

WHERE TO GET HELP?

Counseling and Referral Services

Department of Social Welfare and Development (DSWD)

NCR Ugnayang Pag-asa
Legarda, Manila
Crisis Intervention Unit (CIU)
Tel. Nos.: (02) 734-8617 to 18

DSWD Rehabilitation Unit

Tel. No.: (02) 734-8635

DSWD Social Protection Unit

Quezon City
Tel. Nos.: (02) 931-9133; 932-2573

Medical and Health Services: Hospital-based Women's Desk Program

Women's Crisis Center

Women and Children Crisis Care & Protection Unit (WCCCPU-EAMC)
East Avenue Medical Center
Tel. Nos.: (02) 926-7744; 922-5235

Legal Assistance

Public Attorney's Office (PAO)

Department of Justice
Tel. Nos.: (02) 929-9010; 929-9436 to 37
Fax Nos.: (02) 927-68-10; 926-28-78

Law Enforcement Agencies

Philippine National Police (PNP)

Women and Children's Concern Division (WCCD)
Tel. No.: (02) 723-0401 loc. 3480
Call or text 117 (PATROL 117)

National Bureau of Investigation (NBI)

Violence Against Women and Children's Desk (VAWCD)
Tel. Nos.: (02) 523-8231 loc. 3403; 525-6098

Sources:

- *The Anti-Rape Law of 1997 Republic Act 8353*, Leaflet, NCRFW
- *Ang Batas Laban sa Paggagahasa Isang Praymer*, Women's Legal Bureau in cooperation with NCRFW and United Nations Population Fund (UNFPA), 1998

Republic Act 8353 THE ANTI-RAPE LAW OF 1997

A Briefer

WHAT TO DO IF SOMEONE IS RAPED?

1. Advise the victim to seek the help of a counselor or a therapist who is an expert in handling cases of sexual abuse.
2. Assist her in securing a safe and temporary shelter if she needs to move to another place for security reasons. She can be referred to a crisis center or any government agency that offers temporary shelter.
3. Make sure that evidence is safe and intact. This would help in case the victim decides to file a case.
4. Secure a medico-legal certificate from a medico-legal officer. Absence of bodily injuries does not mean that rape did not occur or that the case may not be pursued anymore.
5. Support the victim along the way when she decides to file a case.
6. Ensure that she is prepared in all aspects. Make her understand the overall picture of the case. Inform her that it is possible that doctors, police, lawyers and judges would not be sensitive to her situation and experience.
7. Help the victim choose the lawyer who understands her most.
8. Coordinate with people who can assist or support her all throughout.

*For more information, please contact the
Information Resource Division (IRD)*

National Commission on the Role of Filipino Women (NCRFW)
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**NATIONAL COMMISSION ON
THE ROLE OF FILIPINO WOMEN**

The Anti-Rape Law of 1997 redefines rape as:

✓ A crime against person

Rape violates a woman's well being and not just her virginity or purity. The law considers that any woman, whether a prostituted woman, non-virgin or one who has an active sexual life may be victimized by rape.

✓ A public offense

By declaring that rape is a crime against persons, the law no longer considers it as a private crime. Anyone who has knowledge of the crime may file a case on the victim's behalf. Prosecution continues even if the victim drops the case or pardons the offender.

WHAT CONSTITUTES RAPE?

Rape is committed under the following circumstances:

1. A man has sexual intercourse with a woman:
 - Through force, threat or intimidation;
 - When the victim is deprived of reason or is unconscious;
 - Through fraudulent machination or grave abuse of authority; and
 - When the victim is under 12 years of age or is demented, even if none of the above conditions are present.
2. Any person who, under any of the above conditions, commits an act of sexual assault through oral or anal sex or by inserting an instrument or object into the anal or genital orifice of another person.

WHO CAN BE RAPED?

Anyone can be a rape victim but the incidence of rape is more rampant in women and girls.

WHO CAN COMMIT RAPE?

Any man or woman may be held liable for rape. It is possible that a man may rape his own wife, an act deemed as "marital rape." The penalty for rape in general may apply on the offender who commits *marital rape*.

HOW IS THE CRIME PUNISHED?

The penalty varies depending on the act itself and the circumstances surrounding it.

✓ *Reclusion perpetua* (imprisonment from 20 to 40 years)

— is imposed on the offender if rape is committed through sexual intercourse

✓ *Prision mayor* (imprisonment from six to 12 years)

— is imposed on the offender if rape was committed through oral or anal sex or through the use of any object or instrument that was inserted into the mouth or anal orifice of the woman or a man.

— This may also be elevated to *reclusion temporal* (imprisonment from 12 to 20 years) or *reclusion perpetua* depending on the circumstances surrounding the crime.