

Republic Act 9262 or the Anti-Violence against Women and their Children Act was enacted in 2004 in compliance with the commitments of the Philippines under CEDAW and the CRC. Section 3 of the Act defines 'battered woman syndrome' as a scientifically defined pattern of psychological and behavioural symptoms found in women living in battered relationships as a result of cumulative abuse. It is not a case of insanity, but a form of post-traumatic stress disorder (PTSD).

Section 26 of the Act provides that victim-survivors who are found by the courts to be suffering from battered woman syndrome do not incur any criminal and civil liability notwithstanding the absence of any of the elements of self-defence as a justifying circumstance under the Philippine Revised Penal Code. But in order to invoke it as a defence, the couple must go through the battering cycle at least twice. This cycle of violence consists of three phases that are repeated over time:

FIRST PHASE: TENSION-BUILDING	SECOND PHASE: ACUTE BATTERING	THIRD PHASE: TEMPORARY TRANQUILITY
<ul style="list-style-type: none"> • consists of minor battering • woman suffers from minor abuses, which she tolerates • pacification of batterer through kind and nurturing behaviour • the woman stays out of the batterer's way to prevent the escalation of violence • the woman harbours the belief that the man has the right to abuse her 	<ul style="list-style-type: none"> • characterised by brutality and destructiveness by the batterer • the woman has no control, • only the batterer may put an end to the violence 	<ul style="list-style-type: none"> • begins when the acute battering incident ends • the batterer becomes conscious of his cruelty and tries to compensate by asking for the woman's forgiveness or showing tender and loving behaviour • the battered woman falsely convinces herself that the battery will never happen again

In the case of *People v. Marivic Genosa* (G.R. No.13598, January 15, 2004), the Philippine Supreme Court, for the first time, elucidated on the concept of the battered woman syndrome. In this case, a woman shot and killed her husband because her husband was beating her. The woman raised the defence of battered woman syndrome, but it was treated merely as a mitigating circumstance. A dissenting opinion stated that it should have been considered as justifying circumstance, exculpating the complainant of any criminal or civil liability.