Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

HB NO. 1615

Introduced by **Rep. Roseller L. Barinaga**

EXPLANATORY NOTE

This bill prohibits any member of the Philippine National Police (PNP) from directly or indirectly arranging, initiating or instigating any financial settlement between the victim and the accused in cases involving sexual abuses/offenses.

The measure seeks to amend Republic Act No. 6975, entitled "An Act Establishing the Philippine National Police under a Reorganized Department of the Interior and Local Government, and for other purposes", as amended by Republic Act No. 8551 which is entitled "An Act Providing for the Reform and Reorganization of the Philippine National Police and for other purposes".

The bill further defines the responsibilities and authority of the PNP in regard to apprehension of offenders involving sexual abuses or crimes.

The provisions herein stipulated are crucial to put a semblance of impartiality and professionalism on the part of the members of the PNP as law enforcers. This aptly provides the right and proper delineation of the functions of the PNP personnel insofar as dealing with specific offenses so as not to intrude to the functions and mandate of the proper body that is tasked to facilitate negotiations in criminal cases.

In view thereof, immediate passage of this bill is earnestly requested.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

HB NO. 1615

Introduced by **Rep. Roseller L. Barinaga**

AN ACT

TO PROHIBIT ANY MEMBER OF THE PHILIPPINE NATIONAL POLICE (PNP) FROM DIRECTLY OR INDIRECTLY ARRANGING, INITIATING OR INSTIGATING ANY FINANCIAL SETTLEMENT BETWEEN THE VICTIM AND THE ACCUSED IN CASES INVOLVING SEXUAL ABUSES/OFFENSES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6975, ENTITLED "AN ACT ESTABLISHING THE PHILIPPINE NATIONAL POLICE UNDER A REORGANIZED DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, AND FOR OTHER PURPOSES", AS AMENDED

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. It is hereby declared the policy of the State to actively promote the welfare of children and women and to provide for effective deterrents against any form of sexual abuse committed against them.

SEC. 2. Section 57 of Republic Act No. 6975, as amended by Republic Act No. 8551, is hereby amended to read as follows:

"SEC. 57. *Creation and Function.*- The PNP shall establish women's desks in all police stations throughout the country to [administer and attend to cases involving crimes against chastity, sexual harassment, abuses committed against women and children and other similar offenses.] DISCHARGE THE FOLLOWING FUNCTIONS:

A. INVESTIGATE AND HANDLE COMPLAINTS OF FEMALE AND CHILD VICTIMS;

B. INITIATE AND CAUSE THE FILING OF COURT CASES INVOLVING SEXUAL ABUSES/OFFENSES COMMITTED AGAINST WOMEN AND CHILDREN;

C. COORDINATE WITH THE DEPARTMENT OF JUSTICE AND OTHER LAW ENFORCEMENT AGENCIES FOR THE EXPIDITIOUS PROSECUTION OF CASES;

D. COORDINATE WITH THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT AND OTHER GOVERNMENT AGENCIES FOR THE COUNSELLING AND PROTECTIVE CUSTODY OF FEMALE AND CHILD VICTIMS;

E. ESTABLISH LINKAGES WITH NONGOVERNMENT ORGANIZATIONSAND PEOPLE'S ORGANIZATIONS TO ENHANCE THE PROTECTION OF WOMEN AND CHILDREN'S RIGHTS;

F. MONITOR THE INCIDENCE OF CRIMES AGAINST WOMEN AND CHILDREN AND THE PRESENCE OF REPEAT OFFENDERS IN THE COMMUNITY.

IT SHALL BE PROHIBITED OF POLICE PERSONNEL TO DIRECTLY OR INDIRECTLY ARRANGE, INITIATE OR CAUSE ANY OUT-OF-COURT FINANCIAL SETTLEMENT BETWEEN THE VICTIM AND PERPETRATOR IN ANY CASE ADMINISTERED BY THE WOMEN'S DESK OR OTHERWISE DELAY, WITHOUT ANY JUSTIFIABLE REASON, FILING OF COURT CASES CONNECTED THEREWITH: *PROVIDED,* THAT ANY POLICE PERSONNEL VIOLATING SUCH PROHIBITION SHALL BE SUSPENDED WITHOUT PAY FOR NOT LESS THAN THIRTY (30) DAYS AND THAT A SECOND VIOLATION OF THE SAME WILL MAKE THE GUILTY PERSONNEL LIABLE FOR DEMOTION OR DISMISSAL FROM THE SERVICE: *PROVIDED, FURTHER,* That the municipalities and cities presently without policewomen will have two (2) years upon effectivity of this Act within which to comply with the requirements of this provision.

SEC. 3. The Department of Interior and Local Government, in coordination with all appropriate government agencies and non government organizations, shall promulgate and issue the rules and regulations necessary to implement the provisions of this Act within sixty days (60) from its effectivity.

SEC. 4. This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of general circulation whichever comes earlier.

Approved.