

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 2319

HOUSE OF REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND INDEX SERVICE	

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INTRODUCED BY Hon. Mauyag "Jun" Papandayan, Jr.

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### EXPLANATORY NOTE

This bill proposes to post women prison guards or female staff performing custodial work in jails and correctional facilities for women inmates, and to put these facilities under the authority, control and supervision of women prison officers.

Republic Act No. 9710, known as the "*Magna Carta of Women*", provides that:

*"The State affirms women's rights as human rights and shall intensify its efforts to fulfill its duties under the international and domestic law to recognize, respect, protect, fulfill, and promote all human rights and fundamental freedoms of women, especially marginalized women, in the economic, social, political, cultural, and other fields without distinction or discrimination on account of class, age, sex gender, language, ethnicity, religion, ideology, disability, education and status."*

The United Nations' standards on penology have shifted the focus from punitive to reformation and rehabilitation of prisoners to prepare them for their return to the mainstream society. However, the attainment of these standards becomes almost impossible, especially with women inmates held in congested cells, detention wards, jails and correctional facilities designed for men, and under the complete control and supervision of male jail officials. Abusive male jail guards find little impediment to get sexual thrills from hapless female prisoners.

One of the reasons behind this proposed bill is a true experience for many women inmates. A husband visiting his wife who was serving her time in jail saw her sitting on

the lap of the prison official. When the husband berated his wife for behaving so, the wife told him that it was better for her to have sexual relations with only one prison official than having sex with all the prison guards who were stationed in their wards.

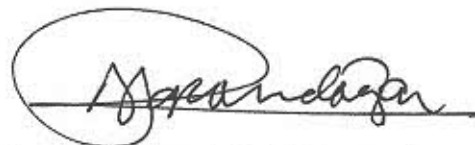
This is not an isolated case. Actually women inmates are abused, raped and forced to submit to all kinds of demands from prison guards, wardens and officials who are depraved enough to use their power to terrorize, beat and batter women into submission. The aftermath of all these violations actually result to more crimes against women, as they become pregnant, or suffer abortion, and even get sexually transmitted diseases from these men who should be the ones to be jailed and punished for their lawlessness.

A study conducted by the DILG shows that rape and attempted rape are among the most frequent forms of sexual harassment experienced by women inmates and detainees. Many cases of sexual abuse of female prisoners are unreported mainly because of fear of retaliation, humiliation, punishment from the harassers, for being blamed, shamed, and, most cruel of all, of not being believed. The study reported that women inmates who had suffered such abuses would rather remain silent because they know that they would suffer more if they go against the male officials who hold their fate while they are in jail.

Prison officials have the power to grant or withhold simple privileges that make the inmates' lives in jails more bearable, including better food, and granting of visiting privileges from loved ones. They can also recommend good conduct time that may reduce the inmates' sentence if they behaved well. And behaving well means that these women cater to their demands anytime, anywhere. And they can also use these powers to blackmail the women into silence.

Republic Act No. 10575, otherwise known as the "*Bureau of Corrections Act of 2013*", mandates an ideal ratio of prison guard- to -inmate ratio at 1:7, while women reformation personnel-to-women inmate ratio is at 1:24. However, this law is honored more in its breach rather than in its observance because the present available prison guard-to inmate in the Correctional Institute for Women alone is at 1:144 ratio. It is therefore to ensure the implementation of Rep. Act No. 10575, by reiterating the provision in Sec. 5 of this proposed law.

In view of the foregoing, the immediate passage of this bill is earnestly requested to protect the vulnerable women inmates and help eliminate the occurrence of these abuses perpetrated by male prison guards.



**Hon. Mauyag "Jun" Papandayan, Jr.**



Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

Seventeenth Congress  
First Regular Session

HOUSE BILL NO. 2319

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Introduced by Honorable Mauyag “Jun” Papandayan, Jr.

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1 AN ACT  
2 ENHANCING PROTECTION FOR WOMEN INMATES HELD IN  
3 JAILS AND CORRECTIONAL FACILITIES  
4

5 *Be it enacted by the Senate and House of Representatives of the Philippines in*  
6 *Congress assembled:*  
7

8 SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of  
9 the State to safeguard the basic rights of every prisoner especially women  
10 prisoners incarcerated in jails or correctional facilities, promote their security  
11 and general welfare, and prepare them to be productive members of the society  
12 upon their release from jails or correctional facilities.

13 SEC. 2. *Coverage.* – This Act covers municipal, city, and district jails  
14 under the jurisdiction of the Bureau of Jail Management and Penology; the  
15 various provincial jails under their respective provincial governments; and the  
16 correctional facilities under the jurisdiction of the Bureau of Corrections which

1 are charged with the custody or reformation of women prisoners  
2 incarcerated therein.

3       **SEC. 3. *Mandatory Posting of Women Prison Guards.*** – It is hereby  
4 mandated that only women prison guards or female staff doing custodial work  
5 shall be posted or assigned to jails or correctional facilities including the  
6 quarters and dormitories therein where women inmates are incarcerated,  
7 and in other parts of these facilities where the guards, warden or prison  
8 personnel has direct control and supervision over women inmates.

9       **SEC. 4. *Control and Supervision of Facilities with Women Inmates.*** –  
10 In institutions having both male and female prisoners, the section or part set  
11 aside for women inmates shall be under the authority of a woman prison officer  
12 who shall have control and supervision of the facilities.

13       **SEC. 5. *Hiring and Training of Additional Women Prison Guards.*** –To  
14 ensure the effective implementation and to carry out the full intent of this  
15 Act, the jails under the jurisdiction of the Bureau of Jail Management and  
16 Penology, and the provincial governments and the correctional facilities under  
17 the jurisdiction of the Bureau of Corrections, are hereby mandated to  
18 maintain the women custodial personnel-to- women inmate ratio of 1:7 and  
19 women reformation personnel-to-women inmate ratio of 1:24.

20       **SEC. 6. *Implementing Rules and Regulations.*** – Within ninety (90)  
21 days after the approval of this Act, the Secretary of Justice and the Secretary of

1 the Interior and Local Government shall promulgate the necessary rules and  
2 regulations for the effective implementation of this Act.

3       SEC. 7. *Appropriations Clause.* – The amount necessary for the  
4 implementation of this Act in so far as it refers to municipal, city and district jails  
5 shall be charged to the current appropriations for the Bureau of Jail Management  
6 and Penology and Bureau of Corrections. Thereafter, such sum as may be  
7 necessary for the continued implementation of this Act shall be included in the  
8 annual General Appropriations Act.

9       The provincial governments shall be responsible for appropriating the  
10 necessary amount needed for the implementation of this Act with regard provincial  
11 jails.

12       SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
13 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

14       Approved,