

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



Senate
Office of the Secretary

'14 SEP -8 P 6 :07

SENATE
S.B. NO. 2395

RECEIVED BY: 

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT PROMOTING THE SAFETY AND WELFARE OF WOMEN UNDER
CUSTODY OF THE STATE, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Women detainees/prisoners have particular needs that require particular attention. Often, they have been subjected to physical abuse, torture and violence simply because our penal system tolerates situations which expose women to instances which instigate such circumstances.

Taking the abovementioned instances into consideration and in order to promote the safety and well-being of women detainees or prisoners, this bill seeks to provide guidelines on the treatment of women detainees and prisoners.

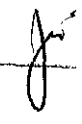
In view of the foregoing, the passage of this bill is earnestly recommended.

MARIA LOURDES NANCY S. BINAY
Senator



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1 SECTION 1. *Short Title.* This Act shall be known and cited as the "*Women's safety and*
2 *welfare under custody Act of 2014*".

3
4 SECTION 2. *Definition of Terms.* As used in this Act, the terms women "under State
5 custody" or "in the custody of the State" shall refer to those who are under detention or
6 imprisonment for investigation and/or trial for an alleged commission of an offense or crime,
7 or have already been convicted with imprisonment by final judgment, irrespective of the
8 place of detention or imprisonment: *provided*, that the term shall include women detainees or
9 prisoners who are being conveyed or transported: *provided further*, that place of detention or
10 imprisonment shall refer to detention or prison facilities under the control and/or supervision
11 of the Republic of the Philippines or any of its branches, agencies or instrumentalities,
12 including facilities operated by the Bureau of Corrections, the Bureau of Jail Management
13 and Penology, Local Government Unit, the Philippine National Police, the Armed Forces of
14 the Philippines, the Department of Social Welfare and Development.

15
16 SECTION 3. *Treatment of Women in State Custody.* The following guidelines shall be
17 adopted and observed in the treatment of women in State custody:

- 18
19 a. Women who are in the custody of the State shall at all times be entitled to be kept,
20 detained, or imprisoned separately from male detainees or prisoners.
21
22 b. At all times, women security personnel shall be present during the interrogation of
23 women detainees or prisoners.
24
25 c. No male security personnel shall be allowed entry to place of detention or prison cells
26 of women: *provided*, that where the presence of male security personnel is necessary,
27 there should be no physical contact between the male security personnel and female
28 detainees or prisoner without the presence of female security personnel;
29
30 d. Except when necessary and under the conditions under the preceding paragraph
31 hereof, no males shall be allowed at the place of detention or prison cell of female
32 detainees or prisoners; and
33

1 e. Women detainees or prisoners shall not be denied medical attention on account of
2 their condition such as any physical disability, pre-natal and post-partum needs, and
3 other special needs.
4

5 The foregoing notwithstanding, women under State custody shall be entitled to all other
6 rights provided under the law.
7

8 SECTION 4. *Penalty.* Without prejudice to penalty provided for commission of other offense
9 or crimes, any person found to have violated Section 3 hereof shall be punished by a fine of
10 not less than Fifty Thousand Pesos (P50,000) to not more Five Hundred Thousand Pesos
11 (P500,000), and imprisonment of five (5) years to fifteen (15) years.
12

13 SECTION 5. *Implementing Rules.* The Department of Justice, Department of Social Welfare
14 and Development, Department of Local Government Unit, in consultation with all relevant
15 government agencies, shall jointly issue implementing rules and regulations within one
16 hundred twenty (120) days from effective hereof, and such other rules and regulations as may
17 be necessary to carry out the purpose of this Act.
18

19 SECTION 6. *Separability Clause.* If any provision of this Act is declared unconstitutional,
20 the same shall not affect the validity and effectivity of the other provisions hereof.
21

22 SECTION 7. *Effectivity.* This Act shall take effect fifteen (15) days after its complete
23 publication in at least two (2) newspapers of general circulation.
24

25 Approved,