



AMERICAN JOURNAL OF MULTIDISCIPLINARY RESEARCH AND INNOVATION (AJMRI)

ISSN: 2158-8155 (ONLINE), 2832-4854 (PRINT)

VOLUME 2 ISSUE 6 (2023)



PUBLISHED BY
E-PALLI PUBLISHERS, DELAWARE, USA

Implementation of RA 9262 Otherwise Known as Anti-Violence Against Women and Children

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Article Information

Received: September 18, 2023

Accepted: October 21, 2023

Published: October 26, 2023

Keywords

*Implementation, RA 9262,
Violence, Women, Children*

ABSTRACT

This study assessed the impact and effect of implementation of RA 9262 otherwise known as Anti-Violence Against Women and Children in selected barangays in Calapan City, Oriental Mindoro, Philippines. The study employed descriptive research design. The sample size of respondents was taken from the total population using non-proportional sampling, with the Pearson's Product Moment of Correlation. The respondents of the study were the 25 family members from the total number of 5 police officers who are involved in the Implementation of R.A.9262 in the Calapan City Police Station. From the 25 family members 10 are the women and 15 are the children. This study used the non-proportional sampling. The survey data gathered employing the self-structured questionnaire revealed that the implementation of the law in terms of healthcare, penalty, protection order, rights of the victim and duties of law enforcers and barangay officials was to a high extent. The effect of implementation of the law in terms of physical, sexual, psychological and economic violence was high. The issues, kinds and forms of abuses that considered as violation against women and their children used various strategies and approaches that could help to solve the said issues. Thus, the study recommended to promote gender equality, support women and help to move towards more peaceful cultural norms and address indiscriminate violence against women, establish a crisis center that may help women who is a victim suffering against violence, strengthen the Philippines enacted several laws protecting women from violence.

INTRODUCTION

Violence against women and children is a widespread and deeply troubling social issue characterized by physical, psychological, emotional, or sexual harm inflicted on women and children, typically within the confines of familial or intimate relationships, but also in broader societal contexts. Domestic violence, sexual assault, child abuse, child marriage, human trafficking, and female genital mutilation, among other forms of abuse, fall under this category. Violence against women and children is a heinous violation of their fundamental human rights, and it stems from deeply embedded gender inequities and power imbalances. It frequently has serious physical and psychological ramifications for survivors, continuing a cycle of trauma and perpetration.

Every year, violence in the home and the community devastates the lives of millions of women. Gender-based violence kills and disables as many women between the ages of 15 and 44 as cancer, and its toll on women's health surpasses that of traffic accidents and malaria combined. Also, it was reported that 47% of the women killed were murdered by a relative after being raped (Violence, 1999). Violence against women is rooted in a global culture of discrimination which denies women equal rights with men and which legitimizes the appropriation of women's bodies for individual gratification or political ends. Namy *et al.* (2017) discussed that while violence against women and children have evolved as different fields of research, a rising number of studies illustrate the extent to which both types of violence overlap in the same households.

However, understanding of how and why such co-occurrences occur is poor, particularly in the Global South. The authors also identified four probable patterns that imply how violence against women and children not only co-occur, but also intersect severely within the family, generating cycles of emotional and physical abuse: bystander trauma, negative role modeling, protection and further victimization, and misdirected aggression.

Similarly, in Turkey, Kocack *et al.* (2007) revealed that working women and women with children are more vulnerable to domestic abuse. Again, there is a strong link between the family's neighborhood and the prevalence of violence. The level of male control, as judged by the question "How are family decisions made?" is also linked to domestic violence: women are less likely to be harmed in households where decisions are made collaboratively. Similarly, families where women must seek permission from their husbands to engage in specific activities have a higher prevalence of husband violence. Domestic violence is also highly associated with psychological variables such as childhood maltreatment or witnessing violence.

In the Philippines, Republic Act 9262 is also known as the Anti-Violence Against Women and Children Act (VAWC) (Esporma, 2017). It has become a favored tool for addressing the grievances of women in abusive relationships because of its expansive provisions. Violence comes in many forms. It is not just physical, like a black eye or a swollen face. Other forms of violence are less visible but equally painful and damaging.

Violence against women and children are defined under

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the law as “any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment around the world at least one woman in every three has been beaten, coerced into sex, or otherwise abused in her lifetime.

Several literature and studies revealed the effect of republic acts 9262. Children living in families where domestic violence occurs may be exposed to intimate partner violence and abuse in a number of ways. They may be direct witnesses to abuse, may suffer harm incidental to the domestic abuse, may have their lives disrupted by moving or being separated from parents, may be used by the batterer to manipulate or gain control over the victim, and they themselves are more likely to be abused. Exposure to domestic violence is widespread internationally and it is associated with other forms of child maltreatment UNICEF,(2006). Among others, children are sometimes used by batterers to manipulate or spy on their victims, becoming a tool for the abusive partner. A batterer may threaten to take custody of or kidnap the children if the victim reports the abuse; he may also threaten to harm or kill the children. In addition, a batterer often insults and demeans his victim’s parenting of the children (Bancroft *et al.*, 2011). Violence against women (VAW) cases in the Philippines rose to 21 percent from the 2007 report. With the implementation of the Republic Act 9262 (RA 9262) or the Anti Violence against Women and Children Act of 2004, it is alarming that the number of violations against women’s rights did not decrease and has in fact risen (Dimaano *et al.*, 2018). Relatively, the Expectancy Theory of Motivation by Vroom as cited by Watters (2021) holds that people are motivated to do things and to reach a goal if they believe in the worth of the goal they set and if they can see that what they do will help them achieve it. Meanwhile, the Contingency Theory to Leadership as advanced by Fiedler (2015) holds that people become leaders not only because of the attributes of their personalities but also because of various situational factors and the interactions between leaders and group members. As such, status of the implementation of R.A. 9262 may be anchored on the precepts of Vroom’s Theory of Motivation while the level of contribution and extent of effectiveness of operational services of the police stations may be incorporated in the Contingency Theory of Leadership by Fiedler. Moreover, violence against women and children results from the use of force or threat to achieve and maintain control over others in intimate relationships, and from societal abuse of power and domination in the forms of sexism, racism, homophobia, classism, anti-Semitism, able-bodyism, ageism and other oppressions. Hence, the

study sought to determine the implementation of R.A. 9262 otherwise known as Anti-Violence Against Women and Children in selected Barangay in Calapan City Oriental Mindoro. Specifically, it seeks to determine the extent of the implementation of the program of R.A. 9262 in terms of healthcare, penalty, protection order, rights of the victim and duties of law enforcers and barangay officials and evaluate the effect of implementation of R.A. 9262 in terms of physical violence, sexual violence, psychological violence and economic violence.

METHODOLOGY

The study employed descriptive research design. The sample size of respondents was taken from the total population using non-proportional sampling, with the Pearson’s Product Moment of Correlation.

The respondents of the study were the 25 family members from the total number of 5 police officers who are involved in the Implementation of R.A.9262 in the Calapan City Police Station. From the 25 family members 10 are the women and 15 are the children. This study used the non-proportional sampling.

A self- structured questionnaire was the main instrument of the study. The Five-Point Likert Scale-Response instrument was used to analyze and interpret using the following criteria.

The scores were rated using this scale:

5	4.50-5.00	Very High Extent/Very Effective
4	3.50-4.49	High Extent/ Effective
3	2.50-3.49	Moderate Extent/ Moderately Effective
2	1.50-2.49	Low Extent/ Ineffective
1	1.00-1.49	Very Low Extent/ Ineffective

Data gathered were treated statistically using descriptive statistics such as mean and ranking.

RESULTS AND DISCUSSION

1. Extent of the Implementation of the program of RA 9262. This section discussed the extent of the Implementation of the program of RA 9262 in terms of health care, penalty, protection order, rights of the victim, and duties of barangay Officials and Law Enforcers, shown in Table 1 to 5 as follows.

As shown in Table 1, item number 1 (rank 1) which states, health care provider properly documents any of the victims obtained the highest means score of 3.96 described as high extent. Then second highest rank is “health care provider provides the act immediate and adequate notice of rights and remedies provided under this act” with mean score of 3.73 described as high extent. Likewise, the second and fourth items which are “health care provider properly records any of victim’s suspicious observations and circumstances of examination of visit” and “health care provider safeguards the records and makes them available to the victim upon request at actual cost.” with mean score of 3.65 described as high extent. And having the lowest rank is “health care

provider automatically provides the victim free of charge a medical certificate concerning the examination of visit.” with mean score of 3.52 described as high extent. This implies that the health care provider actively doing and performing their job.

As reflected in table 2, results recorded the overall mean score of 3.76 described as high extent. Based on the table, “respondent causing physical harm to woman or her child

was punished in accordance with the provisions of the RPC.” marks greatly implication on the respondent’s perception, this was indicated by the mean score of 3.90 which described as high extent. Likewise, the second, third, fourth and last items were also described high extent as evidence by the mean score of 3.76, 3.75, 3.70 respectively. Probably this was indication of respondent satisfaction on the penalty given to the offender.

Table 1: Mean extent of the Implementation of the program of RA 9262 in terms of health care

Items	Mean	Rank	Description
1. Heath care provider properly documents any of the victims.	3.96	1	High Extent
2. Health care provider properly records any of victim’s suspicious observations and circumstances of examination of visit.	3.65	3.5	High Extent
3. Health care provider automatically provides the victim free of charge a medical certificate concerning the examination of visit.	3.52	5	High Extent
4. Health care provider safeguards the records and makes them available to the victim upon request at actual cost.	3.65	3.5	High Extent
5. Health care provider provides the act immediate and adequate notice of rights and remedies provided under this act.	3.73	2	High Extent
Overall Mean	3.70		High Extent

Table 2: Mean extent of the Implementation of the program of RA 9262 in terms of penalty

Items	Mean	Rank	Description
1. Respondent causing physical harm to woman or her child was punished in accordance with the provisions of the RPC.	3.90	1	High Extent
2. Respondents who placed woman or her child in fear of imminent physical harm was punished by arresto mayor.	3.70	4.5	High Extent
3. Respondent restricting the woman or her child’s freedom of movement was punished by prision correccional.	3.75	3	High Extent
4. Respondent causing the woman or her child to engage in any sexual activity was punished by prision mayor.	3.77	2	High Extent
5. Respondent peering in the window or lingering outside the residence of the woman and her child was punished by prision mayor.	3.70	4.5	High Extent
Overall Mean	3.76		High Extent

As noted in table 3, this shows that having the highest mean is “directing lawful possession and use by petitioner of an automobile and other essential personal effect regardless of ownership” with mean score of 3.90 described as high extent. All the items described as high extent as evidence by the mean score of 3.87, 3.80, and 3.68 indicates what penalty can do for this program. Although respondents’ perception on “directing the respondent to stay away from

petitioner and designated family of household member at a distance specified by court” with mean score of 3.60 marked as the lowest rank, which was described as high extent. It is interesting to note that the police officer’s commitment to perform their functions and high-level dedication to the implementation of RA 9262 was really appreciated by all the victims through the protection order under this program with the overall mean score of 3.77.

Table 3: Mean extent of the Implementation of the program of RA 9262 in terms of protection order

Items	Mean	Rank	Description
1. Prohibition of the respondent from threatening to commit or committing personally or through another any of the acts.	3.68	4	High Extent
2. Prohibition of the respondents from harassing, annoying, telephoning contacting or otherwise communicating with the petitioner directly or indirectly.	3.87	2	High Extent
3. Removal and exclusion of the respondents from the residence of the petitioner regardless of ownership of residence.	3.80	3	High Extent

4. Directing the respondent to stay away from petitioner and designated family of household member at a distance specified by court.	3.60	5	High Extent
5. Directing lawful possession and use by petitioner of an automobile and other essential personal effect regardless of ownership.	3.90	1	High Extent
Overall Mean	3.77		High Extent

As presented in table 4 that victim-respondents use high extent in terms of rights of the victims as indicated by the overall mean score of 3.77. This shows that having the highest mean is victim is treated with respect and dignity with mean score of 3.96 described as high extent. All the items described as high extent as evidence by the mean score of 3.73, 3.65 indicates the rights of the

victim were protected under this program. Although respondents' perception on victim is entitled to all legal remedies and support as provided for under the family code with mean score of 3.52 marked as the lowest rank, which was described as high extent. It is interesting to note that the victims of violence were protected by the rights under the program of RA 9262.

Table 4: Mean extent of the Implementation of the program of RA 9262 in terms of rights of the victim

Items	Mean	Rank	Description
1. Victim is treated with respect and dignity.	3.96	1	High Extent
2. Victim avails of legal assistance from the PAO of the Department of Justice (DOJ)	3.65	3.5	High Extent
3. Victim is entitled to all legal remedies and support as provided for under the family code.	3.52	5	High Extent
4. Victim is entitled to support services from the DSWD and LGU's.	3.65	3.5	High Extent
5. Victim is informed of their rights and services available to them including their right to apply for a protection order.	3.73	2	High Extent
Overall Mean	3.70		High Extent

Table 5: Mean extent of the Implementation of the program of RA 9262 in duties of barangay Officials and Law Enforcers

Items	Mean	Rank	Description
1. Confiscate any deadly weapon in possession of the perpetrator or within plain view.	3.90	1	High Extent
2. Transport or escort victim to safe place of their choice or to clinic or hospital.	3.70	4.5	High Extent
3. Assist the victim in removing personal belongings from the house.	3.75	3	High Extent
4. Ensure the enforcement of protection order issued by Punong Barangay or court.	3.77	2	High Extent
5. Arrest suspected perpetrator without a warrant when any of acts of violence is occurring.	3.70	4.5	High Extent
Overall Mean	3.76		High Extent

As shown in table 5, it can be noted that item number 1 (rank 1) which states confiscate any deadly weapon in possession of the perpetrator or within plain view obtained the highest means score of 3.90. Likewise, the second, third, fourth and last items were also described high extent as evidence by the mean score of 3.77, 3.75, 3.70 respectively. Probably this was indication of respondent satisfaction on the duties and responsibility of barangay officials and law enforcers as indicated by the overall means score of 3.76.

Effect of Implementation of the Program of RA 9262

This section presents the effect of implementation of the Program of RA 9262 in terms of physical violence, sexual violence, psychological violence, and economic abuse, shown in Table 6 to 10 as follows.

As noted in table 6, item 2 (rank 1) which states, inflicting bodily or physical harm to woman and her child got the

highest means score of 3.80, described as effective. On the other hand, item number 3 (rank 2) which states, physically attacking the woman and her child with mean score of 3.70 described as effective, followed by attempting to cause the woman and her child physical harm with mean score of 3.65 which described as effective, followed by abusing physically the woman and her child with mean score of 3.50 described as effective. However, respondents' perception on threatening to cause the woman and her child physical harm gained the lowest mean score of 3.45, described as effective. Generally, respondents use effective on the program of republic acts 9262 regarding physical violence as indicated by the overall mean score of 3.62.

As reflected in table 7, it shows that having the highest mean is causing the victim to engage in any sexual activity by force or threat of forced with mean score of 3.88, followed by prostituting the woman or her child with

Table 6: Mean effect of implementation of the Program of RA 9262 in terms of physical violence

Items	Mean	Rank	Description
1. Abusing physically the woman and her child.	3.50	4	Effective
2. Inflicting bodily or physical harm to woman and her child.	3.80	1	Effective
3. Physically attacking the woman and her child.	3.70	2	Effective
4. Threatening to cause the woman and her child physical harm.	3.45	5	Moderately Effective
5. Attempting to cause the woman and her child physical harm	3.65	3	Effective
Overall Mean	3.62		Effective

Table 7: Mean effect of implementation of the Program of RA 9262 in terms of sexual

Items	Mean	Rank	Description
1. Physically attacking the sexual parts of victim's body.	3.40	4	Moderately Effective
2. Treating a woman or her child a sex object.	3.08	5	Moderately Effective
3. Prostituting the woman or her child.	3.57	2	Effective
4. Causing the victim to engage in any sexual activity by force or threat of force.	3.88	1	Effective
5. Forcing woman to watch obscene publications and indecent shows.	3.55	3	Effective
Overall Mean	3.50		Effective

mean score of 3.57 described as effective, followed by forcing woman to watch obscene publications and indecent shows with mean score of 3.55 described as effective. Otherwise, the fourth and last items were described as moderately effective as evidenced by the mean score of 3.40 and 3.08 respectively. So having the lowest rank is the treating a woman or her child a sex object with mean score of 3.08 described as moderately effective. Generally, victim- respondents use effective on program of republic act 9262 regarding sexual violence as indicated by the overall mean score of 3.50.

As shown in table 8, item number 1 (rank 1) which states,

causing mental or emotional suffering of the victim obtained the highest means score of with mean score of 4.03 described as effective. Similarly, item number 2 (rank 2) which states, allowing the victim to witness the physical sexual/ psychological abuse of any member of the family got the mean score of 3.93 described as effective. However, item 3 (rank 5) which states, allowing the victim to witness pornography in any form, yielded the lowest mean score of 3.73, described as effective. Generally, there is great impact to the respondent of psychological violence which recorded the overall mean score of 3.88 described as effective.

Table 8: Mean effect of implementation of the Program of RA 9262 in terms of psychological violence

Items	Mean	Rank	Description
1. Causing mental or emotional suffering of the victim.	4.03	1	Effective
2. Allowing the victim to witness the physical sexual/ psychological abuse of any member of the family.	3.93	2	Effective
3. Allowing the victim to witness pornography in any form.	3.73	5	Effective
4. Repeated verbal abuse and mental infidelity.	3.90	3	Effective
5. Unwanted or unlawful deprivation of the right to custody and visitation of common children.	3.80	4	Effective
Overall Mean	3.88		Effective

Table 9: Mean effect of implementation of the Program of RA 9262 in terms of economic abuse

Items	Mean	Rank	Description
1. Withdrawal of financial support or preventing the victim from engaging in any legitimate profession.	4.30	4.5	Effective
2. Deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of conjugal property.	4.30	4.5	Effective
3. Destroying household property.	4.33	3	Effective
4. Controlling the victim's own money or properties.	4.40	2	Effective
5. Preventing the victim in any business or activity	4.50	1	Very Effective
Overall Mean	4.37		Effective

It can be noted in table 9 that victim respondents use effective rate on implementation of republic act 9262 under economic abuse as indicated by the overall mean score of 4.37. Data further revealed that item number 5 (rank 1) which states, preventing the victim in any business or activity obtained the highest means score of 4.50, described as effective. On the other hand, item number 1 and 2 (rank 4.5), which states, withdrawal of financial support or preventing the victim from engaging in any legitimate profession and deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of conjugal property, gained the lowest mean score of 4.30, described as effective.

CONCLUSION

The Philippine National Police established the creation of the Women Desk to attain cases of Violence against women and children in 1995. The common crimes attended by WCPD officers are physical violence, sexual assault, physical injuries and sexual abuse. The WCPD services to protect the rights of the women and children are implemented “often” to the clients. The significant implementation of the services on some areas of the indicator differs from the leadership capability of the WCPD officers. The moderately serious problems on the part of investigation on crimes against women are the suspect is forgiven by the victim, victim/survivor are afraid to file a case against the suspect, desistance to file a case against the suspect and non-cooperation of witness/es to testify. On referral activity, the moderately serious is the slow medico-legal examination of victims.

Recommendations for fostering gender equality and combating discrimination against women cover a wide range of issues. To begin, it is critical to establish a crisis center staffed by committed workers to assist women who have experienced abuse and ensure they receive the necessary care. Furthermore, legislative measures to protect women from various forms of violence, including anti-sexual harassment, anti-rape, rape victim assistance and protection, anti-trafficking in persons, and anti-violence against women and children, should be enhanced. To empower women and children, it is critical to hold relevant seminars that raise awareness of their rights and abuse prevention techniques. The Women and Children Protection Desk (WCPD) organization need ongoing support and advancement to properly carry out its purpose. Victim counseling by social workers must be extensive in order to prevent statement retractions and

aid in emotional rehabilitation. Furthermore, increasing interagency cooperation, particularly with government and non-government groups active in combating violence against women and children, is critical to efficiently meeting victims’ needs. To reduce victims’ suffering, an effective referral system, particularly for medico-legal examinations, must be developed. To achieve the ultimate goal of alleviating victims’ suffering, all stakeholders, including police officers, social workers, doctors, and prosecutors, must work together to develop a complete one-stop center. Beyond the current study, additional research should be conducted to generalize findings and resolve any concerns with average ratings. Finally, future research combining researchers and social workers should corroborate the study’s findings and bring new insights.

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