

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

OFFICE OF THE CLERK

9 AUG 20 P 3:26

SENATE

COMMITTEE REPORT NO. 558

Submitted jointly by the Committees on Justice and Human Rights; and Public Order and Illegal Drugs on AUG 20 2009

Re: Joint Resolution No. 29 prepared by the Committees

Recommending its approval in substitution of Senate Bill Nos. 408, 727 and 1436.

Sponsors: Senators Escudero and Honasan II

MR. PRESIDENT:

The Committees on Justice and Human Rights and Public Order and Illegal Drugs to which were referred Senate Bill No. 408 introduced by Senator Ejercito-Estrada entitled:

"AN ACT
TO COMBAT ABUSE AND ENHANCE PENALTIES FOR CRIMES AGAINST
SENIORS"

Senate Bill No. 727 introduced by Senator Revilla Jr., entitled:

"AN ACT
TO COMBAT ABUSE AND ENHANCE PENALTIES FOR CRIMES AGAINST
SENIORS"

and Senate Bill No. 1436 by Senator Defensor Santiago, entitled:

"AN ACT
TO COMBAT ABUSE AND INCREASE PENALTIES FOR CRIMES AGAINST
SENIORS"


have considered the same and have the honor to report them back to the Senate with the recommendation that the attached Joint Resolution No. 29, prepared by the Committees, entitled:


**"JOINT RESOLUTION
DIRECTING THE DEPARTMENT OF JUSTICE (DOJ) TO CONDUCT A STUDY
RELATING TO CRIMES AGAINST SENIORS IN ORDER TO ASSIST IN
DEVELOPING NEW STRATEGIES TO PREVENT OR OTHERWISE REDUCE THE
INCIDENCE OF THOSE CRIMES"**

be approved in substitution of Senate Bill Nos. 408, 727 and 1436 with Senators Ejercito-Estrada, Revilla Jr., Defensor Santiago, Honasan II and Escudero as authors thereof.


Respectfully Submitted:

Chairmen:



FRANCIS G. ESCUDERO
Committee on Justice and Human Rights



GREGORIO B. HONASAN II
Committee on Public on Public Order and
Illegal Drugs; Member, Committee on
Justice and Human Rights


Vice-Chairman:

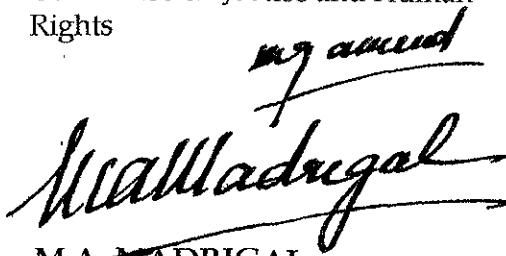

BENIGNO S. AQUINO III
Committee on Justice and Human Rights


Members:


RAMON BONG REVILLA JR.
Committee on Justice and Human Rights
Committee on Public Order and Illegal Drugs


MAR ROXAS
Committee on Justice and Human
Rights



RODOLFO G. BIAZON
Committee on Justice and Human Rights
Committee on Public Order and Illegal Drugs

my accord

M.A. MADRIGAL
Committee on Justice and Human
Rights; Committee on Public Order
And Illegal Drugs




MANUEL "LITO" M. LAPID
Committee on Public Order and Illegal
Drugs

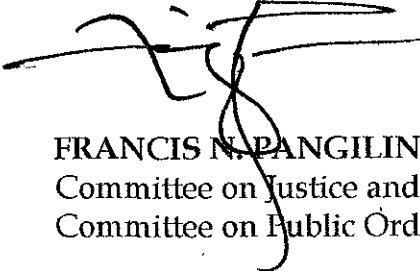
RICHARD J. GORDON
Committee on Public Order and
Illegal Drugs



PANFILO M. LACSON
Committee on Public Order and Illegal
Drugs



ALAN PETER "COMPAÑERO"
S. CAYETANO
Committee on Justice and Human
Rights; Committee on Public Order
And Illegal Drugs



FRANCIS N. PANGILINAN
Committee on Justice and Human Rights
Committee on Public Order and Illegal Drugs

Ex-Officio Members:

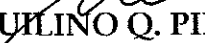


JINGGOY EJERCITO ESTRADA
President Pro-Tempore



JUAN MIGUEL F. ZUBIRI
Majority Floor Leader

May amend:



AQUILINO Q. PIMENTEL JR.
Minority Floor Leader

Hon. JUAN PONCE ENRILE
Senate President
Senate of the Philippines
Pasay City

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SENATE

JT Res. No. 29

RECEIVED BY

Prepared by the Committees on Justice and Human Rights; and Public Order and Illegal
Drugs with Senators Estrada, Revilla, Defensor Santiago, and Escudero as authors

JOINT RESOLUTION

DIRECTING THE DEPARTMENT OF JUSTICE (DOJ) TO CONDUCT A STUDY
RELATING TO CRIMES AGAINST SENIORS IN ORDER TO ASSIST IN
DEVELOPING NEW STRATEGIES TO PREVENT OR OTHERWISE REDUCE THE
INCIDENCE OF THOSE CRIMES

WHEREAS, according to data, there are about 4,565,560 senior citizens in the year 2000, comprising about 5.9% of the total population;¹

WHEREAS, there is a need to develop strategies for preventing and punishing crimes that target or otherwise disproportionately affect senior citizens;

WHEREAS, to this end, the collection of appropriate data to measure the extent of crimes committed against senior citizens and to determine the extent of domestic and abuse of elders is essential.

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, by the Senate and the House of Representatives of the Philippines in Congress assembled, that the Department of Justice (DOJ) be directed to conduct a study relating to crimes against senior citizens, which term is defined for this purpose, as individuals who are more than fifty-five (55) years of age, in order to assist in developing new strategies to prevent and otherwise reduce the incidence of those crimes, including but not limited to the following matters:

- (1) The nature and type of crimes perpetrated against senior citizens ("seniors") with special focus on:
 - a. The most common type of crimes that affect seniors;
 - b. The nature and extent of elder abuse inflicted upon seniors;
 - c. The nature and extent of health care fraud and abuse targeting seniors;
- (2) The risk factors associated with seniors who have been victimized;
- (3) The manner in which the criminal justice systems respond to crimes against seniors;

¹ Per the attached APPENDIX, data sourced from www.census.gov.ph.

- (4) The feasibility of establishing and maintaining a centralized computer database on the incidence of crimes against seniors that will promote the uniform identification and reporting of such crimes;
- (5) Crimes targeting or disproportionately affecting seniors;
- (6) Crime risk factors for seniors, including the times and locations at which crimes victimizing seniors are most likely to occur;
- (7) Specific characteristics of victims of crimes who are seniors, including age, gender, race, or ethnicity and socio-economic factors;
- (8) The nature and extent of crimes targeting seniors, such as health care fraud; and
- (9) Other effective ways to prevent or reduce the occurrence of crimes against seniors.

RESOLVED, Further, That the Secretary of Justice submit not later than eighteen (18) months after the date of this Joint Resolution to the House of Representatives and Senate a report describing the results of the subject study, and

RESOLVED, Finally, That the Secretary of Justice:

- (1) Review existing sentencing guidelines and recommend the possibility of increased penalties for persons convicted of offenses in which the victim was a senior in appropriate circumstances, given the serious economic and physical harms associated with criminal activity targeted at seniors due to their particular vulnerability;
- (2) Consult with individuals or groups representing seniors, law enforcement agencies, victims organizations and the judiciary as part of the review described in the preceding paragraph;
- (3) Account for any aggravating or mitigating circumstance that may justify exceptions in order to provide sentencing enhancements;
- (4) Not later than one (1) year after the promulgation of this Joint Resolution, submit to Congress a report on issues relating to the age of crime victims, which shall include any recommendations of the Department of Justice relating to any revision or modification of penalty levels, including statutory penalty, for offenses involving seniors.

Adopted,

APPENDIX

The total number of senior citizens (60 years old and over) based on the 2000 Census of Population and Housing was 4.6 million, accounting for 5.97 percent of the 2000 Philippine population. This number registered a 22.18 percent increase from 1995 (3.7 million persons). In terms of the average annual population growth rate, the elderly population grew at 4.39 percent during the 1995 to 2000 period, higher when compared to the 1990 to 1995 growth rate of 3.06 percent. If the growth rate continues at 4.39 percent, the number of senior citizens is expected to reach seven million in 2010 and to double in approximately 16 years.

Table A. Population Distribution of Senior Citizens by Region: Philippines, 2000

Region	Total Population	Number of Senior Citizens	Percent to Total Senior Citizens	Percent to Regional Population
PHILIPPINES	76,504,077	4,565,560	100.00	5.97
REGION I - Ilocos Region	4,200,478	337,797	7.40	8.04
REGION II - Cagayan Valley	2,813,159	179,655	3.94	6.39
REGION III - Central Luzon	8,030,945	482,333	10.56	6.01
REGION IV - Southern Tagalog	11,793,655	648,495	14.20	5.50
REGION V - Bicol Region	4,686,669	313,531	6.87	6.69
REGION VI - Western Visayas	6,211,038	473,752	10.38	7.63
REGION VII - Central Visayas	5,706,953	409,791	8.98	7.18
REGION VIII - Eastern Visayas	3,610,355	270,447	5.92	7.49
REGION IX - Western Mindanao	3,091,208	157,324	3.45	5.09
REGION X - Northern Mindanao	2,747,585	155,273	3.40	5.65
REGION XI - Southern Mindanao	5,189,335	259,533	5.68	5.00
REGION XII - Central Mindanao	2,598,210	120,425	2.64	4.63
NCR (National Capital Region)	9,932,560	468,876	10.27	4.72
CAR (Cordillera Administrative Region)	1,365,412	86,741	1.90	6.35
ARMM (Autonomous Region in Muslim Mindanao)	2,412,159	76,590	1.68	3.18
Caraga	2,095,367	124,283	2.72	5.93

Source: <http://www.census.gov.ph/data/sectordata/sr05151tx.html>