimony Act of 2007.”

13 SECTION 2. *Declaration of Policy.* – It is a policy of the State to protect and promote  
14 the welfare of women by providing such facilities and opportunities that will enable them to  
15 realize their full potential in the service of the nation.

16 SECTION 3. *Definition of Terms.* – For purposes of the Act, the term:

17 (A) “Eligible Entity” refers to a non-profit organization that operates on a nationwide  
18 basis to provide –

19 (1) Information and assistance to battered women who are defendants or  
20 prosecuting witnesses in criminal trials; and

21 (2) Technical assistance to battered women, operators of domestic violence  
22 shelters, advocates for battered women, expert psychological witnesses, and  
23 attorneys to use effective defense or prosecution strategies in such cases.

24 (B) “Secretary” refers to the Secretary of the Department of Justice.

1           SECTION 4. *Authority of the Department of Justice.* –

2           The Department of Justice shall make grants to, or enter into contracts with, a single  
3 eligible entity to –

4           (A) Collect on a nationwide basis, and analyze, information regarding –

5                 (1) The admissibility and quality of expert testimony on the experiences of  
6                     battered women offered either as part of the defense or as part of the  
7                     prosecution in criminal cases under the law; and

8                 (2) Sources of, and methods of obtaining, funds to pay the cost incurred in  
9                     providing such testimony, particularly in cases in which defendant or the  
10                    prosecuting witness is an indigent women;

11          (B) Develop training materials to –

12                (1) Assist battered women, operators of domestic violence shelters, advocates for  
13                    battered women, and attorneys to use such expert testimony in appropriate  
14                    cases, particularly appropriate cases involving indigent women defendants or  
15                    prosecuting witnesses; and

16                (2) Assist individuals with expertise in the experience of battered women to  
17                    develop skills appropriate to providing such expert testimony; and

18                (3) Disseminate such information and training materials, and provide related  
19                    technical assistance to battered women, such operators, such advocates, such  
20                    attorneys and such individuals.

21          SECTION 5. *Implementing Rules and Regulations.* – The Secretary, in coordination  
22 with the Secretary of the Department of Social Welfare and Development (DSWD) and the  
23 Chairman of the Commission on Human Rights (CHR), shall promulgate the necessary rules and  
24 regulations to ensure the smooth and efficient implementation of the provisions of this Act.

25          SECTION 6. *Appropriations.* – To carry out the provisions of this Act, such sum as may  
26 be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the  
27 sum for the continuous operation of the program shall be included in the annual appropriation of  
28 the Department of Justice.

1           SECTION 7. *Separability Clause.* – If any provision or part hereof, is held invalid or  
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
3 valid and subsisting.

4           SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
5 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
6 with the provision of this Act is hereby repealed, modified or amended accordingly.

7           SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
8 publication in at least two (2) newspapers of general circulations.

9           Approved,