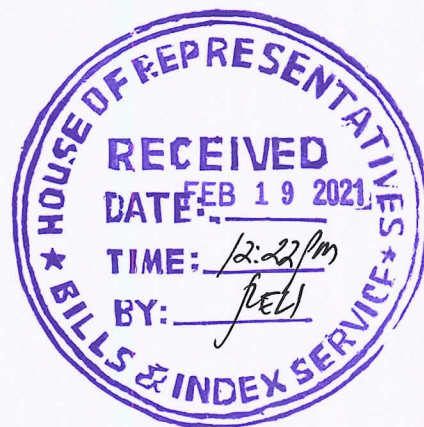


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session
8778
House Bill No. _____



INTRODUCED BY
REP. ALFRED VARGAS

AN ACT
TO PROFESSIONALIZE THE PRACTICE OF PRISON MANAGEMENT AND
SET FOR THAT PURPOSE THE QUALIFICATION FOR SUPERINTENDENTS
OF THE NATIONAL PRISON SYSTEM AND OF WARDENS OF PROVINCIAL,
CITY OR MUNICIPAL JAILS

EXPLANATORY NOTE

In the Philippines, the incarceration rate is about 200 per 100,000 citizens. In 2018, studies have shown that out of 21 countries in Asia, the country ranks sixth-highest in terms of prison population. There are 933 correctional facilities, and results from previous and continuous studies claim facts about the incarceration system in the country. These facts are severe overcrowding; having pre-trial detainees that serve an average of 9 months of being detained without being sentenced; increase in high death tolls due to dirty living conditions and violence that results to around 5,200 deaths annually; the existence of vigilant killers; continuation of corruption with many cases showing injustice in favor of the rich and powerful, and claims that inmates could "live like kings" for a fee¹.

As liberties are taken away from incarcerated individuals, additional deprivation imposed by the system is the professionalized function of the prison authority. It is essential that prison management needs to operate with a proper ethical framework². Henceforth, it is critical that the authorities running the system are subjected to high standards to ensure good quality management and humane treatment for the inmates.

To improve the conditions of prisons in the Philippines, it is vital that professional correctional leaders must be in position to establish and promote a humane system. Leadership is highly significant in any

¹ The Borgen Project. (2020, August 26). 5 Facts About the Philippines' Incarceration System. Retrieved January 30, 2021, from <https://borgenproject.org/philippines-incarceration-system/>

² Coyle, A (2009). A Human Rights Approach to Prison Management. Retrieved January 30, 2021, from https://www.prisonstudies.org/sites/default/files/resources/downloads/handbook_2nd_ed_eng_8.pdf

organization; may it be public or private. To invest in recruiting and developing such leaders fit for the job is essential to achieve goals. Running prisons is a serious job in managing a force that is outnumbered by the inmates. To deal with internal and external environments requires professionalism ³.

This bill seeks to set quality standards to prison authorities by professionalizing the prison management practice. This is to ensure that the officials in control of the system are capable and highly competent in terms of fulfilling their responsibilities. In addition, along with the strict requirements regarding qualifications for superintendents and wardens, benefits and privileges are rewarded for their rank and positions. The quality must be set higher, for the roles of each authority in our penal systems is significant to the maintenance of the justice and safety of our State and to ensure that persons deprived of liberty are still treated with dignity.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



ALFRED VARGAS

³ Jacobs, J., & Olitsky, E. (2012, May 16). The importance of correctional leadership. Retrieved January 30, 2021, from <https://www.corrections1.com/jail-management/articles/the-importance-of-correctional-leadership-Yk9xncMsoe9XVzPn/>

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

SECTION 1. Short Title. - This Act shall be known as the
“**Professionalization of Prison Management Act**”.

SECTION 2. Qualifications of Superintendents of Prisons in the National Prison System. - All Superintendents of Prisons or Colonies or Prison Farms of the National Prison System shall have the following qualifications at the time of their appointment:

- a) Holder of a Bachelor's Degree in Law, preferably a member of the Philippine Bar; or a Bachelor's degree in Public Administration, or its equivalent with at least twelve (12) units in Psychology or Sociology;
- b) Training and experience of at least five (5) years in corrections and prison management; and
- c) Of good moral character with a reputation in the community for probity and fair-mindedness and who has never been convicted of a criminal offense nor charged administratively for an act involving moral turpitude.

SECTION 3. Qualifications of Wardens of Provincial, City or Municipal Jails. - All wardens of Provincial, City or Municipal Jails shall have the following qualifications:

- a) Holder of a Bachelor's Degree in Law, Public Administration, Psychology or its equivalent, with at least twelve (12) units in Behavioral Sciences, Sociology or Psychology;
- b) Training and experience of at least three (3) years in corrections and prison management; and
- c) Of good moral character with a reputation in the community for probity and fair-mindedness and who has never been convicted of a criminal offense nor charged administratively for an act involving moral turpitude.

SECTION 4. Jail Management and Corrections Administration Training. - The Integrated National Police and/or the National Police Academy shall conduct courses and seminars on Jail Management and corrections administration for nominees and incumbents of Prison Superintendent or Jail Warden positions. Incumbent superintendents and wardens shall be required to pass courses for jail management and corrections administration in order to retain their positions.

SECTION 5. Equivalence of Position, Rank, Salary and Privileges. - Superintendents of the National Prison System shall enjoy the position, rank, salary and privileges of an Assistant Bureau Director, provincial, city and municipal jail wardens shall enjoy the position, rank, salary and privileges of a Division Head of a Bureau: Provided, That said Superintendents or Wardens shall have the qualifications herein set forth: Provided, further, That incumbents shall have to first qualify for the requirements of the position herein set forth before they can enjoy the position. Rank, salary and privileges herein set forth: Provided, finally that said incumbents shall continue to discharge the duties of Superintendent or Warden until reassigned. Retired or separated from office, or otherwise replaced by the appointing authority by a qualified official.

SECTION 6. Separability Clause. - If any part of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. Repealing Clause. - Any provision of law, decree, order, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

SECTION 8. Effectivity. - This Act shall take effect upon approval and completion of its publication in at least two (2) national newspapers of general circulation.

Approved,