



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

VNA-DC - 672

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DEPARTMENT CIRCULAR NO. 023

TO : The Prosecutor General and Heads of All Regional, Provincial and City Prosecution Offices Nationwide

SUBJECT : Standards for Gender-Sensitive and Child-Friendly Public Assistance Desks and Interview/Investigation Rooms

- 1.0 This is to provide general guidelines on the establishment and operation of gender sensitive and child friendly public assistance desks and investigation rooms in prosecution offices nationwide, in relation to the relevant laws, policies, issuances and standards including the following:
- 1.1 RA 9710, the Magna Carta of Women, and other laws relating to the legal protection of women and children;
 - 1.2 RA 9485, the Anti-Red Tape Act and its implementing Rules and Regulations under CSC Memorandum Circular No. 12, s. 2008;
 - 1.3 Revised Manual for Prosecutors (2008);
 - 1.4 Performance Standards and Assessment Tool on Violence Against Women for DOJ Prosecution Services (2008);
 - 1.5 Manual on Law Enforcement and Prosecution of Trafficking in Persons Cases (2008);
 - 1.6 Prosecutors' Manual on Handling Child-Related Cases (2007); and
 - 1.7 Protocol for Case Management of Child Victims of Abuse, Neglect and Exploitation (2013).

Operational Definitions

- 2.0 For this purpose, the following operational definitions are adopted:
- 2.1 Public assistance desk – frontline service facility of an office manned by at least one (1) employee authorized to receive and immediately address any form of communication such as queries, complaints, and feedback from the public;
 - 2.2 Interview/investigation room – enclosed area dedicated and/or used for the conduct of interviews and investigations with parties and witnesses (i.e. clarificatory hearings and inquest proceedings);

- 2.3 Gender sensitive – fair, neutral and non-discriminatory in relation to gender status or preference, and responsive to the special needs of women including privacy and protection from abuse, neglect and maltreatment; and
- 2.4 Child friendly – sensitive and responsive to circumstances of children including privacy, preferential attention, language/dialect understood by the child, protection from abuse/neglect/maltreatment, and overall consideration of the best interests of the child.

Guiding Principles

- 3.0 The following principles shall be observed at all times in the implementation of the herein standards:
 - 3.1 Accessibility – availability of appropriate facilities in the most suitable location;
 - 3.2 Responsiveness – gender sensitive, child friendly and responsive to special needs; and
 - 3.3 Confidentiality – privacy or protection of personal information from misuse and undue disclosure.

Facility Standards

- 4.0 Public assistance desks and interview/investigation rooms shall be situated at the ground floor and/or near the main entrance of the building/office, to facilitate access by the public including pregnant women, senior citizens and persons with disabilities.
- 5.0 While public assistance desks will be in accessible and open locations, they shall have adequate distance from other facilities (e.g. pathways, waiting areas and other office/service facilities) to ensure confidentiality of sensitive information of clients especially if gender or child-related.
- 6.0 An interview/investigation room shall, as much as possible, be dedicated for conduct of interviews, clarificatory hearings, inquest proceedings as well as case briefing with parties and witnesses. It shall be separate and properly secured to ensure privacy and facilitate the proceedings.
- 7.0 The interview/investigation room shall contain gender-neutral furnishings, comfortable chairs and table, and documentation equipment (e.g. computer, recorder). If possible, the room shall include a small play area for children to facilitate proceedings for women/solo parents accompanied by young children and child-victims/survivors/witnesses. It shall also be structured and/or furnished appropriate for pregnant women and persons with disabilities, and as much as possible, in close proximity to a comfort room.
- 8.0 Prosecution offices may partner or coordinate with the hall of justice building administrators, other national agencies, local government units, local social welfare offices and/or non-government organizations for provision or use of space/facility for public assistance desks and interview/ investigation rooms.

Procedural Standards

- 9.0 Confidentiality of personal/case information shall be strictly observed in the conduct of public assistance, interviews, clarificatory hearings, inquest proceedings and receiving/routing/safekeeping of documents relevant thereto.
- 10.0 Gender-sensitive and child-friendly language and proceedings shall be used during all the said proceedings, with sensitivity to the ordeal faced especially by women/children-victims, and avoiding discriminatory and offensive words/statements/gestures/methods as well as legal and technical jargon.
- 11.0 Assistance of and/or intervention from appropriate individuals and trained professionals may be sought in instances of communication constraints involving foreigners, locals with other dialects, persons with special needs, or those exhibiting trauma, extreme emotions or unstable/violent behavior.
- 12.0 Interviews/investigations involving women and child victims/survivors/witnesses shall, as necessary and available, be in the presence of trained and duly authorized social workers.
- 13.0 Prosecution offices shall ensure referral mechanisms are in place for purposes of assistance, investigation, case buildup/evidence gathering and prosecution in court. These include police/law enforcement assistance, legal counseling and representation by public attorneys, medical/neuro-psychological examination and treatment, social welfare support/services, rehabilitation and relevant interventions, application for Department's witness protection and victims compensation programs.

Implementation

- 14.0 Implementation of said standards shall be in accordance with relevant laws, policies, rules, regulations and standards including those in Item 1.0, and shall be considered and/or integrated into management/service improvement programs and initiatives of the Department.
- 15.0 The DOJ Committee on Women and Children and Regional Gender and Development Committees shall facilitate implementation including the identification of pilot/priority prosecution offices in the NCR and Regions 1 to 14, based on availability of facilities and appropriate personnel.
- 16.0 The said DOJ Committee shall provide further guidance and capacity building, facilitate funding, and monitor/evaluate implementation.

For guidance and compliance.


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