

WOMEN AND CHILDREN'S CONCERNS:
LAW ENFORCEMENT ISSUE OF THE NEW MILLENNIUM

PHILIPPINE NATIONAL POLICE (PNP)

The PHILIPPINE NATIONAL POLICE (PNP) reached a number of milestones in the promotion of women and children's rights since its inception in 1991 following the passage of **RA 6975**, otherwise known as the PNP Act of 1991. In all these years that the premier police agency of the country has been actively involved in the protection of women and children, several programs, projects and activities were introduced, carried out, and sustained.

This decade-old advocacy within the PNP to address various issues and concerns affecting the most vulnerable and oftentimes helpless members of the society has been attributed mainly to the growing number of organisations, both in the Philippines and abroad who ally behind a common cause of championing the universally accepted rights of women and children. The active involvement in this regard of law enforcement did not only improve the level of services of the PNP for the public but also enhanced in the process its image especially in the midst of some operational lapses and complicity of the oops in several major and sensational crimes through the years.

Historical Antecedents:

Addressing women and children concerns was given greater premium in the area of law enforcement and community relations by the PNP dating back to the time when the National Police Commission issued a **Memorandum Circular Number 92-010**, which paved the way for the establishment of the **Child and Youth Relations Section (CYRS)** in highly urbanised cities, including Metro Manila, and the designation of Child and Youth-Relations Officer in other police stations nation-wide.

Aware of the alarming number of the victimisation of children and young women due to sexual exploitation resulted in the enactment of **RA 7610** (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act) which was signed into law by then President Corazon C Aquino in 17 June 1992. The-PNP had forged a working partnership with other concerned government agencies, particularly the social welfare and justice departments, and non-government organisations like Childhope Asia-Philippines, and, of course, the United Nation's Children's Fund, to raise the consciousness of the police force about the rights of children and the need for police intervention in the protection of these rights, especially from exploitation, harm and danger.

The Philippine commitment to protect children's rights has since been in accordance with the **1989 UN Convention on the Rights of the Child (CRC)** to which the country was its 31st signatory and which was ratified and adopted by the Philippines after the Senate passed its Resolution No. 109 on July 26, 1990.

The following year, President Fidel V Ramos issued a Presidential Memorandum dated 08 March 1993 directing the establishment of the **PNP Women's Desks** in certain areas throughout the country. At that time, several women's groups had been prominently staging a united front in advocating women's rights to protection in accordance with the **United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**.

The PNP served as one of the government entry points in ensuring that women, including girl children, shall be protected from exploitation and danger. Certain mechanisms have been adopted to make the police force gender sensitive and exercise its authority to provide special protection to women and children. The establishment of the first Women's Desk in the country, particularly in Quezon City police department, was replicated in other police stations and spread like wildfire across the other parts of the country even before **RA 8551**, otherwise known as the PNP Reform and Reorganisation Act of 1998, was enacted. Sections 57-61, Title VII of the law amplified the institutionalisation of the Women's (and Children's) Desk mandated to administer and handle cases involving women and children victims of gender-based crimes.

In June of 1997, the Women's Desk and the Child and Youth Relations Section (CYRS) were merged into one, now the **Women and Children's Desk**, after then Secretary Robert Barbers of the Department of the Interior and Local Government issued his memorandum as a form of strengthening further the unit's capability in the delivery of services and protection for women and children.

To complement the structural make-up of the Women and Children's Desk was the activation of the **Women and Children Concerns Division (WCCD)** under the Directorate for Police Community Relations (DPCR)-following the issuance of **PNP Memorandum Circular Number 97-001** signed by then PNP-Director General Recaredo A Sarmiento II in September 1997. The WCCD has since been an effective component of the PNP that exercises supervision provides police direction and monitors and evaluates the statistical data on women and children cases reported to and handled by the PNP. In January 1998, the DPCR has issued a memorandum to all police regional offices for the adoption of a data monitoring system on cases involving women and children victims of abuse and violence with the end in view of coming up with a profile of these cases which can serve as basis for comparison with other sources of information on women and children cases, such as those handled by the DSW_ D, DOT, DOLE, NGOs and other law enforcement agencies like the National Bureau of Investigation, Bureau of Immigration, etc.

Relatedly, **RA 8505**, otherwise known as the Rape Victim Assistance Act of 1998, has vested an authority for policewomen to handle cases involving women and children victims of sexual abuse. This gender-responsive mechanism, however, has been put into practice by policewomen assigned to the WCDs since 1993.

Regarded as a best practice model in Asia and America, there are a total of 1,472 Women and Children's Desk or 93% of all police stations established nation-wide as

of this date. This figure may eventually comply with the two-year requirement of RA 8505 to ensure the full establishment of the Women and Children's Desk in all police stations by the end of the 1st Qtr 2000, given the similarly increasing number of policewomen recruits through the years.

Training and other Capacity-Building Activities for WCD Officers

The PNP has been a fortunate and grateful beneficiary of a host of support and assistance coming from various agencies and NGOs concerned with women and children. Since the PNP's avowed compliance with various laws on women and children and in its desire to wage a similar campaign against the victimisation of women and children, the social welfare and justice departments as well as different international and local NGOs have rallied behind improving the working knowledge of the police about the rights of women and children, the proper treatment and handling of women and children cases, and the synergy of actions and collaboration among the stakeholders and service providers ---through training, protocol enhancement and other forms of improving the mechanisms of protection. Among those in the list of training attended and participated in by the police, which generously sponsored by these organisations are the following:

- a) Orientation Programs on the UN Convention on the Rights of the Child;
- b) Regional Orientations on RA 7610 and other special laws on children;
- c) Seminars and Short Courses on Gender Sensitivity, Violence Against Women, and other women concerns;
- d) Strengthening Legal Protection on Children
- e) Orientation Programs on Juvenile Justice;
- f) Other related training programs in investigation and treatment of women and children cases;

The above training programs were complemented by a series of other skills enhancement training conducted by police experts from foreign countries, namely, the Scotland Yard and Durham Constabulary of the United Kingdom (**Women and Children Protection Course [4th]**), the Australian Federal Police Agency (**Sexual Assault Investigation Course[4th]**), and the French National Police (**Child Abuse Treatment Course[1st]**). All these came about as an offshoot of the bilateral relationship between the Philippines and each foreign country, through a Memorandum of Understanding, to wage a common stand against the victimisation of women and children arising from crimes and other forms of lawlessness.

The Philippine National Police, for its part, has been providing the members of police force several materials, like information handouts, pamphlets, and other similar documents, including a number of major policy issuance on women and children, to sustain the acquired knowledge of police officers about their role in the community.

One major program of the PNP within next year is the issuance of a **Comprehensive Manual on the Protection of Women and Children**, a draft of which is already on its way to distribution to other agencies for consultation, which would bring about a

highly substantial workbook about women and children that has relevance to law enforcement. So far one "manual" that is currently used by WCD officers is a mini-handbook on the **Management of Cases of Children in Especially Difficult Circumstances** which contains certain procedures in the handling of children's cases. It was published in 1992 as a joint project of DSWD, DILG, NAPOLCOM, PNP and the UNICEF. Immediately after the issuance of NAPOLCOM Memo Circular No 92-010, the PNP Directorate for Investigation and Detective Management has recently published this year a **PNP Handbook on Child Abuse and Neglect** which deals further on the child interview techniques and the dynamics of child sexual abuse and its medico-legal implications which the police should also be aware of.

Given all these materials on hand, the comprehensive manual will nevertheless serve as a major reference for all police officers in order for them to have broader and deeper understanding of the various issues and concerns on women and children. At present, the Canada International Development Assistance (CIDA), through the National Commission on the Role of Filipino Women (NCRFW), is being eyed as a major sponsor for the publication of this manual, in line with the Gender and Development Mainstreaming in the Department of the Interior and Local Government. The PNP has proposed an initial publication of 2,000 copies possibly in March 2000, in celebration of the National Women's Month. Of similar assistance to this project may come from the UNICEF, through the Special Committee on the Protection of Children chaired by the Department of Justice.

Recognition

The establishment of the **Women's Desk** has brought the PNP and the country at large in the international map, thanks to a world-renowned organisation committed to the advancement of women and children, the **Soroptimists International**, whose chapter in the Philippines has been consistently supportive of the PNP in the area of police-community partnership towards improving police services, particularly the Women's Desk. As a result of this collaboration, the SI Philippine Region had won for itself in 1994 the much-coveted **International Award on Human Rights Category** awarded in Cincinnati, Ohio.

In **January 2000**, during the celebration of the **4th Police Community Relations Month** in the country, the SIPR, in partnership with another NGO, the Friends of the PNP Foundation, will once again prove their genuine concern to the development of the PNP as truly a social-oriented organisation by sponsoring the conduct of the first **Women and Children's Desk Summit** to be attended by about 40 NGOs and 200 policewomen assigned to the WCDS all over the country.

International Co-operation

Aside from the bilateral agreements between the Philippines and the UK, France, and Australia, especially for the training of police officers in the area of women and children protection, the country is regarded a relevant party to various international conventions and forums related to women and children. The country also

played host to various international events, among them the international ministerial conference on **Child Rights and the Media** in 1996; **World Forum on Justice for Children** in 1998 organised by the International Federation for Child Welfare (NGO), in which the PNP, through the Directorate for Police Community Relations, was tapped as one of the Program Committee members headed by the Consuelo Alger Foundation-Children and Youth Foundation of the Philippines; and the **Asian-European Movement (ASEM) Initiative on Child Welfare Tripartite Planning Session** early this year which was presided by Police Director Reynaldo G Wycoco, head of the Philippine Delegation to the scheduled ASEM conference in Seoul, Korea in May 2000 which will deal on the Commercial Sexual Exploitation of Children (CSEC). In 1998, the Philippine delegation, represented by the DSWD, DOJ, the Council for the Welfare of Children (CWC), the PNP and one NGO, the End Child Prostitution in Asian Tourism (ECPAD, had earlier attended the first ASEM Conference in London, UK, which discussed several initiatives on child welfare.

The Philippines also served as a pilot project in the implementation of a UN project against **Trafficking in Human Beings**. It must be noted that the President of the Republic of the Philippines signed an Executive Order which provides for the establishment of a **Philippine Centre for Transnational Crimes (PCTC)** headed Police Director Anselmo S Avenido Jr., which addresses the growing number of crimes having international implications such as drugs, gun trafficking and even human smuggling, including trafficking of women and children for purposes of exploiting them to commercialised sex. This project may have been partly attributed to a similar undertaking, specifically the **Philippine-Belgian Project Against Trafficking in Women, which was successfully carried out by the Philippine Network Against Trafficking in Women** in collaboration with the NCRFW through the assistance of the Belgian Administration for Development Co-operation (BADC). The PNP, represented by P/Chief Superintendent Enrique B Galang, Deputy Director of DPCR, was invited as one of the presenters and panel of reactors during the report presentation of the project held at the Philippine Overseas Administration Bldg., Manila.

Last May 1999, Prof. Vitit Muntarbhorn, ASEAN Consultant on Child Welfare conducted a data gathering on the work program on children as indicated in the **ASEAN Plan of Action for Children** during the Sixth ASEAN Summit. Prof. Muntarbhorn visited the National Capital Regional Police Office and its selected local police stations, particularly the Women and Children's Desks, to find out certain projects and activities that have been initiated and sustained by the Philippine National Police. Earlier, in 1998, the UN High Commissioner on Human Rights represented by a UN Mission Team of Ms Marlene Alejos and Marcia Kran, UNHCR Legal Counsel, conducted a validation of its **Report of a Needs Assessment Mission to the Philippines** with the PNP, among other agencies, in the area of **Juvenile Justice**, as its source of information. It is in line with the UN programme of technical co-operation in the field of human rights. With the PNP Directorate for Police Community Relations at the helm, those in attendance during the meeting with the UN team at Camp Crame were P/Director Edgar C Galvante, then of the Directorate for Personnel, P/Director Miguel G Coronel of the Directorate for Operations, and P/Chief Superintendent Victor G Batac of Directorate for Human Resource and Doctrines Development, as well as Director Celia Leones of the Crime Prevention Service of NAPOLCOM. Also in attendance was Executive

Judge Lilia Lopez, chair of the Sub-Task Force on Children in Conflict with the Law under the auspices of the TF on Children in Need of Special Protection of the CWC represented by Ms Normina Mojica.

The administration of juvenile justice is in fact one of the major project components of the **RP-UNICEF Fifth Country Programme for Children (CPC V) of 1999-2003**, which the PNP, through the DPCR, helped formulate. It translates, among others, to a training program for all stakeholders under the Juvenile Justice System, including that for police officers. The PNP, for this reason, has been closely working with the UNICEF for the training of its WCD officers, the first of which is to be held on November 25-27, 1999 in Cebu City and the second to be probably held in Subic, Olongapo in the first week of December.

All the above international events were complemented by a host of national and regional conferences on women and children organised and managed by various government agencies and NGOs, in almost all of which the PNP has had a significant participation.

NGO Networking: How does it Work for the PNP

Over the years, several assistance, including donations in all kinds, have been extended by different Non-Government Organisations (NGOs) to the PNP. These organisations have probably regarded the police agency, despite its operational shortcomings, as bent on pursuing its avowed objectives of championing the rights of women and children in collaboration with the civil society. Through its Directorate for Police Community Relations and its counterpart in the regions down to the provinces and cities, the PNP was able to effect several projects and activities, some arising from memoranda of agreements entered into with the NGOs concerned.

A major project that is now underway is the establishment of the **PNP Women's Crisis and Child Protection Centre** based in Camp Crame which will place "under one roof" the multi-disciplinary requirements in the treatment of children and women victims of violence and abuse. This project was jointly initiated by the PNP, the **Philippine General Hospital**, and the **Advisory Board Foundation**, a Washington-based NGO which has since been working with the PGH in the area of child abuse treatment. A Memorandum of Agreement was signed among the three parties with the Honourable Vice President Gloria Macapagal-Arroyo, who is also the DSWD Secretary, as principal witness.

Also, the PNP with different **Rotary Clubs**, a civic-oriented organisation involved in the service to the community, shall once again launch the search for the **Outstanding Women and Children's Desk Officers for 1999**, which several Rotary Clubs, principally the Rotary Club of Makati East, have been sponsoring since 1995. This form of recognition to deserving members of the Women and Children's Desk has sustained the existence of the unit and further motivated other women officers to excel in the field of women and children protection.

Another classic example of strong police-community partnership towards addressing the plight of women and children victims of violence was the establishment of the

SAGIP (Sakloloohan at Gabayan ang Ina at Pamilya) Centre, a place in Muntinlupa City where victims of domestic violence, particularly physical and sexual abuses among women and children, are taken cared of by working staff composed of physicians, psychiatrists, social workers and police officers rendering a 24-hour service to the victims. This project was jointly initiated by the PNP and the Zonta International Philippines. In Iloilo City, the Zontas also provided full financial backing for the construction of a building that presently houses the Women and Children's Desk in the area. Reaching out to local community organisations indeed paid off for the WCD officer in Iloilo -was adjudged as outstanding WCD officer in 1998 because of such accomplishment.

Many other projects have been carried out and sustained by the PNP especially in the region, two of which were the Kinder Cops Project of PRO 11 and the Youth for Environmental Safety of PRO 6. All other regional offices have also implemented the "**Alkansiya Ng Pulisya para sa Batang Lansangan**", or police coinbank for street children which, though a mini-project, has endeared the PNP to the less fortunate kids of the streets since the proceeds will be for their own benefit.

Among the other NGOs Which have been continuously providing support and assistance to the PNP for the protection of women and children are the **Child and Family Service Philippines** based in Baguio City whose continuing programs for children have also established a strong partnership with the PNP in the area of law enforcement; the **Kabalikat ng Pamilyang Pilipino**, an NGO that addresses the victims of STD-AIDS and which has been working with the PNP to similarly raise the consciousness of the police about the dreaded disease which may affect everyone; the **Bahay Tuluyan**, a British Government-supported centre for street children, which is providing a two-hour radio program for the PNP for children's affairs, the "**Talakayang Pambata**", aired over a local radio station every Sunday from 7:00 to 9:00 AM; and the two Human Rights Centres of Ateneo and University of the Philippines which are both addressing, among others, children in conflict with the law and children involved in armed conflict, respectively, and which have been sponsoring a training program for police officers in these areas.

Baseline Data Monitoring System on Women and Children Cases

The profiling of the women and children cases only started this year when the staff of Women and Children Concerns Division made an analysis of the various-crimes against women and children reported to and acted upon by the PNP. This baseline data analysis is viewed from the intake forms on Violence Against Women and Child Abuse that are being filled up by WCD officers in the police stations nation-wide every time these cases are reported to the police.

From January-August 1999, there were a total of 3,919 and 3,694 crimes committed against women and children respectively. Sexual abuse, which includes acts of lasciviousness and prostitution, comprises 61% of all abuses against children while physical battering is prevalent among women victims with 45% followed by sexual abuse with 28%.

Fifty percent (52%) of abuses against children were filed in court, 17% under police

investigation, 7% referred to DSWD, 15% settled, while 1% was dismissed in court. On the other hand, 32% of crimes against women were filed in court, 100% under investigation, 27% Settled, 17% referred to barangay, and 5% referred to DSWD.

Thirty-four (34%) of perpetrators of child abuse are either of the parents or relatives of the victims, while 28% of violence against women were perpetrated by their husbands. Most of the abuses against children were committed from 12 to 17 years of age, while 34% of victims among women are falling within 18-25 years. 83% of children victims are females, while 93% of their violators were males. Thirty-four percent (34%) of crimes against women are alcohol-related, 7% drugs, and 5% both alcohol and drugs related.

Most of the abusers of women and children belong to 18-25 years category; majority of these crimes were perpetrated from 6:00 PM to 12:00 midnight and sixty percent (60%) committed inside homes.

PNP Involvement in Legislative Agenda/GO-NGO Collaboration

The PNP has also been actively participating in inter-agency affairs for the protection of women and children. The agency forms part of the **Sub-Task Force on Children in Conflict with the Law** and the **Sub-Task Force Against Commercial Sexual Exploitation of Children**, both of which, as earlier mentioned in this paper, are under the **Task Force on Children in Need of Special Protection** under the **Philippine Council for the Welfare of Children**. The STF-CICL has recently finalised a draft comprehensive bill on juvenile justice, which will eventually be forwarded to Philippine Congress after the President decides its urgency as an administration bill.

Likewise, the STF is currently working on the signing, probably in December this year, of a joint memorandum circular among the DSWD, DOJ, DND, AFP and PNP, including the Officer of the Presidential Adviser on Peace Process (OPAPP) and the National Unification for Peace and Development Commission (NUPDC) on the guidelines in addressing children in armed conflict.

The PNP also actively attends to and provides input to various legislative agenda for women and children. It has been involved in the refinements of pending bills on trafficking in women and children, domestic violence, women empowerment and the like. Every so often, Congress has been furnishing the PNP numerous copies of bills on women and children for comments and suggestions which the PNP faithfully comply with by providing substantial inputs to the draft bills.

"Looking Forward..."

As a law enforcement institution, the PNP is sharing its manifest adherence to its social contract with the people --- that concern for women and children can never be demonstrated by merely attending to the crimes against these defenceless members of the society but more importantly, the police, as part of the society, should ensure that these crimes, especially against children will be handled with sensitivity and

compassion.

We are strengthening our own resolve that police investigation is not the lone solution to the problem confronting the victims of abuse. There are answers to questions surrounding violence and abuse, which cannot be provided exclusively by a police investigator despite his or her years of experience in the job. His or her involvement goes far beyond the investigation stage for he or she must learn to work with community members in a collaborative effort to stop the victimisation of women and children.

Investigation is just a small component of a very wide social dimension that deals with the victimisation of women and children.

It is by building partnership between and among sectors and through teamwork that the likelihood of conflict between intervening agencies could be minimised. When it comes to addressing cases of women and children, therefore, investigation need not be a monopoly of the police. In some instances, presence of cops is not even necessary in solving a given problem confronting women and children.

The police, therefore, needs to recognise that, in dealing with violence against women, and more importantly, child abuse cases, they join other forces in an integrated approach to send a clear message that these crimes are not and will never be tolerated in a civilised society. In other words, they must have a whole lot of social consciousness and gender sensitivity in dealing with various issues on abuse and violence against women and children.

That's why the Women and Children's Desk was established because this unit, managed mostly by policewomen, has become an -instrument of police-community relations - that is dedicated to providing services and protection to the victims of abuse and violence. An officer of WCD must be part investigator, part social worker, part psychologist, part philanthropist, part counsel, and part therapist. The job, indeed, requires a special kind of people to handle this special type of concern.

This is the wisdom behind our efforts at the Philippine National Police in addressing this important concern. We are developing our police officers to be sensitive to women and children. By reaching out to these sectors through some community-based projects and activities, by strengthening our tie-up with other government agencies and concerned NGOs, and by providing institutional support mechanisms to manage cases of violence and abuse against women and children --- the Philippine Law Enforcement indeed is making a big difference.