GOVERNMENT OF THE PHILIPPINES - UNITED NATIONS DEVELOPMENT PROGRAMME

(GOP-UNDP)

STUDY

Transforming the Philippine National Police into a More Capable, Effective and Credible Police Force

July 2005

UNDP PHI / 02 / 007: JUDICIAL REFORM PROGRAM
ACCESS TO JUSTICE BY THE DISADVANTAGED







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ACRONYMS

ABM	Agency Budget Matrix
ADB	Asian Development Bank
AFP	Armed Forces of the Philippines
AOPB	Annual Operations Plan and Budget
APJR	Action Program for Judicial Reform
APR	Agency Performance Reviews
ARD	Assistant Regional Director
ARMM	Autonomous Region for Muslim Mindanao
ASEAN	Association of Southeast Asian Nations
ASG	Aviation Security Group
AUSAID	Australian Agency for International Development
BER	Beyond Economic Repair
BFAR	Bureau of Forestry and Aquatic Resources
BFP	Bureau of Fire Protection
BIC	Bomb Incident Center
BIR	Bureau of Internal Revenue
BJMP	Bureau of Jail Management and Penology
BOC	Bureau of Customs
BOT	Board of Trustees
BPP	Board of Pardons and Parole
BSPS	Bachelor of Science in Public Safety
BuCor	Bureau of Corrections
CA	Commonwealth Act
CAR	Cordillera Administrative Region
CDM	Civil Disturbance Management
CES	Career Eligibility Service
CESB	Career Executive Service Board
CFC	Continuous Flow Check
CHED	Commission on Higher Education
CHR	Commission on Human Rights
CHS	Chaplain Service
CIDG	Criminal Investigation and Detection Group
CIDT	Crime Investigation and Detection Team

CIDU	Criminal Investigation and Detective Unit
CLG	Crime Laboratory Group
CLS	Crime Laboratory Service
CMP	Cultural Minority Preference
CO	Capital Outlay
COA	Commission on Audit
COBIT	Control Objectives for IT
COMELEC	Commission on Elections
COMMEL	Communications and Electronics Service
CPD	Central Police District
CPI	Corruption Perception Index
CPO	City Police Office
COMPACT	Community Police Action Centers, Community Power in Action
COPS	Community Oriented Policing System
CS	Computer Service
CSC	Civil Service Commission
CSEE	Career Service Executive Eligibility
CSG	Civil Security Group
CSO	Civil Society Organization
DBM	Department of Budget and Management
DA	Department of Agriculture
DDB	Dangerous Drugs Board
DC	Directorate for Comptrollership
DENR	Department of Environment and Natural Resources
DHRDD	Directorate for Human Resource Doctrine and Development
DI	Directorate for Intelligence
DIDM	Directorate for Investigation and Detective Management
DILG	Department of the Interior and Local Government
DL	Directorate for Logistics
DO	Directorate for Operations
DOJ	Department of Justice
DOST	Department of Science and Technology
DOTC	Department of Transportation and Communication
DPCR	Directorate for Police Community Relations

DPL	Directorate for Plans
DPO	District Police Office
DPRM	Directorate for Personnel and Records Management
DPUCSP	Development of Poor Urban Communities Sector Project
DRD	Directorate for Research and Development
DS	Directorial Staff
DSWD	Department of Social Welfare and Development
DT	Dissident Terrorist
DTI	Department of Trade and Industry
DV	Disbursement Voucher
DVD	Digital Video Disc
EDSA	Epifanio de los Santos Avenue
EO	Executive Order
EOD	Explosives and Ordnance Disposal
ES	Engineering Service
ETEEAP	Expanded Tertiary Education Equivalency and Accreditation Program
EU	European Union
FED	Firearms and Explosives Division
FGD	Focus Group Discussion
FNTI	Fire National Training Institute
FSO	Financial Service Office
GAA	General Appropriations Act
GAD	Gender and Development
GAS	General Administration and Support
GDP	Gross Domestic Product
G-EPS	Government – Electronic Procurement System
GPS	General Public Services
GSIS	Government Service and Insurance System
HEI	Higher Education Institute
HRM	Human Resource Management
HS	Health Service
HSS	Headquarters Support Service
IAC-AT	Inter-Agency Council Against Trafficking
IAC-AVAWC	Inter-Agency Council on Anti-Violence Against Women and their Children

IA/CPSP	Integrated Area/Community Public Safety Plan
IAS	Internal Affairs Service
IG	Intelligence Group
ILS	Installations and Logistics Service
INP	Integrated National Police
IPER	Individual Performance Evaluation Report
IPR	Intellectual Property Rights
IRP	Integrated Reorganization Plan
IS	Information System
ISO	Internal Security Operations
ISSP	Information System Strategic Plan
JNTI	Jail National Training Institute
IT	Information Technology
JO	Job Order
JTF-ATP	Joint Task Force Against Trafficking in Persons
KBP	Kapisanan ng mga Broadcasters ng Pilipinas
KFR	Kidnap-for-Ransom
LAN	Local Area Network
LGA	Local Government Academy
LGU	Local Government Unit
LLDA	Laguna Lake Development Authority
LS	Legal Service
LSS	Logistics Support Service
LTO	Land Transportation Office
MDS	Modified Disbursement Scheme
MFO	Major Final Outputs
MG	Maritime Group
MMDA	Metropolitan Manila Development Authority
MMLTCC	Metro-Manila Land Transportation Coordinating Council
MOA	Memorandum of Agreement
MOOE	Maintenance and Operating Expenses
MPC	Military Police Command
MPE	Medical and Physical Examination
MPS	Maritime Police Station
MPSA	Masters in Public Safety Administration

MTDP	Medium-Term Development Plan
MTEF	Medium-term Expenditure Framework
MTPDP	Medium-Term Philippine Development Plan
MTRCB	Movie and Television Review and Classification Board
MVIS	Motor Vehicle Information system
NAB	National Appellate Board
NACC	National Anti-Crime Commission
NACTF	National Anti-Crime Task Force
NAPOLCOM	National Police Commission
NAKTAF	National Anti-Kidnapping Task Force
NBI	National Bureau of Investigation
NCA	Notice of Cash Allocation
NCC	National Computer Center
NCCAS	National Council for Civil Aviation Security
NCIS	National Crime Information System
NCMIS	National Crime Management Information System
NCR	National Capital Region
NCRFW	National commission on the Role of Filipino Women
NCRPO	National Capital Region Police Office
NCRTI	National Crime Research and Training Institute
NDLEPCC	National Drug Law Enforcement and Prevention Coordinating Center
NEDA	National Economic Development Authority
NEP	National Expenditure Program
NGAS	National Government Accounting System
NGO	Non-Governmental Organization
NHQ	National Headquarters
NICA	National Intelligence Coordinating Agency
NPC	National Police College
NPS	National Prosecution Service
NSCB	National Statistical Coordinating Board
NSO	National Statistics Office
NSU	National Support Unit
NUP	Non-Uniformed Personnel
NWA	Net Working Appropriations
ODA	Official Development Assistant

OMB	Office of the Ombudsman/Optical Media Board
OPB	Operating Plan and Budget
OPBC	Operations Plan and Budget Committee
OPLAN	Operations Plan
OSCP	On-Scene Command Post
OSEC	Office of the Secretary
PACER	Police Anti-Crime Emergency Response
PAIRTF	Presidential Anti-Illegal Recruitment Task Force
PAMS	Physical Assets Management System
PAO	Public Attorney's Office
PAOCC	Presidential Anti-Organized Crime Commission
PASTF	Presidential Anti-Smuggling Task Force
PAT	Physical Agility Test
PC	Philippine Constabulary/Police Commission
PCAS	Police Center for Aviation Security
PCG	Philippine Coast Guard
P/Cinsp	Police Chief Inspector
PCO	Police Commissioned Officer
PCR	Police Community Relations
P/Csupt	Police Chief Superintendent
PD	Presidential Decree
PDEA	Philippine Drug Enforcement Agency
P/DG	Police Director General
P/DDG	Police Deputy Director General
PEM	Public Expenditure Management
PGF	Philippine Ground Force
PIB	Productivity Incentive Benefits/Productivity Improvement Bonus
PIO	Public Information Office
P/Insp	Police Inspector
PIT	Provincial Intelligence Team
PLEB	People's Law Enforcement Board
PMA	Philippine Military Academy
PMO	Project Management Office
PNCO	Police Non-Commissioned Officer
PNP	Philippine National Police

PNPA	Philippine National Police Academy
PNTI	Philippine National Training Institute
PO	Police Officer/Purchase order
POE	Program of Expenditures
POC	Peace and Order Council
POL	Petroleum Oil and Lubricants
POPB	Preliminary Operating Plan and Budget
POPBE	Preliminary Operating Plan and Budget Estimate
POPBG	Preliminary Operating Plan and Budget Guidance
PPA	Parole and Probation Administration
PPO	Police Provincial Office
PPSC	Philippine Public Safety College
PRA	Program Review and Analysis\
PRO	Police Regional Office
PS	Personal Services
PSBCC	Public Safety Basic Criminalistics Course
PSBRC	Public Safety Basic Recruit Course
PSCISC	Public Safety Criminal Investigation Supervisory Course
PSCRS	Police Security Containment Ring system
PSFPC	Public Safety Forensic Photography Course
PSJLC	Public Safety Junior Leadership Course
PSOAC	Public safety Officers Advance Course
PSOBC	Public Safety Officers Basic Course
PSOCC	Public Safety Officers Candidate Course
PSOSEC	Public Safety Officers Senior Executive Course
PSPO	Police Security and Protection Office
PSSLC	Public Safety Senior Leadership Course
PSSACIC	Public Safety substance Abuse Control and Identification Course
PSSPIC	Public Safety Scientific Personal Identification Course
P/Ssupt	Police Senior Superintendent
P/Supt	Police Superintendent
PTF-TSMA	Presidential Task Force on Transportation Strikes and/or Mass Actions
PTS	Police Traffic Service
RA	Republic Act

RAB	Regional Appellate Board
RBMES	Results-Based Monitoring and Evaluation System
RCIDU	Regional Criminal Investigation and Detective Unit
RCLO	Regional Crime Laboratory
R & D	Research and Development
RDHRDD	Regional Personnel and Human Resource Development Division
RFSO	Regional Finance Service Office
RIU	Regional Intelligence Unit
RMO	Regional Maritime Office
RPOC	Regional Peace and Order Council
RTS	Regional Training School
SAF	Special Action Force
SAGSD	Security Agency and Guards Special Division
SAL	Statement of Assets and Liabilities
SAO	Supply Accountable Officer
SBR	Special Bank Receipt
SC	Supreme Court of the Philippines
SILG	Secretary of Interior and Local Government
SLL	Seniority and Lineal List
SOCO	Scene of Crime Operations
SONA	State Of the Nation Address
SOPs	Standard Operating Procedures
SPF	Special Purpose Fund
SPO	Senior Police Officer
SPT	Security and Protection Team
SRDP	Self-Reliant Development Program
SSL	Salary Standardization Law
SWOT	Strengths, Weaknesses, Opportunities and Threats
TA	Technical Assistance
TCDS	The Chief Directorial Staff
T & E	Tests and Evaluation
TIG	Time-in-Grade
TMG	Traffic Management Group
TMT	Traffic Management Team
TMU	Traffic Management Unit

TPPD	Total Permanent Physical Disability
UN	United Nations
UNDP	United Nations Development Programme
UNICJRI	United Nations Interregional Crime and Justice Research Institute
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USAFE	U.S. Army in the Far East
UTP	Unshielded Twisted Pair
UXO	Unexploded Ordnance
VCD	Video Compact Disc
VIP	Very Important Person
WB	World Bank
WCD	Women's and Children's Desk
WO	Work Order

1
GENERAL INTRODUCTION

1 BACKGROUND OF THE TA

1.1 The UNDP Governance Portfolio

1.1.1 The Philippine National Police (PNP) as implementing agency and the Program Management Office (PMO) Judicial Reform Program of the Supreme Court of the Philippines as executing agency, with technical assistance (TA) from the GOP-UNDP Portfolio on Enabling Environment: Poverty Reduction through Good Governance engaged the services of the CPRM Consultants, Inc.[1] to undertake this TA project entitled, Transforming the Philippine National Police to a More Capable, Effective and Credible Police Force, Phase 2. This TA is funded under UNDP PHI/02/007 Judicial Reform Program – Access to Justice by the Disadvantaged.

1.2 The PNP Transformation Program Technical Assistance (TA) Project

1.2.1 This TA is the second phase of a two-phase diagnostic study and reform program formulation for the PNP. Phase 1 consisted of four focus group discussions which were held in the various regional offices and facilitated and documented by the PMO of the Judicial Reform Program, Supreme Court and the PNP. These focus group discussions generated an analysis of the reform issues as well as recommendations to address them from the perspective of the PNP officers and personnel and selected external stakeholders. The results of these FGDs provided useful inputs in the development of this second phase of the TA.

1.3 Current PNP Reform Initiatives

1.3.1 There have also been several initiatives at reforming the PNP. In particular, there have been attempts to look at the administrative operations and in improving the personnel benefits to policemen. RA 8551, otherwise known as the New Police Act of 1998 and which reorganized the PNP provided the foundation for a wider and deeper reform process which this project provides the opportunity to start through a diagnostic study and reform program formulation process. An Education and Training program is being initiated on the O.N.E. PNP policy and provides an analysis of the training needs of the police force, identifies the principles that will guide the training program design and implementation as well as the actions required.

[1] The CPRM consulting team is composed of: Sec. Salvador M. Enriquez, Jr. (Principal Adviser); Vicky Alinsug (Team Leader and Institutions Development Specialist), Prof. Myrna Feliciano (Criminal Justice System Specialist); Leoncio Marcelo (ICT Specialist); Atty. Agnes Maranan (Criminal Justice System Specialist); Jeannette Lucia Asencio (Project Manager, Systems and Procedures Specialist); Vienna Diuco (Human Resources Development Systems Specialist); Grethel Ledesma (Financial Management Systems Specialist); Manuel Miraflores (ICT Specialist).

1.3.2 A reform commission was constituted to identify the strategic measures that will reform the PNP. A commission report has been submitted to the President. Also, under the current leadership of Director-General Edgar Aglipay, several reforms have been initiated to provide "quick win" and "immediate impact" measures but which have underlying longer-term impacts in starting an organization culture change process and in generally improving the performance of the police force and its public image.

1.3.3 This TA does not benefit from information on the major reform plans such as that of the PNP Reform Commission, but where information was made available efforts have been made by the consulting team to build on and complement on-going initiatives towards a more synchronized, mutually reinforcing and holistic approach to the PNP transformation program.

1.4 TA Activities and Processes

1.4.1 The CPRM Consultants Inc. fielded a composite team of sociological, criminal justice and law, judicial system, institutions development, human resource development, financial management, process and information and communications technology (ICT) specialists to undertake the study.

1.4.2 A kick off meeting with the PNP leadership and heads of directorial staff offices and directorates was conducted to provide briefing on the objectives, scope and process of the project. The consultants visited various police precincts/stations, provincial offices, regional offices and civil society as well as local government units in the regions and in Metro Manila and conducted focus group discussions with pertinent officials and personnel, generated documents and anecdotal data and at the same time oriented the field officers on the project. Focus group discussions and document gathering were conducted extensively among the central offices. Visits to external agencies including among others the National Police Commission and the Philippine Public Safety College were made.

1.4.3 The Phase 1 focus group discussion reports were reviewed and many, if not most of the issues identified by the participants by virtue of direct experience and perception have been validated in this study. Thus a high degree of convergence between and institutional and systems review and the perception and experiential assessment has been established in respect to the issues in the PNP.

1.4.4 Validation workshops were conducted on the inception report and the draft final report. Comments and suggestions during the validation workshops as well as written comments and suggestions by the various PNP offices provided useful inputs in the improvement and finalization of the reports.

1.4.5 This revised final report incorporates the comments and suggestions made by the validation workshop participants and the various PNP offices. Annex 9 provides a summary of those comments and suggestions and the specific responses of the consulting team.

2 TRIGGER ISSUES FOR THE TA

2.1.1 The TA was prompted by criminal justice system issues that are attributed to the police system.

ISSUES IDENTIFIED IN THE PHILIPPINE MEDIUM-TERM DEVELOPMENT PLAN

2.1.2 In particular, the Philippine Medium-term Development Plan has indicated that low level of professional training, corruption and poor technological capability undermine the law enforcement pillar and in particular, the PNP, which is the largest agency therein.

ISSUES RAISED BY PUBLIC OPINION SURVEYS AND HUMAN RIGHTS REPORTS

2.1.3 Annual reports by the Commission on Human Rights as well as international human rights organizations consistently show that a large proportion of human rights violations in the Philippines are committed by the police and the military. The police force is perceived to be corrupt and abusive. The latest public opinion survey identified the PNP as the most corrupt government agency in the country. Perceptions of corruption, abuse and criminality within the police persist despite several measures to increase salaries and benefits, strengthen training and development, and establishment of specialized police forces to combat high profile crimes.

PERFORMANCE ISSUES ASSOCIATED WITH CRIMINAL JUSTICE

2.1.4 A study of court caseloads conducted by the CPRM consultants for the Supreme Court, and funded by the World Bank and another study of the National Prosecution Service of DOJ funded by the UNDP, indicated low conviction rate (averaging at 18%) of criminal cases filed in the courts. Further, about 35% of cases in the courts were archived due to the inability of the police to apprehend and produce the suspect(s). Law enforcers do not make good witnesses. Poor quality and inadequate evidence and tampered evidence have been cited as some of the reasons for the low conviction rate. These issues have profound implications on the competency of our law enforcement agencies particularly in the competency of the police force, in the sophistication of investigation and intelligence technologies and tools and in evidence generation, and in the technology and integrity of procedures for preserving and using evidence.

ISSUES RAISED BY INTERNAL AND EXTERNAL STAKEHOLDERS DURING FOCUS GROUP DISCUSSIONS (FGDs), PHASE 1

2.1.5 A more comprehensive set of concerns on the performance, leadership, operating systems and organization culture of the PNP was raised during the four focus group discussions conducted under Phase 1 of this TA (Table 1.1). Most of the participants to the FGDs were police officers and therefore, whether perceptual or real, the issues they identified are serious symptoms of degeneration of organizational culture and morale.

Table 1.1
HIGHLIGHTS OF ISSUES AND CHALLENGES RAISED BY FGD PARTICIPANTS

ISSUES AND CHALLENGES	NCR	LUZON	VISAYAS	MINDANAO
1. Leadership and quality of management				
- Weak leadership, leadership problem, poor governance	X	X	x	
- Personality based programs , no continuity of programs	X	X	x	
- Micro management			x	
- Inconsistent policies, too many policies creating confusion	X	X		
- Double standard in policy application, selective implementation of rules	X	X		
- abuse of authority	X			
2. Functions and Operations				
- Lack of effective enforcement of laws				X
- Ineffective strategies for crime prevention and control				X
- Inefficiency in performance of police duties		X		
- Weaknesses in the field of research	X	X		
- Lack of organizational focus	X			
3. Institutional Framework, Organization Structure				
- Duplication between LGU and NHQ programs			X	
- Broad powers of LGU under RA 6935 and RA8551 increasing political intervention and patronage			x	
- Too big organization		X		
- Too many bosses, top heavy bureaucracy	X	X		
- Too many bodies administering PNP	X			
4. Human resources development				
- Weak HRD policies	X			
- Lack of training, weak training	X		X	
- Low salary			X	
- Complicated disciplinary system, too many disciplinary agencies	X			
- Inefficient, deficient personnel services				
- Inequity, delays in promotion," bata-bata" system	X			X
- Placement not based on merit				X
- Faulty recruitment system	X		X	

ISSUES AND CHALLENGES	NCR	LUZON	VISAYAS	MINDANAO
- No institutionalized career development program		X		
- Mismatched position with knowledge, untapped talents	X			
5. Resources				
- Lack of personnel				X
- Lack of equipment				X
- Lack of funds	X	X		X
- Mismanagement of budget resources, inequity in resource allocation and logistics	X	x		
6. Working Conditions				
- Working conditions not conducive to providing services to community				X
7. Organization Culture and Integrity				
- Graft and corruption (culture of be rich in the service)	X			X
- Internal and external politicization				X
- Culture of loan				X
- Lack of transparency in expenditures				X
- Lack of/deteriorating moral values, character	X	X	X	X
- Breakdown of discipline, police involvement in criminal activities	X		X	X
- Lack of commitment and dedication				X
- Politicization		X	X	
- Military mentality		X		
- "Palakasan" (influence peddling)		X		
8. Community relations and linkages				
- Lack of trust and confidence by community, poor image		X		X
- Failure to establish rapport and openness to the community				X
- Fear instead of respect and love			X	

2.1.6 These pervading issues led to the recognition that more fundamental reform approaches are required to preserve the institution's dignity and integrity and to address the negative elements that undermine these. These will require that the PNP organization be examined more deeply in order to unearth the systemic causes that underlie the identified institutional performance and negative public image. Such examination will provide the basis for the identification and definition of concrete mechanisms that will make a deeper and more effective PNP institutional transformation possible.

3 OBJECTIVE AND PURPOSES OF THE TA

3.1.1 The overall objective of the TA is to identify and define as well as program over a six-year implementation period, a set of programs, projects and activities that will support the transformation of the PNP and match its institutional capacity with the challenges of law enforcement. The TA has the following key purposes:

a) To undertake an assessment of the institutional framework, operations (policies, systems and procedures), and resources (human, physical, financial and technological) of the PNP;

b) To review and assess the external threats and opportunities that the PNP faces and their implications on its performance and the potential success of a reform program.

c) To define the direction and focus of the PNP transformation in order that its vision can be achieved.

d) To identify and define the reforms in the institutional framework, operations, programs, and resources as well as linkages that will achieve the PNP vision within the context of improving access to justice and a rights based reform approach.

e) To ensure the complementation and synchronization of the PNP reform program with reform efforts in the other pillars of justice and the criminal justice system.

3.1.2 In addition to the PNP Transformation Program an implementable project has been identified. In particular, a prototype design of a SAFER PHILIPPINE CITIES AND COMMUNITIES PROJECT is prepared as part of the TA and will serve as a major kick off activity of the PNP transformation Program. The project will be implemented initially on a pilot basis in selected cities and municipalities. Lessons from its pilot implementation will be the basis for the formulation of an up scaling strategy that will replicate the project in other cities and municipalities of the country.

4 OUTPUTS OF THE TA

4.1.1 The TA will deliver the following final outputs:

a) **DIAGNOSTICS AND REFORM PROGRAM REPORTS,** which will contain institutional assessment of the PNP and the proposed medium-term PNP Transformation Program and its accompanying public investment program.

b) **SAFER PHILIPPINE CITIES AND COMMUNITIES PROJECT DESIGN,** which will be piloted in at least one highly urbanized LGU and one rural or less urbanized LGU.

c) **COMPLETED VALIDATION WORKSHOP,** which will be the basis for the fine-tuning and finalization of the reports.

4.1.2 The detailed content specifications of the outputs of the TA are presented in the project technical proposal and validated in the approved inception report.

5 REPORT FORMAT

5.1.1 This report contains the diagnostic study and the proposed PNP Transformation Program organized into the following key sections:

1 GENERAL INTRODUCTION

2 CONCEPTUAL APPROACH

3 SITUATION REVIEW

4 POLICE SYSTEM INSTITUTIONAL FRAMEWORK AND PNP ADMINISTRATIVE STRUCTURE

5 POLICE OPERATIONS

6 HUMAN RESOURCE MANAGEMENT

7 FINANCIAL MANAGEMENT

8 INFORMATION SYSTEMS AND INFORMATION TECHNOLOGY

9 SYNTHESIS AND REFORM DIRECTIONS

10 GOALS, OBJECTIVES, EXPECTED OUTCOMES AND KEY RESULT AREAS

11 STRATEGIES, PROGRAMS AND PROJECTS

12 IMPLEMENTATION MANAGEMENT ARRANGEMENTS

13 MEDIUM-TERM PUBLIC INVESTMENT PROGRAM

5.1.2 The Safer Philippine Cities and Communities Project design is contained in a separate document.

2
CONCEPTUAL APPROACH

1 INTRODUCTION

1.1.1 This chapter discusses the general conceptual approach as well and the statutory context of the diagnostic study and the proposed PNP Transformation Program. Specific frameworks, approaches and methodologies are presented as necessary in the area-specific sections of this final report.

2 STATUTORY PARAMETERS OF THE STUDY

2.1.1 The study and in particular the recommendations presented in the PNP Transformation Program are made within the context of the 1987 Philippine Constitution which provides for a one national police force. The legal delimitations of the TA were deliberated upon by the consultants particularly where the issue of inter-governmental relations in maintaining peace and order and the institutional implications of delineation of national-local responsibility is concerned. There may be much debate on whether peace and order is a local and national government responsibility, or where it is a shared responsibility; how should such responsibility be delineated and what institutional arrangements are most appropriate in ensuring not just efficiency and effectiveness but also such fundamental organizational pre-requisites as unity of command, public accountability and insulation from undue politicization.

2.1.2 While issues of inter-governmental relations are analyzed in the diagnostic study and addressed in the reform program portions of this TA, these were done within the limits of the constitutional provision of a police force that is national in character. The national character referred to in the Constitution is interpreted to mean the placement of the police organization and its management within the institutional infrastructure of the national government.

3 THEORETICAL FRAMEWORK OF THE STUDY

3.1 The rule of law and the role of the state

3.1.1 The rule of law is the foundation of every civilized society. A culture of rule of law is the aim of every democratic society.

3.1.2 The enactment of laws is the process by which society achieves a common agreement on the principles and parameters that will guide the determination of what

is right and what is wrong, what are the individual rights of citizens and what remedies as well as penalties should be imposed when such parameters are violated. Within this legal framework citizens live and work together and the functions and authority of the government are executed. Laws are contained in the constitution, statutes, international instruments ratified and adopted by the government, judicial rulings as well as state rules and regulations.

3.1.3 There is increasing recognition of the correlation between the rule of law, and economic development and poverty. Investor confidence and economic progress rest on governmental systems that ensure the protection of individual rights and property, enforcement of contracts and provision of individual security and safety.

3.1.4 The government is responsible for providing the mechanisms for enforcing laws. This mechanism is the five pillars of the criminal justice system. The judiciary provides for the settlement of conflicts and legal remedies, law enforcement agencies enforce laws, rules and regulations. The 1987 Constitution enunciates the role of the state as follows:

> *" The prime duty of the government is to serve and protect the people."*
>
> *" The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy"*

3.2 Social control and the role of government

SOCIAL CONTROL AS SOCIETAL RESPONSIBILITY

3.2.1 Social control is a societal responsibility rather than a function of the government alone. Drawing in the community, making them aware and inculcating social responsibility is one of the most challenging roles of government. In fact, social control is primarily exercised by the most basic elements of the community or society: families, peer groups, and other institutions or organizing entities. Social control is also exercised by certain systems that contribute, affect or as a resort arrive at social control. Laws are enacted to define parameters of control. Society may impose certain standards of living and acting, but legislation translates these into legal parameters that define the bounds of civil or criminal liability. Through law enforcement mechanisms formal social control measures are imposed on individuals and organizations.

DELIMITATIONS OF GOVERNMENT SOCIAL CONTROL FUNCTIONS

3.2.2 Government social control measures are delimited by law. The penal code of the Philippines is provided by government in regards to criminal liability.

3.2.3 The police come in as the last resort for social control and the general entry point to the criminal justice system. Its function for order maintenance, internal security and

enforcement of laws contribute to social control. Through its function, the government's role in ensuring the safety, peace and order of the country is realized.

3.2.4 However, the PNP does not function alone. Policing functions are dispersed to several government entities: the Armed Forces of the Philippines acts on internal security issues and executive offices under the Office of the President such as the Philippine Drug Enforcement Agency, the Philippine Commission on Transnational Crime, and several other departments and agencies in the national government perform law enforcement functions. Police functions are performed by several agencies of the national government and local government units. The PNP and NBI are the major police institutions of the government.

THE ROLE OF THE CRIMINAL JUSTICE SYSTEM

3.2.5 The Criminal Justice System is the machinery used by Philippine society to prevent and control crime (Feliciano & Muyot, *The Philippine Criminal Justice System*: 2000). It is comprised of the police and various law enforcement agencies; the National Prosecution Service and the public and private lawyers; the Judiciary; the corrections system; and the community. The System comprises the social control mechanism of the country and performs four core functions:

a) Prevent the commission of crime and protect the life, individual rights and property of citizens;

b) Enforce the law and remove dangerous persons from the community;

c) Investigate, apprehend, prosecute and sentence those who cannot be deterred from violating the rules of society; and

d) Rehabilitate offenders, and return them to the community as law abiding citizens.

THE ROLE OF THE POLICE

3.2.6 The police being part of the criminal justice system provides services pertaining to the government's role in maintaining community peace and order through patrol, investigation of crime, collection of evidence, arrest of suspects, and referral of the case and suspects to the Office of the Public Prosecutor or the lower courts either for preliminary investigation and/ or for eventual filing of cases and adjudication.

3.2.7 Policing is often referred to as law enforcement; though our law enforcement agencies perform much more functions than that which policing infers. There is a common understanding to many of what "policing" is.

3.2.8 Policing is created by the community or the social unit from which police agents or units are created; they are authorized to regulate interpersonal relations within the group through the application of physical force (definition coined from Bayley, 1985). In the vast literature on law enforcement interchangeable terms have been used and have mixed up its meaning with several other functions. These terms have to be further clarified to establish clear-cut definitions. Primarily, police are agents of force; they are allowed to lay hands on people to mold behavior and without this authority, they will be unrecognizable (Bayley: 1985). Internal usage of this force, distinguishes

policing from the act of protecting national territory or security from external threat. Thus, the current role of the military, which is the maintenance of peace in recognizance of internal insurgency threat, is regarded herein as policing. Modern concepts of policing however, expands the role of the police to one of ensuring that the community feels safe and that of providing assistance to members of the community.

3.2.9 Lastly, the authority given to them not merely or exclusively by the State but by the society they service is a major definitive factor. However, the social basis of policing may bring confusion in terms of the judgment of particular communities to recognize lets say a group of brigands as police instead of that which is legally constituted by the State. Thus it is important to emphasize that the police exists whenever the application of physical constraint can be shown to be regarded as legitimate by the community.

3.2.10 Policing is differentiated herein from the regulatory functions that many government offices and agencies perform. Regulatory offices of government usually work at registering citizens, citizen's actions, and possession of items or materials regulated by law. Usually, regulatory boards, offices, agencies and units are created for government monitoring and supervision in implementation and observance of laws. However, many law enforcement agencies whose primary functions are regulatory are also accorded policing functions.

THE POLICE AS INTEGRAL PART OF THE CRIMINAL JUSTICE SYSTEM

3.2.11 The other pillars of the criminal justice system interact and interrelate and the performance of functions and roles affect each other. Decisions made by one pillar affect the effectiveness, efficiency of the delivery of justice. An arrest made by the police of an individual based on violation of specific law determines the entry of a case in the criminal justice system. The decision rendered by the prosecutor based on preliminary investigation of the case will affect the entry or non-entry of the case to the court. And the decisions rendered by the court affects the restrictions, penalties and freedom of the individual. The correctional system's treatment of inmates determines whether these persons will have the change of becoming functional elements of the country after their term shall have been served. The communities' participation in the provision of relevant information on a case determines the effective gathering of evidence by the police. There are in fact many factors affecting each pillar.

3.3 Social welfare system and social control

3.3.1 Government has taken in the role of ensuring the welfare of its citizens, based on the provisions of the 1987 Constitution, Article II, Sec. 9 and 10:

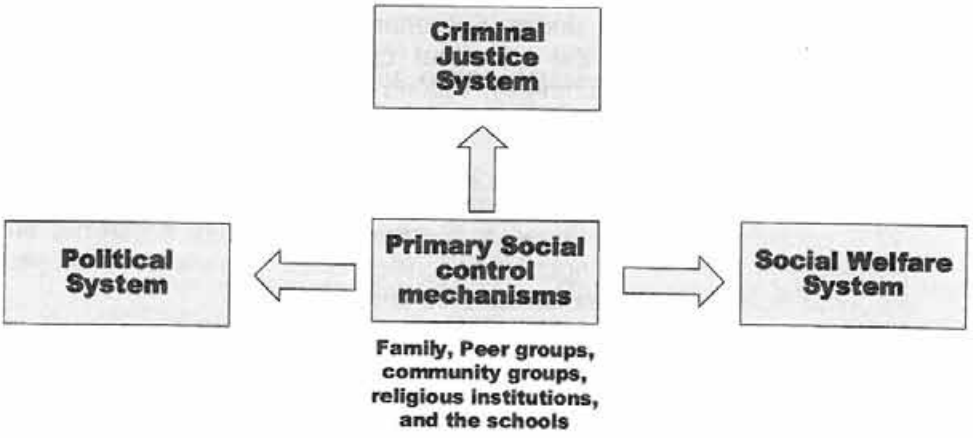
> *The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and in improved quality of life for all.*

The State shall promote social justice in all phases of national development.

3.3.2 The social welfare system is a contributor to social control and refers to rehabilitation, and ensuring that citizens live within orderly, suitable and humane conditions. When primary social control mechanisms fail social welfare mechanisms are set in place to draw individuals in the "right" direction or to help them settle into minimum conditions of living that will imbibe social order, prosperity and independence. Social welfare mechanisms also interact with criminal justice system entities to ensure that the rights of individuals are preserved and that despite criminal liability, they are provided with humane and suitable conditions.

3.3.3 Empirical studies indicate that the occurrence of crime is greatly affected by economic and social conditions which breed opportunity and tendency for crime. Social welfare development mechanisms are set in place for situations where criminal liability is not deemed to be adequate solutions to enforce social control. It is a deeper mechanism for crime prevention since it addresses the social and economic conditions of individuals that encourage or propel criminality.

Figure 2.1
SOCIAL CONTROL MECHANISM



3.4 Political system and law enforcement

3.4.1 The county's political system has large implications as to how social control is enforced. First, it determines the government's powers, structure and functions in society. The powers, functions and behavior of government institutions and in particular, law enforcement agencies and the police, depend largely on the type of political system e.g., whether it is democratic or authoritarian. International experience indicate that autocratic political systems tended to produce police forces that have no regard for human rights, whereas democratic societies have built in mechanisms that regulate police behavior while at the same time strengthen citizen capacities to assert their rights.

3.5 Legal and Normative Concepts of Crime

3.5.1 What is crime? This is a surprisingly difficult question to answer. Criminals have been various things to varying people and time. There are several approaches to defining crime:

a) The legalistic view defines crime as behavior that violates the criminal code (Paul Tappan: 1947). This is the most common approach in criminology and focuses on the same principles in criminal law (culpability or criminal intent mala in se versus mala prohibita, and responsibility or justification and excuses).

b) The conduct norms view sees crime as just one form of conduct norm violation (Thorstein Sellin: 1938). Every group one belongs to, regardless of political boundaries, regardless of embodiment in law, has conduct norms. Norms are unspoken rules of right and wrong that are contained in customs, traditions, ethics, religion, family, and other social institutions.

c) Social harm theory points at crime as any socially harmful act or analogous social injury, whether legally permissible or not. In this theory, crime includes acts that result in untimely death, illness or disease, deprivation of food, shelter, clothing, medical care, racism, sexism, and tobacco, etc. (The social harm theory started with the "white collar crime" defined by Edwin Sutherland in the 1940s – a generic term for crimes relating to the abuse of trust. This theory is more defined under Sutherland's *White Collar Crimes*, 1949. Principally it hinges on the idea that crime is not caused by individual deficiencies which is commonly related to socio-economic factors most especially poverty, but is a result of a more pervasive social problem mostly affected in groups)

d) Viewing crime as a human rights violation (Herman and Julia Schwendinger: 1975) considers not only those that cause social injury as crime, but also anything that thwarts the right to a dignified human existence. This view has the advantage of cutting across cultures and over time.

e) The view that crime is deviance or norm-violating behavior is associated most with sociological criminology. The norm can originate from any source: religion, political belief, etiquette, fashion, or criminal law. In fact, deviance occurs whenever there is stigmatization, isolation, rejection, segregation, punishment, treatment, or rehabilitation. Social control can be coercive (forceful), normative (attitudinal), or an exchange solution (sets of rewards and incentives). But not all deviant acts are criminal. Law is seen to be but one form of social control, a coercive governmental solution. Thus other forms of social control are studied such as dispute resolution, mediation, therapeutic counseling, rehabilitation, reconciliation, restitution, etc.

f) The social problem approach tends to look at the social meaning or collective definition of crime (C. Wright Mills: 1959). It therefore studies media polls or public opinion, and infers that crime is not a result of any one explanation.

3.5.2 Crimes are classified in different ways by different countries. What may be considered as crime for one country may not be crime for another, further the gravity of penalty or punishment for major crimes vary depending on the volume and

frequency of occurrence and other factors. While in the Philippines we look at crimes as either private or public, depending on the impact or effect of an act on an individual, community or country, others consider other aspects of crime. In Singapore for instance, crimes are classified as seizable or non-seizable offenses, which also show gravity of cases based on penalties. In Hong Kong crimes are either indictable offenses or summary offenses, classified according to the judicial action that may be acted upon.

3.5.3 In the Philippines crimes are violations of the penal code and other special laws and local ordinances. There are several crimes identified under the 1990 Revised Penal Code. Accordingly, criminal liability is incurred by any person committing a felony and/ or by any person committing an act which constitutes an act against persons or property. The Revised Penal Code classifies crimes into the following:

a) **Crimes against national security and Law of Nations**. These include treason and conspiracy to commit treason; espionage; inciting to war or giving motives for reprisals; violation of neutrality; correspondence with hostile countries; flight to enemy's country; and piracy or mutiny on the high seas or in Philippine waters.

b) **Crimes against the fundamental laws of the State**. These include arbitrary detention and unlawful expulsion from residence or from the Philippines of any person by government officials or employees; violation of domicile; prohibition, interruption and dissolution of peaceful meetings; and crimes against religious worship.

c) **Crimes against public order**. These include rebellion or insurrection, coup d'etat, sedition and disloyalty; crimes against popular representation or against the legislative bodies and other similar bodies of government, and the violation of parliamentary immunity; illegal assemblies and associations; assault upon, and resistance and disobedience to persons in authority and their agents; public disorder; and evasion of service of sentence.

d) **Crimes against public interest**. These include forgeries and other falsities; and frauds.

e) **Crimes against public morals**. These include gambling; and offenses against decency and good customs.

f) **Crimes committed by public officers**. These include crimes committed by public officers; malfeasance and misfeasance in office; fraud and illegal exactions and transactions; malversation of public funds or property; infidelity of public officers; and other offenses or irregularities such as disobedience, refusal of assistance and maltreatment of prisoners, anticipation, prolongation and abandonment of the duties and powers of public office, usurpation of powers and unlawful appointments, and abuses against chastity.

g) **Crimes against persons.** These include parricide, murder and homicide; infanticide and abortion; duels; physical injuries; and rape.

h) **Crimes against personal liberties and securities**. These include illegal detention and/or kidnapping; slavery and servitude; abandonment of helpless persons and exploitation of minors; trespass to dwelling and other forms of trespass; threats and coercion; and discovery and revelation of secrets.

i) **Crimes against property**. These include robbery; brigandage; theft; usurpation; culpable insolvency; swindling and other deceits with the intent of damaging or defrauding any person; removal, sale or pledge of mortgaged property; arson and other crimes involving destruction of property; and malicious mischief.

j) **Crimes against chastity**. These include concubinage; acts of lasciviousness; seduction, corruption of minors and white slave trade; and abduction.

k) **Crimes against civil status of a person**. These include simulation of births and usurpation of civil status; and illegal marriages.

l) **Crimes against honor**. These include libel and incriminatory machination.

m) **Quasi offenses.** These include criminal negligence or imprudence.

3.5.4 Crimes can be lumped into two main categories: public and private crimes. Public crimes directly endanger the society and its constituents, while private crimes are those that afflict individuals or persons directly but do not endanger society as a whole.

3.5.5 Other crimes punishable under Philippine laws include violations of special laws. Special laws include those related to illegal drug activities; smuggling/ piracy, prostitution/ vagrancy, illegal logging and fishing, carnapping and others.

3.6 The social context of peace and order and criminality

3.6.1 There are three fundamental elements that comprise ingredients of crime: motive or the reason/ cause for the act of crime; instrumentalities or the means or implement used in the commission of a crime; and the opportunity or the acts of omissions and/or commission by the person/s to perpetuate the crime. Crime cannot occur without the presence of these three determinant factors (Coronel, 1996).

3.6.2 But what influences crime? The environment which facilitates the elements that constitute crime is important in the study of crime. There are factors that are uncontrollable and there are factors that are. These are identified by Coronel in his discussion on the nature of crime. Uncontrolled factors which he identified as exogenous factors include geography, weather and time. Those that can be controlled or what he called as indigenous are those that can readily be affected like poverty, social values, and politics.

3.6.3 Development and peace are said to be *"conditio sine qua non"* or pursued together in an integrated or synergic manner. Under the UN Milan Plan of Action (1985) it is said that:

> *The problem of crime demands a concerted response from the community of nations to reduce opportunities for the commission of crimes and to address relevant socioeconomic factors, such as poverty, inequality and unemployment.*

3.6.4 The Anomie theory, developed by Durkheim, considers that a breakdown of crucial institutions, (such as the family, church, and school) that teach individuals the values

and norms held within the society, will create a rise in crime. These breakdowns are thought to take place in poverty-stricken areas because individuals experience "normlessness". "Normlessness is usually defined as a result of lack of standards and values" within a community (Hagan:1989). However, Robert Merton (1938) believed this "normlessness" according to the Anomie theory, was a result of common goals held by individuals within society without the equal means and opportunities of achieving these goals.

3.6.5 As a result of this goal - means gap, delinquent subcultures are often formed by status-frustrated individuals. Within these subcultures, values are constructed that often completely reject the norms and values held by the society as a whole. These subcultures achieve goals by way of illegitimate means because legitimate means are not available to them contrary to the middle and upper class. However, Cloward and Ohlin (1960) note in their Differential Opportunity theory that not only does an individual have to experience the goal-means gap, but must also encounter opportunity to take part in delinquent behavior.

3.6.6 On the other hand, Hirschi's control theory (1969; 1983) argues that it is an absence of crucial social bonds to society, which creates delinquency and crime. Each of these theories within the consensus perspective state different reasons on why individuals of lower class are more likely to commit crime. Conversely, the conflict perspective considers what effect the dominant people have on the subordinate people in society that may cause them to commit crimes.

3.6.7 Factors that are identified to form breeding grounds for crime (Coronel: 1996) are poverty, ignorance, injustice/ abuses, soft state, fear, lost family values, and others such as lewd and violence in media materials, modernization which affect complexity and opportunity for crime and urbanity, urbanization and urban migration.

3.7 Implications for the PNP

3.7.1 A deeper understanding of the sociological context of crime is useful in defining the role of the police force in crime prevention, and in promoting a culture of peace and order.

3.7.2 The PNP in the past decade has made radical shifts in its institutional perspective of crime and criminality. As a result thereof, and learning from new policing approaches in other countries, the role of the Philippine police force gradually shifted from one that is focused on enforcing the law through the use of force, to a more community oriented policing mechanism. However, community policing has yet to be implemented in a more meaningful way in police stations serving specific communities.

3.7.3 This theoretical and sociological framework provides guidance in identifying and designing reforms that are sensitive to the sociological causes of crime and criminality. It establishes the sociological framework for putting in place reforms that address the more fundamental causes of crime as equally important as combating crime on an incident by incident or situation specific basis.

4 CONTEXT OF THE STUDY

4.1 National context

4.1.1 The PNP transformation program, its vision, goals, and targets and specific programs, projects and activities are formulated to support the achievement of the overall sector reform objective of providing a speedy, impartial and accessible justice system; and the sector reform goal of improved public order and safety together with improved public trust and confidence in the justice system.

4.1.2 A well-functioning criminal justice system is one that enforces the law and provides appropriate remedies within the framework of human rights. It is the basis for citizen and investor confidence. Economic activity is stimulated by a favorable investment environment which has at its core, not just predictable policies, but as well a peaceful environment, where laws are enforced and respected, where contracts are enforced, and where speedy and appropriate legal remedies are applied to address grievances and conflicts.

4.1.3 The achievement of sector objectives of promoting peace and order and establishing a society driven by the rule of law will contribute to the realization of the national development vision of sustained socio-economic development and reduced poverty (Figure 2.2).

4.2 The Criminal Justice System

4.2.1 The foundation of law in the Philippines is supported by an institutional arrangement (policies, processes and organizations) comprising the five pillars of the justice. This TA is formulated within the context of the five pillars of the criminal justice system:

a) LAW ENFORCEMENT PILLAR, which is responsible for the prevention of the commission of crime, the protection the life, liberty and property, and in generally maintaining community peace and order. This is primarily undertaken by the Philippine National Police and the National Bureau of Investigation. There are other government agencies, such as the Bureaus of Immigration and Internal Revenue, which are also mandated to enforce specific laws.

Figure 2.2
NATIONAL DEVELOPMENT CONTEXT



b) PROSECUTION PILLAR, which is the responsibility of the National Prosecution Service (NPS) of the Department of Justice (DOJ). NPS prosecutes cases filed in the court against alleged offenders, after probable cause has been established through evaluation.

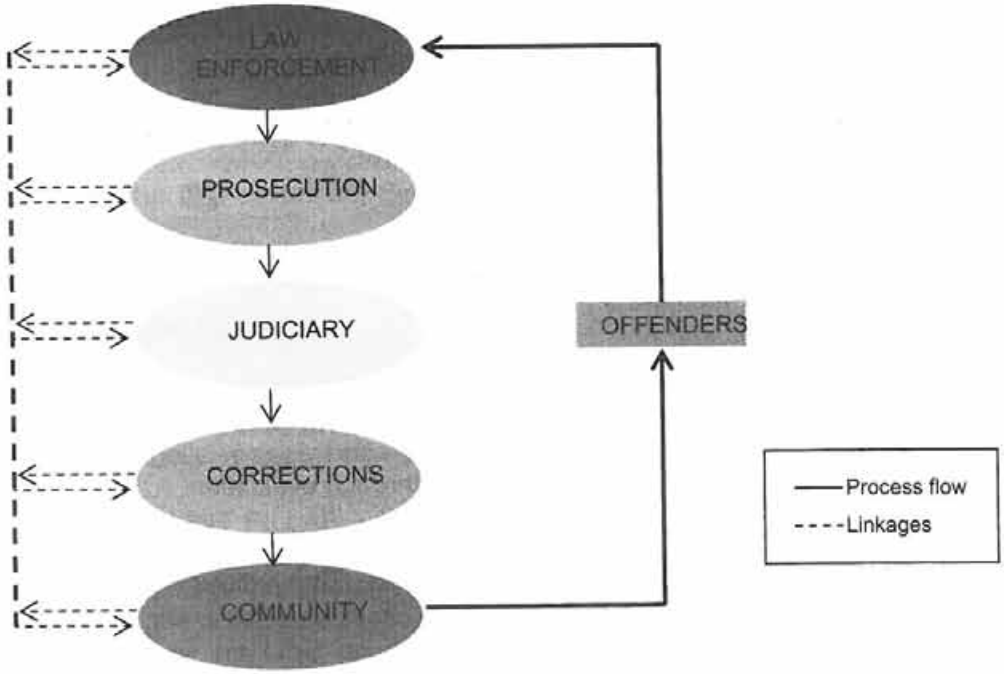
c) JUDICIARY PILLAR, which comprises of the various trial, special and appellate courts and the Supreme Court. The judiciary pillar adjudicates cases and renders judgment.

d) CORRECTION PILLAR, which administers the prison and jail systems through corrective, rehabilitative and restorative measures. It also administers death penalty to offenders who are found guilty of committing heinous crimes. The Bureau of Corrections, Parole and Probation Administration, Board of Pardons and Parole, Bureau of Jail Management and Penology, Department of Social Welfare and Development and the local government units are involved in this pillar.

e) COMMUNITY PILLAR, which collectively imposes limitations on individual behavior of citizens for the common good of civilized and democratic society. The community pillars comprise of the citizenry as a whole and the various non-government organization, civil society groups, people's organizations, academe, religious organizations and other civic organizations that represent citizen interest and causes.

4.2.2 The Supreme Court of the Philippines describes the criminal justice system as "the system or process in the community by which crimes are investigated, and the persons suspected thereof are taken into custody prosecuted in court and punished if found guilty, provision being made for their correction and rehabilitation." This TA recognizes the mutual reinforcement relationship among the five pillars of the criminal justice system. The relationship may be described as multi-dimensional, which means that each pillar relates to every other pillar in promoting the rule of law (Figure 2.3).

Figure 2.3
THE FIVE PILLARS OF THE CRIMINAL JUSTICE SYSTEM



Source: UNDP-SC, Survey of Inmates and Institutional Review, Final Report CPRM Consultants Inc., 2001

4.2.3 Criminal procedures in the Philippines are contained in established rules and regulations governing the operations of the five pillars of justice. The processes involved in the investigation and prosecution of criminal cases comprise the following (Figure 2.4).

a) Police Investigation
b) Preliminary Investigation
c) Issuance of the Prosecutor's Resolution
d) Filing of the Information in Court
e) Arrest of the Accused and Posting of Bail

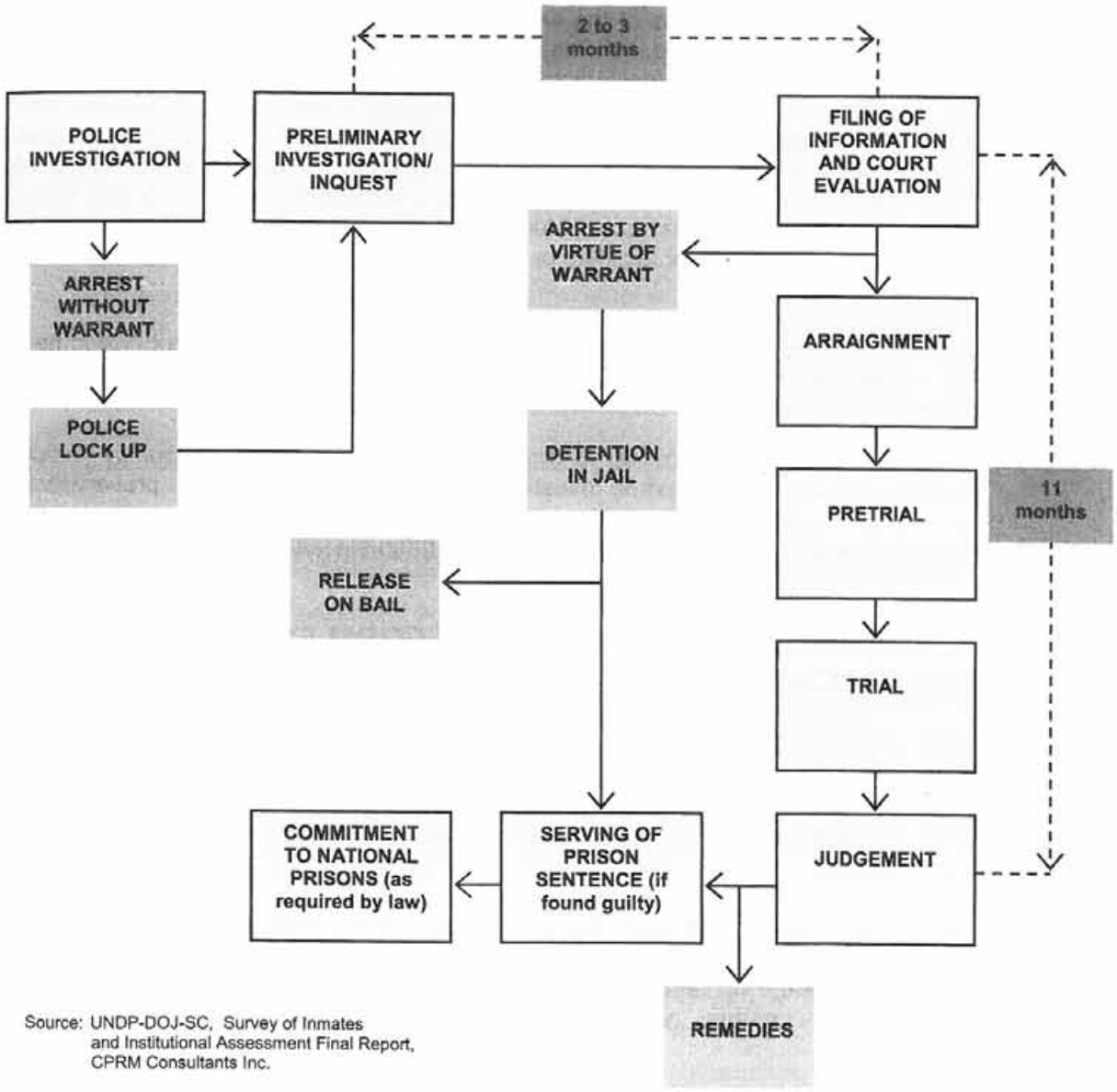
f) Arraignment [Plea of Guilty or Not Guilty to the Offense Charged]

g) Pre-Trial

h) Trial

i) Sentencing or Judgment

Figure 2.4
CRIMINAL PROCEDURES IN THE PHILIPPINES



Source: UNDP-DOJ-SC, Survey of Inmates and Institutional Assessment Final Report, CPRM Consultants Inc.

4.2.4 The Philippine National Police (PNP) conducts *motu propio* investigation of criminal acts/omissions or upon complaint by an aggrieved party. The PNP conducts surveillance, interviews of persons with knowledge of facts directly or indirectly connected with the offense (including the suspects who consent to be questioned), entrapment operations, search and seizure, arrest without warrant in accordance with the law, and interrogation of suspects in police custody.

4.3 Reforming the Criminal Justice System

4.3.1 The reform program to be formulated under this project will be within the context of the reforms in the five pillars of the justice system. The Judiciary is in the thick of detailed technical design and installation of the various reform initiatives contained in the 6-year Action Program for Judicial Reform (APJR). The Department of Justice has completed a diagnostic study and medium-term reform program for agencies within the department that perform functions within the five pillars of the criminal justice system. An access to justice study of prisons surveyed the conditions of prisons and prisoners and identified directions for improvements. A survey of caseload in the Judiciary was conducted to analyze both internal and external (other pillars of justice) factors that facilitate or hinder the speedy processing of cases in the courts.

4.3.2 The lessons generated from these studies provide useful inputs in the development and proper contextualization of the diagnostic study and PNP transformation program to be made under this project.

4.3.3 Reforms in the PNP are critical in providing speedy, impartial and quality justice, particularly in the areas of crime investigation, evidence gathering and preservation, production of credible and quality witnesses and in witnessing in courts by the policemen, and in promptly locating and arresting the suspects.

5 GENERAL ASSESSMENT AND REFORM FORMULATION APPROACH AND METHODOLOGY

5.1 High-level Assessment Process

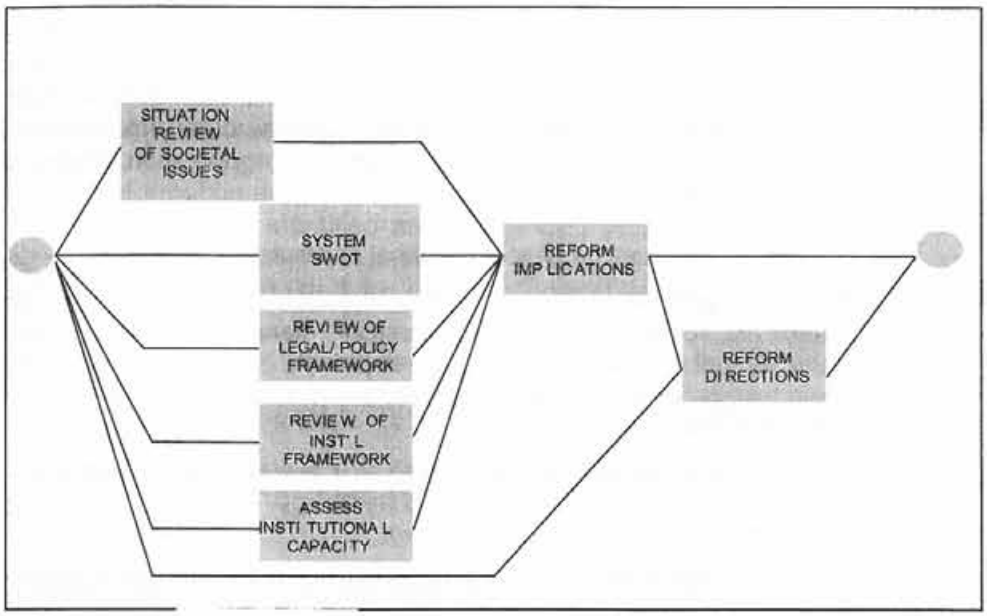
5.1.1 A seamlessly integrated, comprehensive and sequenced assessment process was adopted in order to identify the universe of issues that the transformation program should address.

5.1.2 Accordingly a holistic and seamlessly integrated reform identification and definition approach was applied in the design of the PNP transformation program, such that the reform package contains reform initiatives that have proper sequencing, content synchronization, mutual reinforcement of initiatives and efficiency in required investments.

5.1.3 The PNP transformation program therefore identifies what reforms and other initiatives will be undertaken in the policy, legislative and legal framework, institutions development, capacity building and resource generation and management in order to

achieve the PNP vision and its contribution to the achievement of sector and national goals.

Figure 2.5
HIGH-LEVEL ASSESSMENT PROCESS



5.2 Assessment Approach

5.2.1 The following assessment approach, presented in detail in the technical proposal and validated in the inception report was adopted in the conduct of the diagnostic study:

a) SITUATION REVIEW, which defines the major trends in the country's peace and order situation, the internal and external factors and their implications for improving the capacity of the country's police system and in particular the PNP.

b) REVIEW OF LEGAL AND POLICY FRAMEWORK, which presents the government's policy framework on peace and order and criminal justice, the constitutional and statutory provisions that govern the mandate, functions, and organization of the PNP, and the various laws on criminality that guide PNP operations.

c) POLICE SYSTEM SWOT ANALYSIS, which identifies and analyzes the strengths, weaknesses, opportunities and threats of the police system within which the PNP operates, and defines the implications for PNP institutional reform.

d) REVIEW OF SYSTEM INSTITUTIONAL FRAMEWORK, which presents the assessment of the broader government institutional framework within which the administrative operations of the PNP is situated, the criminal justice system institutional framework within which PNP performs its law enforcement

functions, and the specific mandate, functions, internal organization structure and functional configuration of the PNP. The assessment leads to the identification of directions for reforming the police system institutional framework and its implications for reforming the PNP itself.

e) PNP CAPACITY ASSESSMENT, which examines the internal capacity of the PNP to perform its mandate and functions. The capacity assessment undertakes an integrated analysis of the internal structure, functions, staffing and the various mission – critical as well as financial and administrative management systems and processes of the PNP, its human, physical and financial resources and information technology. The consulting team utilized a capacity assessment framework which identifies the core factors and elements that make up the foundation of a well-functioning organization. These comprise the following (Figure 2.7):

- *The basic resources* – financial, physical and human.
- *The management systems* – the institutional mandate, the quality of leadership, corporate planning, financial management and administrative management, research and development, monitoring and evaluating performance, mechanisms for innovation and for ensuring and continuing improvement.
- *The structural systems* – the formal structure that organizes the functions among organic units, defines the roles of each unit, and establishes operational relationships and workflows.
- *The production and delivery systems* – the processes, technologies, production tools and techniques applied for the implementation of the mission-critical functions of the PNP.
- *The behaviour systems* – which manage human behaviour in the PNP and which involve recruitment, remuneration, incentives, career path and reward systems, procedures and policies, workplace quality and professional standards as enforced, understood and practiced, the public perception and feedback mechanism.
- *The integrity systems* – which include mechanisms for promoting and ensuring ethical behaviour, internal control, the processes for transparency in operations and decisions, and the system of accountability at individual, unit, function and enterprise levels.
- *The system of organizational values* – the individual and collective values and attitudes shared and forming part of the enterprise culture, which involve consensus on the achievement of operational synergy, synchronization and complementation, and the distribution philosophy where customers and beneficiaries are concerned.

f) The above framework provided the guidance in focusing the assessment of the internal operating capacities of the PNP and in the identification of the capacity building requirements.

5.3 PNP Transformation Program Formulation

5.3.1 A PNP Transformation program is comprised of programs and activities organized and programmed over a 6-year implementation period. It is expected that while a 6-year implementation period is established for purposes of activity and resource programming, it is expected that actual implementation may take 10 years, while the stabilization of the reformed PNP organization and the reform impacts may be require up to another 5 years, when the reforms shall have formed part of the culture of the entire PNP organization. Therefore the entire reform period may take up to 15 years assuming that political will, resource support and implementation of reform activities will be sustained.

5.3.2 The transformation program will require a seamlessly integrated approach, ensuring that all reforms are identified and sequenced properly, at the same time guarding against reform gaps that undermine erstwhile good reform components. The following framework guided the identification and definition of the reform initiatives.

Figure 2.6
REFORM IDENTIFICATION AND FORMULATION APPROACH



5.3.3 A reform identification and definition methodology was adopted, extensively using the results of the diagnostic studies. A set of reform principles and parameters were considered in the definition of the various reform initiatives. The reform identification process was guided by the following criteria:

a) Both requirements for transformation (correcting dysfunctions and improving existing systems and institutions) and requirements for modernization (reengineering institutions and systems to face new and future changes and challenges) should be addressed, and should be balanced.

b) The transformation program should enhance or preserve existing strengths while at the same time reducing the weaknesses.

c) The transformation program should, to the extent possible, improve capacities to face and overcome threats and take advantage of opportunities.

d) The transformation program should be viable financially and politically.

e) The transformation program should address the side-effects on people and operations.

f) The reform program should be supported by a reform sequencing, timing and programming mechanism that matches the absorptive capacity of the PNP, as well as its publics.

5.3.3 The TA was executed primarily using the following methodology:

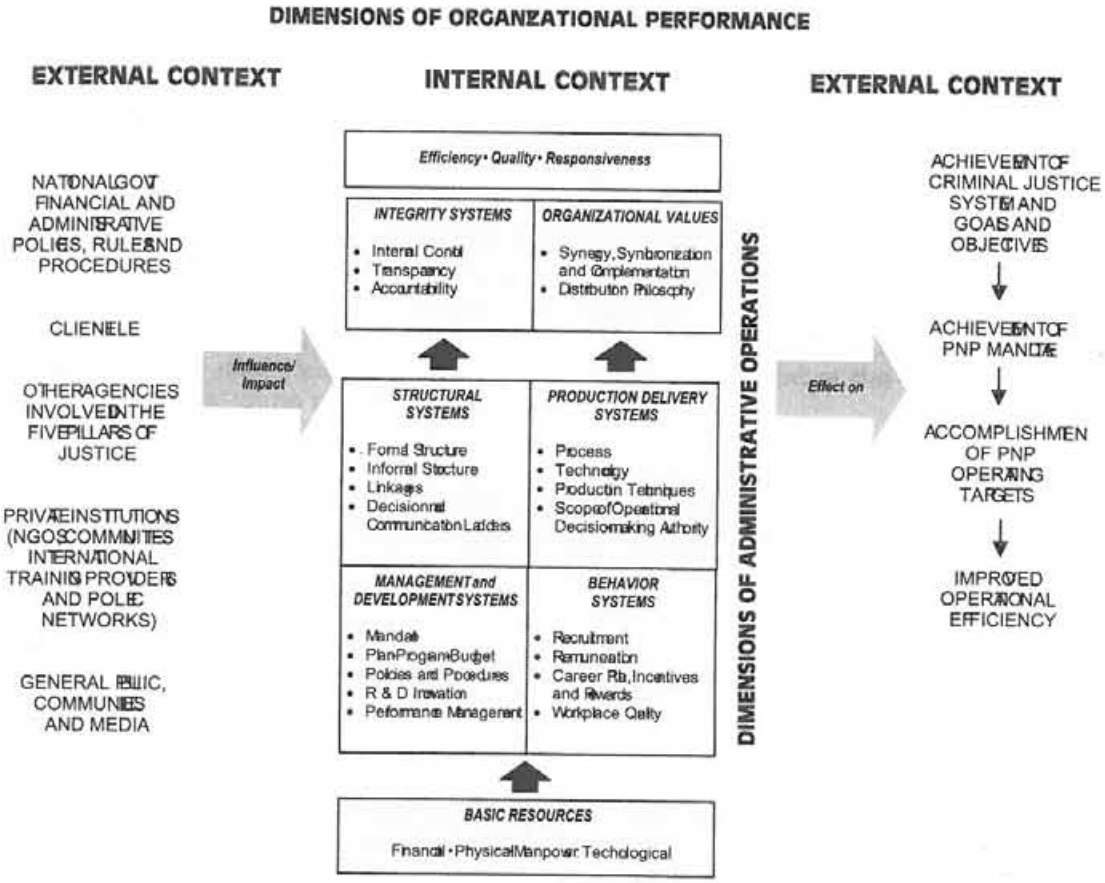
a) Focus group discussions and one-on-one interviews in selected police stations, provincial offices, regional offices, local government units, and civil society organizations in selected regions using scheduled and unscheduled visits.

b) System visual survey, done during scheduled and unscheduled visits. The visual survey generated observations on the actual organizational behavioral and formal work processes and practices at the station level.

c) Literature and document review which involved perusal, processing and analysis of laws and issuances, manuals of procedures, development plans, flow processes, organization charts and function charts, staffing documents, publications, statistics, news articles, literature and project studies and reports, and other documented data related to the PNP, Philippine Public Safety College, NAPOLCOM, government oversight administrative and financial management, other agencies performing police functions, the criminal justice system, crime and criminality and various other relevant areas.

5.3.4 The project team used various diagnostic and planning tools including system analysis, SWOT analysis, statistical analyses, means-ends analysis, institutional review techniques, capacity assessment, project design techniques, financial analysis tools and several other tools useful in the review of external and internal contexts of the subject system and organization.

Figure 2.7
CAPACITY ASSESSMENT FRAMEWORK



3
SITUATION REVIEW

1 INTRODUCTION

1.1.1 This chapter situates the assessment and the reform formulation process within the context of the country's socio-economic conditions and peace and order situation. An overview of the country's demography and socio-economy, and a profile of the country's crime situation are presented to provide the context of the review of the country's general crime situation of the country.

1.1.2 A SWOT analysis of the police system puts in perspective and proper context the subsequent general review institutional framework of the police system and the more detailed assessment of the organization and operations of the PNP.

2 COUNTRY PROFILE

2.1 Demography

2.1.1 Philippine society is largely homogeneous in terms of the cultural and religious backgrounds of its peoples (Gabriel Casal et al: 1981) with exception of an estimated 10% which comprise the Muslim and indigenous population (National Statistics Office: 2003). Language forms one of the main points of internal differentiation in provinces. But because of historical political centralization, recent rapid urbanization and extensive internal migration and, government emphasis on Pilipino and English as the medium for exchange, linguistic barriers among provinces and ethnic groups are eroding (Casal et al.:1981). Nevertheless, national integration seems incomplete and these can be attributed primarily to ethno-cultural and political fragmentation. Separatist conflicts between Muslim rebel groups in Mindanao and leftist movements in the north and other parts of the country on the one hand, and the government on the other, continue to undermine national cohesion and political stability.

2.1.2 The country has a population of about 85 million. Its annual growth rate of 2.34% (NSCB: 2003) is the highest in ASEAN. Rapid population growth is accompanied by a high rate or urbanization where more than 50% of the country's population is living in urban areas. With declining agricultural productivity, urban migration is increasing. It is expected that urban population will reach 60% in 10 years further increasing pressure on the already overstretched capacity of cities to provide services, employment and infrastructure (ADB, DPUCSP: 2004).

2.2 Socio-economic conditions

2.2.1 About 40% of the country's employment is in the agricultural sector yet the sector's contribution to total GDP is approximately only 20%. The economy is increasingly supported by a fast growing services sector which occupies 47% of total country output, followed by industry which is at 33%. While the country's economy grew at about 6.5% during the first three quarters of 2004 (ADB Country Economic Review: 2004), much of this growth is attributed to the remittances of overseas workers which comprise about 10% of the country's GDP.

2.2.2 With no significant growth in the internal economy the government has not been able to buttress a worsening unemployment and underemployment situation. Unemployment is increasing annually from 9.4% in 1999 to 13.7% by first quarter of 2004 while underemployment remains high at 18.5% (Table 3.1).

Table 3.1
UNEMPLOYMENT AND UNDEREMPLOYMENT, 1990 – 2004
(in percent)

YEAR	UNEMPLOYMENT RATE	UNDEREMPLOYMENT RATE
1990	8.1	22.1
1991	9.0	22.1
1992	8.6	19.9
1993	8.9	21.4
1994	8.4	20.9
1995	8.4	19.8
1996	7.4	19.4
1997	7.9	22.8
1998	9.6	23.7
1999	9.4	22.1
October 2002	10.2	15.3
April 2003	12.2	15.6
April 2004	13.7	18.5

SOURCES: National Statistics Yearbook, 2000
National Statistics Office, 2004

2.2.3 The main development issues for the Philippines are the inability to match the country's productivity with population growth and lack of distributive equity. Pervasive poverty and economic inequity continue to characterize the country's socio-economic geography where the richest 20% of the families earn up 52.3% of the total national income, while the poorest 20% earn a mere 5.4% of the national income in year 2000 (Table 3.2)

Table 3.2
INEQUALITY IN INCOME OR CONSUMPTION, 2000

INDICATOR/YEAR/ MEASUREMENT	POOREST 10%	POOREST 20%	RICHEST 10%	RICHEST 20%
Share of income or consumption	2.2	5.4	36.3	52.3

SOURCE: Human Development Report, 2001 and 2003

2.2.4 In the early post EDSA-revolution years, the country achieved significant improvements in reducing poverty by bringing poverty incidence down from 49.5% in 1988 to 33.0% in 1997. However, poverty incidence has rapidly worsened in the past 3 years, and neared 40% of population by 2002 (The US Department of State Country Report on Human Rights Practices in the Philippines: 2002).

Table 3.3
POPULATION AND POVERTY, SELECTED YEARS

INDICATORS	1988	1991	1994	1997	2000
Poverty Incidence (% of Population)	49.5	45.3	40.6	33.0	34.0
Poverty Incidence (% of Households)	40.2	39.9	35.5	31.8	34.2

SOURCE: National Statistics Yearbook, 2001

2.2.5 But poverty is not just an issue of low income and basic daily nutrition. Social poverty (Nishitate: 2000) also pervades the population and this is manifested by lack of access to quality education and health services, adequate utilities and infrastructure, decent housing and other means needed for full human development and choice. For example, housing is not affordable to a large segment of the population. More than 4% of families living in urban areas live in makeshift dwellings and informal settlements (ADB, DPUSP: 2004). In Metro Manila, more than 50% of its 11 million population live in slums or depressed areas (Manila Standard, Section B, p.16: Oct.15, 2002).

2.2.6 The country's socio-economic conditions present tremendous challenges for the government to achieve a good balance between increasing the productive capacity on the basis of existing resources and population growth thereby hopefully interrupt the continuing cycle of underdevelopment and poverty.

2.2.7 With a large segment of population in extreme poverty and with an economy characterized by inequity, the country provides a fertile breeding ground for criminality.

3 CRIME SITUATION OVERVIEW

3.1 Delimitations of the review

3.1.1 The assessment of country's crime situation has been significantly limited due to deficiencies in the country's crime information system in general and the PNP's crime information system in particular. Crime statistics in the National Statistics Office (NSO) are sourced from the PNP alone and therefore does not include crime statistics from the NBI, specialized law enforcement agencies and other law enforcement agencies with police functions such as the Bureau of Immigration and Deportation, Bureau of Customs, Bureau of Internal Review, Department of Environment and Natural Resources and several others.

3.1.2 In the PNP crime statistical reporting at the police station level is done mainly using manual procedures and at very aggregative data formats and therefore the system is not susceptible to derivation of analytic statistics useful in making incisive analysis. Crime information is for the most part general. There is limited crime and socio-economic content information at the processed level and processed information would not be readily available on city or small geographical areas thus an analysis of crime patterns and composition between highly urbanized and rural communities cannot be made in depth.

3.1.3 Since data specifications are general (type of crime and annual volumes, solution rate) it would not be possible to assess such issues as: how many cases went to court, archival rate, arrest rate, conviction rate, how many crimes are committed by economically disadvantaged population, the youth or women or what are the socio-economic and demographic profiles of criminality. There is no clear definition of what constitutes a solved crime; there is no clear case aging system and detailed crime and person/case profiling and this does not allow monitoring of compliance with laws in such issues as detention. Indeed, there is need to considerably improve the country's crime information system – its data specifications, indicators, data collection, recording, processing, analysis and reporting, its information and communications technology and the entire crime information system integrity.

3.1.4 Nevertheless, an attempt is made to establish indicative relationships between geographic, demographic, and socio-economic conditions and the trends and composition of crime which, even at very high levels of analysis would hopefully assist in properly contextualizing the diagnostic study and reform program formulation process.

3.2 General Crime Trends

CRIME VOLUME AND CRIME INCIDENCE

3.2.1 The country's crime volume increased at a small 1% annual average from 1995-2003. However, this annual average may be deceiving. The annual crime data shows that from 1996-1998 crimes were decreasing by 2.96% in 1995-96, and 7.59% in 1996-97. Crime statistics show a curious upward jump which coincided with changes in government administrations. For example, crime increased significantly by 15.32% in 1999 (year one of the Estrada administration) and by 11.4% in 2002

(year when the incumbent president assumed power). In all the other years, crime volume appeared to return to the decreasing trend. There may also be more relevant factors that can be co-related with the annual trend in crime statistics.

3.2.2 A noticeable decline in crime volume can be seen from 1996 to 1998 when crime cases decreased from 79,258 in 1995 to 71,575 in 1998. It was during these years that the country experienced significant economic progress, increases in per capita income and significant reductions in poverty incidence. Increases in crime cases from 1999 to 2000 also coincided with the period when the immediate effects of the Asian financial crisis started to be felt by the country's economy.

Table 3.4
ANNUAL CRIME VOLUMES, 1995 – 2003

YEAR	TOTAL CRIME VOLUME	INCREASE/DECREASE In %
1995	79,258	
1996	76,915	-2.96
1997	71,080	-7.59
1998	71,575	0.70
1999	82,538	15.32
2000	80,108	-2.94
2001	76,997	-3.88
2002	85,776	11.4
2003	83,704	-2.42

SOURCE: Crime Statistics from DIDM, PNP: 2004

3.2.3 Contrary to the image created by crime-ridden media reporting, crime statistics of the PNP indicate that crime incidence in the Philippines is significantly lower than those of erstwhile more developed economies. In particular, crime incidence in the Philippines, which registered at an annual average of 105.5 crimes per 100,000 population over a 9-year period (1995-2003) compares much more favorably with those of Canada (4,396), Hong Kong (1,070), Republic of Korea (3,041), Japan (1,057), or Malaysia (694) in 1997 (Crime by 100,000 population from the *US Library of Congress, Country Studies*). In 1997 crime incidence in the Philippines was even lower at 99 (Table 3.5).

Table 3.5
CRIME INCIDENCE, 1995 – 2003
(No. of crimes per 100,000 population)

YEAR	POPULATION*	TOTAL CRIME VOLUME	INCIDENCE
1995	68,616,536	79,258	116
1996	69,951,810	76,915	110
1997	71,549,790	71,080	99
1998	73,147,776	71,575	98
1999	74,745,756	82,538	110

YEAR	POPULATION*	TOTAL CRIME VOLUME	INCIDENCE
2000	76,504,077	80,108	105
2001	76,348,114	76,997	101
2002	79,503,675	85,776	108
2003	81,081,457	83,704	103
Ave			105.5

* Population is based on estimates provided by NSCB for the years 1996-1999 and 2001-2003
SOURCES: DIDM, PNP Crime Statistics
Philippine Statistical Yearbook 2003, National Statistical Coordinating Board

3.2.4 This statistical picture however, should be considered with much caution. A perusal of world crime statistics would indicate that crime incidence in developing countries are much lower than those of more developed ones. And yet there is generally more confidence in the security as well as peace and order in richer economies than in poor ones. There are several possible explanations to these. Crime statistical reporting and crime information technology in developing countries such as the Philippines may be extremely deficient; or, many crimes are unreported. Crime reporting in the country's police stations is done manually and reporting takes tremendous manual aggregations and corresponding oversight level aggregations that are extremely prone to human error or manipulation. Some police stations indicated that their reports were changed at the central office to depict a better peace and order situation. Also, several data need to be gathered from the different law enforcement agencies of the country to arrive at a comprehensive view of how much crime the law enforcement system is handling. In this case, only data from the PNP are actually recorded to characterize the country's peace and order situation.

OVERALL CRIME TREND AND COMPOSITION

3.2.5 The crimes reported to the police or cases initiated by the police are generally classified according to index and non-index crimes. Index crimes are those "which are serious in nature and which occur with sufficient frequency and regularity such that they can serve as an index to the overall crime situation" (NAPOLCOM, *National Crime Prevention Plan:* 2003). Index crimes include murder, physical injury, rape, robbery, and theft. Non-index crimes comprise of violations of special laws and city or municipal ordinances such as illegal gambling, illegal possession of firearms, smuggling, violation of BIR laws, and drunk and disorderly conduct, among others (NAPOLCOM, *National Crime Prevention Plan*: 2003).

3.2.6 Annual crime statistics over a nine-year timeframe (1995-2003) were processed and analyzed to get an overview of the trends and nature of the country's crime situation. Over the indicated years there has been little difference between index and non index crime incidence. The annual average incidence of 106 is split almost equally between index crimes which registered at 54 and non-index crimes which registered at 51.

Table 3.6
CRIME TREND AND COMPOSITION

YEAR	CRIME INCIDENCE (per 100,000 pop.)			INCREASE/ DECREASE (in percent)		
	INDEX	NON INDEX	TOTAL	INDEX	NON INDEX	AVERAGE
1995	65	51	116			
1996	61	49	110	-6	-4	-5
1997	54	45	99	-11	-8	-10
1998	51	47	98	-6	4	-1
1999	50	60	110	-2	28	12
2000	49	56	105	-2	-7	-5
2001	50	51	101	2	-9	-4
2002	55	53	108	10	4	7
2003	53	51	103	-4	-4	-5

SOURCE: Population and population estimates from NSCB: 2003
Crime Statistics, DIDM, PNP: 2004

Index Crimes

3.2.7 Index crimes are categorized into two main groups: crimes against persons (murder, homicide, physical injury and rape) and crimes against property (robbery and theft). Crimes against persons have consistently been higher than crimes against property averaging at 63.5% of total index crimes from 1995-2003, while crimes against property comprised an average of 35.5 over the 9-year period. There are no statistics however to indicate how much of crimes against property resulted in crimes against persons.

3.2.8 Noteworthy is the annual pattern of index crime volumes. Annual crime volumes were relatively high in 1995 and 1996 registering at 44,503, and 42,380 respectively. During these years the economy was just starting to recover from the serious political and socio-economic problems of the Marcos years that terminated in the EDSA revolution in 1986. By the early 90's the country was still suffering from the serious political conflicts and spill over effects of economic decline and social deprivation of the dictator regime. The annual rhythm in index crimes is consistent with the overall annual trends in crime conditions, where decreases in the number of total crimes were experienced during the progressive years of 1997 and 1998 and started to worsen continuously from 2001 through to 2003 when economic, employment and poverty conditions deteriorated once again.

Table 3.7
SUMMARY OF INDEX CRIMES, 1995-2003

YEAR	CRIMES VS. PERSONS		CRIMES VS. PROPERTY		TOTAL	
	NO.	%	NO.	%	NO.	%
1995	28,670	64.4	15,833	35.6	44,503	100
1996	27,413	64.7	14,967	35.3	42,380	100
1997	25,905	66.8	12,873	33.2	38,778	100

YEAR	CRIMES VS. PERSONS		CRIMES VS. PROPERTY		TOTAL	
	NO.	%	NO.	%	NO.	%
1998	25,127	67.0	12,378	33.0	37,505	100
1999	24,166	64.5	13,324	35.5	37,490	100
2000	23,913	64.2	13,341	35.8	37,254	100
2001	23,696	62.2	14,414	37.8	38,110	100
2002	25,706	58.7	18,054	41.3	43,760	100
2003	25,350	59.4	17,337	40.6	42,687	100
Ave		63.5		35.5		100

SOURCE: Crime Statistics, DIDM, PNP: 2004

3.2.9 There were noticeable nominal and proportional annual increases in crimes against property, which registered nominal annual growth accompanied by an increasing proportion to total index crimes. From 35.5% of total index crimes in 1995, the proportion of crimes against property over all index crimes grew to 41.3% and 40.6% in 2002 and 2003, respectively. This trend suggests a parallel pattern with deteriorating social and economic conditions characterized by worsening economic inequity, unemployment and poverty in 2002 and 2003.

3.2.10 As mentioned, crimes against person comprise a more than 60% of total index crimes. Of these physical injury has the highest incidence annually from 1995-2003 occupying almost half of total crimes against persons for the 9-year duration. There are no statistical information that will allow analysis of the causes or objective of the crimes committed, their geographic and demographic dimension, or how many of crimes against person (such as physical injury) where connected to crimes against property. A deeper understanding of these would have been useful in identifying measures that will address criminality at its roots (Table 3.8)

Table 3.8
CRIME INCIDENCE: CRIMES AGAINST PERSON 1995-2003
(Crimes per 100,000 population)

YEAR	MURDER	HOMICIDE	PHYSICAL INJURY	RAPE	TOTAL
1995	8.88	8.08	21.40	3.42	41.78
1996	8.78	7.39	19.44	3.58	39.19
1997	8.06	6.35	17.73	4.07	36.21
1998	8.08	6.11	16.02	4.14	34.35
1999	7.63	5.24	15.30	4.16	32.33
2000	7.50	5.33	14.41	4.01	31.26
2001	7.66	5.42	14.61	3.34	31.04
2002	8.24	5.44	15.39	3.26	32.33
2003	7.94	4.91	14.61	3.80	31.27
Ave	8.09	6.03	16.55	3.75	34.42

SOURCE: Population and population estimates from NSCB: 2003
Crime Statistics, DIDM, PNP: 2004

3.2.11 Statistics on crimes against property demonstrate the same annual incidence pattern as crimes against persons for the indicated 9-year period. However, a noticeable increase in theft in 2001 is sustained through 2003 which register higher increases in incidence of robbery. Theft is considered in many countries as most common and where criminals have been more innovative. Currently, reports on theft have been increasing particularly those involving cellular phones, car accessories, hand bags and other small items. Theft is the easiest crime to pull, and has been an issue significant enough for the Congress to consider just this year (2004).

Table 3.9
CRIME INCIDENCE: CRIMES AGAINST PROPERTY, 1995-2003
(crime per 100,000 population)

YEAR	ROBBERY	THEFT	TOTAL
1995	10.26	12.81	23.07
1996	9.19	12.21	21.40
1997	8.10	9.89	17.99
1998	7.55	9.38	16.92
1999	7.68	10.15	17.83
2000	7.69	9.75	17.44
2001	8.08	10.80	18.88
2002	9.70	13.01	22.71
2003	9.29	12.09	21.38

SOURCE: Population and population estimates from NSCB: 2003
Crime Statistics, DIDM, PNP: 2004

3.2.12 A victimization survey conducted by the United Nations Interregional Crime and Justice Research Institute (UNICJRI) in Manila covering trends from 1995 to 2000, shows low reporting of victimization. For example out of the 437 cases, only 15.7 percent reported the crimes. These reported cases involved the loss of huge amounts of personal property and harm to the victims. In most instances where reports were not made the reasons were: victims do not consider crimes serious enough or victims did not incur much loss; there is perceived lack of evidence necessary for police to pursue the case; and there is belief that the case will not prosper in court. Most victims believe that the seriousness of the crime is largely dependent on the amount of loss or the extent of damage to the victim, considering that these losses are less important than their own safety. There are also indications that most victims of assault or threat know their perpetrators; in many cases the perpetrators are relatives, and thus discourage the victims from filing complaints or reporting to the police. Other victims consider sexual offenses as personal matters or family affairs and therefore are reluctant to bring such cases to court or to the police.

Non- index Crimes and Emerging Crimes of National Concern

3.2.13 Compared to index crimes, non index crimes showed an increasing trend averaging at 18% annually over the nine-year study period. Indicators reached their peak in 1998 and 1999 where cases increased by 10,978 (32%), and which was sustained through to 2003.

Table 3.10
SUMMARY OF NON-INDEX CRIMES, 1995-2003

YEAR	NUMBER	% TO TOTAL CRIMES	INCIDENCE (per 100,000 pop)
1995	34,755	43.9%	51
1996	34,535	44.9%	49
1997	32,302	45.4%	45
1998	34,070	47.6%	47
1999	45,048	54.6%	60
2000	42,854	53.5%	56
2001	38,887	50.5%	51
2002	42,016	49.0%	53
2003	41,017	49.0%	51

SOURCE: Crime Statistics, DIDM, PNP:2004

3.2.14 Emerging crimes, recent forms of criminality that are taking on more alarming spread and frequency are of significant national concerns. These include among others: transnational crime, terrorism, illegal gambling, smuggling, drug trafficking, drug abuse, environmental and biological crimes, cyber crimes, crimes against women, youth and children, violation of intellectual property rights, graft and corruption, and money laundering. These crimes pose new challenges to the institutional capacities of our law enforcement agencies and in particular to the PNP. Trends in selected crimes where useful and relevant information are available are presented hereunder.

Drug Trafficking and Drug Abuse

3.2.15 Illegal drug activity cases recorded by the Dangerous Drugs Board (DDB) have significantly increased from 1990 to 2002. Illicit drug trafficking arrests have multiplied more than 12 times to 20,110 cases in 1999 and 25, 076 in 2003 from a low 2,722 in 1998.

3.2.16 But these statistics must again be taken with caution. It is not certain how much of the statistics are attributed to more police and citizen vigilance and reporting and how much criminal activity has actually already been there in the first place. It would be important to upgrade considerably the current crime monitoring and analysis capacity of the PNP in order to have a better understanding of the dynamics and extent of criminality and to have a better basis for long-term crime management planning and rather than just operational planning.

Table 3.11
NUMBER OF PERSONS ARRESTED ON ILLICIT DRUG TRAFFICKING
1990-2002

YEAR	PERSONS ARRESTED
1990	2,202
1991	2,862
1992	2,324
1993	6,538
1994	3,490
1995	3,113
1996	2,050
1997	3,079
1998	2,722
1999	20,110
2000	11,004
2001	18,367
2002	25,076

SOURCE: Dangerous Drugs Board, NSCB Yearbook: 2003

3.2.17 The use of illegal drugs is considered a criminal act and yet rehabilitation centers are filled with drug users that have not been charged with any criminal case. There appears to be a tacit societal agreement that drug abusers need to be just rehabilitated rather than criminally prosecuted and punished. And so the country is caught in a situation where the law does not find meaning and reality in the culture of Filipino communities and in the actual practice of law enforcement.

3.2.18 Drug user profiling done by the Dangerous Drugs Board indicates that drug abuse occurs mainly in urban areas, among young people most of who are male , a majority of who are not married, and have not had college education, and belongs to the lowest echelons in the economic hierarchy. This profiling suggests that the source of drug abuse is first and foremost economic rather than social. It is easy to see the hopelessness of a young man ready to work but does not find meaningful employment and productivity.

Table 3.12
PROFILE OF DRUG ABUSERS

CHARACTERISITICS	1997	1998	1999	2000	2001	2002
1. Sex ratio (male: female)	10:1	12:1	12:1	13:1	14:1	11:1
2. Mean Age	26	26	27	27	27	27
3. Civil Status (in Percent)						
- single	59	56.8	57	53.9	55.8	53
- married	30	32.6	31.6	31.5	32.7	33.5
- others	11	11.6	11.4	14.6	11.5	13.5
4. Average Family Size	3-4	3-4	3-4	3-4	3-4	2-3
5. Educational Attainment (in percent)						
- high school level	30.3	27.8	26.8	28.8	27.4	29.2
- high school graduate	20.8	22.5	20.1	18.1	15.5	14
- college level	26.3	27.1	28.1	28	28.1	31
- college graduate	8.1	10.1	9.8	8.8	8.9	9.1
- others	14.5	12.6	15.3	16.3	20.1	16.7
6. I.Q.	Average	average	average	average	average	average
7. Occupation (In percent)						
- unemployed	27.5	21.8	25	33.2	35.8	31.8
- workers/ employees	37.3	42.5	36	30.5	35.5	32.7
- self-employed	12.6	12.6	15.4	12.5	10.0	12.7
- students	4.5	12.2	9.2	4.4	5.1	6.4
- out of school youth	-	3.7	4.2	8.2	1.2	0.7
- others	18.2	7.3	10.2	11.3	12.3	15.9
8. Average Monthly Family Income	P5,456.56	P5,290.00	P6,168.00	P8,708.00	P7,800.81	P11,114.29
9. Place of Residence	Urban	Urban	Urban (Metro Manila)	Urban (Metro Manila)	Urban (Metro Manila)	Urban (Metro Manila)
10. Nature of Drug Taking	Polydrug use	Monodrug use	Monodrug use	Monodrug use	Monodrug use	Monodrug use
11. Duration of drug taking	More than 2 years	More than 2 years	More than 2 years	More than 2 years	More than 2 years	More than 2 years
12. Drug of Abuse	Shabu, marijuana cough syrup in combination with alcoholic beverage	Shabu, marijuana	Shabu, marijuana	Shabu, marijuana	Shabu, marijuana	Shabu, marijuana

SOURCE: Dangerous Drugs Board, NSCB Yearbook: 2003

Smuggling and Economic Crimes

3.2.19 Smuggling and economic crimes are growing challenges to policing. While there is a substantial decrease of implied incidence of smuggling ("implied" is used because without clear information on the number of actual cases of smuggling, the incidence is derived merely from the operations conducted and reported cases of smuggling) sharp increases both in number of reported cases and number of operations by the police are recorded in 2002 and 2003.

Table 3.13
SMUGGLING CASES: CASES REPORTED AND OPERATIONS CONDUCTED BY THE PNP, 1994-2003

YEAR	NO. OF CASES REPORTED	NO. OF OPNS CONDUCTED
1994	190	189
1995	194	191
1996	142	1,577
1997	87	586
1998	92	605
1999	129	695
2000	65	1,981
2001	62	3,228
2002	227	9,460
2003	833	4,698

SOURCE: Violation of Special Laws, DO, PNP: 2004

3.2.20 Economic crimes other than smuggling require sophisticated detection and investigative monitoring but which the current setup of the PNP has severely limited capacity to undertake. Economic crime investigative monitoring involves analyzing economic activity patterns and looking for subtle indicators of potential criminality therein. For example, differences between the value of goods exported to and imported from the United States as declared by the US Federal Bureau of Statistics and the Philippines National Statistical Office may indicate curious discrepancies that can lead to the detection and identification of economic crimes.

Table 3.14
PHILIPPINES EXPORTS TO USA, 2001 – 2003

PARTICULARS	AMOUNT IN THOUSANDS OF US DOLLARS		
	2001	2002	2003
Philippine exports to the USA (per NSCB data)	8,979,610	8,683,343	7,262,950
USA imports from Philippines (per US Census Bureau data)	11,325,421	10,979,861	10,059,032
DISCREPANCY	2,345,811	2,296,518	2,796,082

SOURCE: US Federal Bureau of Statistics and the Philippines National Statistical Office

Table 3.15
PHILIPPINES IMPORTS FROM USA, 2001 – 2003

PARTICULARS	AMOUNT IN THOUSANDS OF US DOLLARS		
	2001	2002	2003
Philippine imports from the USA (per NSCB data)	6,410,716	7,285,650	7,399,889
USA exports to Philippines (per US Census Bureau data)	7,660,001	7,275,982	7,987,298
DISCREPANCY	1,249,285	(9,668)	587,408

SOURCE: US Federal Bureau of Statistics and the Philippines National Statistical Office

3.2.21 Smuggling and other forms or economic crimes have tremendous economic and political implications to the country. They have implications on the strength and capacities of terrorist and communist groups to transfer their facilities and resources and operate in the country, and consequently to national as well as international peace and order; on the integrity and effectiveness of government revenue collection agencies and on the internal competitiveness of the economy.

Illegal Logging and Illegal Fishing

3.2.22 Environmental and biological crimes are emerging national issues that have recently gained much public and political awareness and debate due to recent tragedies that victimized several communities. The recent mud floods that claimed lives in several provinces, especially in Quezon is one example. However issues on the loss of trees not only reflect on the performance and potential politicization of law enforcement agencies, but also on a weak legislative and regulatory framework for environmental protection and conservation. The challenge of law enforcement is one of insulating it from politicization and the undue influence of political power which characterizes the ownership and operations in illegal logging. The challenge of legislation on the other hand is the reform in the configuration and regulation of the rights and use of both private and public forests.

3.2.23 Illegal fishing is an activity that is yet to be effectively addressed through a comprehensive development and law enforcement approach. Statistics on both illegal logging and illegal fishing cannot be meaningfully analyzed if law enforcement agencies cannot benchmark these against such factors as extent of damage and number and extent of operations and operators. We need to know the magnitude of violation against its damage impact and the potential violators. Such that data on number of operations and arrest can be gauged against an overall crime picture. This is the challenge of the PNP's crime research and surveillance capability.

Table 3.16
OPERATIONS CONDUCTED ON ILLEGAL LOGGING AND ILLEGAL FISHING
1994-2003

YEAR	NUMBER OF OPERATIONS CONDUCTED	
	ILLEGAL LOGGING	ILLEGAL FISHING
1994	2,866	2,411
1995	4,516	4,800
1996	13,805	14,019
1997	11,039	19,838
1998	7,198	15,039
1999	8,390	16,051
2000	14,115	16,362
2001	-	10,916
2002	8,233	10,373
2003	5,778	7,656

SOURCE: Violation of Special Laws, DO, PNP: 2004

Violation of Intellectual Property Rights Laws

3.2.24 Violation of Intellectual Property Rights Laws includes among others the controversial production and sale of pirated international and local media materials such as VCDs and DVDs. The Optical Media Board and the Philippine National Police have been working together to respond to this issue, catching production and retailing individuals and business establishments, and vying for higher or graver penalties for violation of IPR laws.

3.2.25 One of the major issues that the campaign against piracy faces is the apparent tolerance of the public for this crime. Several factors may contribute to this. First is similar to the view observed in the study made by UNICJRI on the occurrence of crimes: people gauge crime by the loss they incur. The violation of IPR laws do not affect much of personal property or life and liberty and thus is not viewed as "grave." Second is reflected by the response of those interviewed as sellers of pirated CDs by GMA 7's news show "Saksi" in January 13, 2005: that they will not allow their items to be taken or them to be arrested because this is their means of livelihood. This crime becomes not just a law enforcement challenge; more importantly, the reduction of this crime which feeds on the poor as the front of the criminal act requires an economic response.

3.2.26 The other significant part of enforcing intellectual property right pertains to intellectual properties other than the media sensational VCDs and DVDs. These include such issues as imitation products now rampantly sold in markets. These crimes are the most visible and this is also were law enforcement and policing has been apparently deficient in combating.

Graft and Corruption and Money Laundering

3.2.27 The Philippines continues to have one of the highest levels of corruption in the world. Corruption is considered to exist in every level of our society (McLean, BBC: 2002). Annual surveys conducted by the Transparency International on the Corruption Perception Indices (CPI) of about 133 countries have shown that the perception of corruption in the Philippines continues to worsen particularly during the recent years. Its CPI rating for the year 2003 represents the lowest rating ever of the Philippines in 8 years. CPI has continued to significantly decline from 2001-2003. By 2003, the Philippines got the lowest CPI rating in 8 years from the Transparency International, registering at 2.5, which is significantly lower than the 3.6 rating of 1999. The recent ADB report ranks the Philippines as the second most corrupt nation in the world today. The declining integrity perception contrasts with improving, if not sustained, ratings of our ASEAN neighbors (Table 3.17)

3.2.28 Money laundering refers to "activities and financial transactions that are undertaken specifically to hide the true source of the income." (U.S International Revenue Service). It is often tied up with corruption since a few controversial cases in the country comprise government officials who hide their exploits and financial gains through corruption in foreign banks. While an anti-money laundering law is in place, its effective enforcement and apprehension of violators many of who hold tremendous political power and/or influence have yet to be realized.

Table 3.17
CORRUPTION INDICES (CPI), SELECTED ASEAN COUNTRIES, 1996-2003

COUNTRY	CPI, by year							
	1996	1997	1998	1999	2000	2001	2002	2003
Singapore	8.8	8.6	9.1	9.1	9.1	9.2	9.3	9.4
Hong Kong	7.1	7.3	7.8	7.7	7.7	7.9	8.2	8.0
Malaysia	5.3	5.0	5.3	5.1	4.8	5.0	4.9	5.2
South Korea	5.0	4.3	4.2	3.8	4.0	4.2	4.5	4.3
Thailand	3.3	3.1	3.0	3.2	3.2	3.2	3.2	3.3
Philippines	2.7	3.1	3.3	3.6	2.8	2.9	2.6	2.5
Vietnam	-	2.8	2.5	2.6	2.5	2.6	2.4	2.4
Indonesia	2.7	2.7	2.0	1.7	1.7	1.9	1.9	1.9

SOURCE: Transparency International
NOTES: (1) Highest score of 10 represents perception of least corruption while lowest score of zero represents perception of highest corruption.
(2) The CPI is a survey of how business people, political analysts, and the general public around the world perceive the levels of corruption in an indicated country to be (TI, 1997).

3.2.29 The role and actual contribution of the PNP in curbing graft and corruption has not been clear and its performance has not been established. But the role of law enforcement in general and the police in particular, in assisting anticorruption agencies in the conduct of intelligence, surveillance, apprehension and arrest, and provision of adequate and quality evidence and witnessing is critical in curbing societal and in particular public sector corruption. The current vulnerability of the

police force itself to graft and corruption, however, undermines the country's criminal justice system capacity in addressing this issue that has profound implications on our country's global competitiveness and development potential.

Cyber Crimes

3.2.30 Several new crimes have emerged throughout the world with the advent of information and communication technology. But the technology of our law enforcement and policing has yet to match the capacity of highly technically tooled criminals. In the Philippines the broad cyber landscape has yet to be understood and much less analyzed in terms of what crime opportunities exist in the cyber space and the extent of criminality happening. So far a few cyber crimes have been detected (taken from John Spiropoulos and the National Cyber Crime Training Partnership book entitled *Cyber Crime Fighting: The Law Enforcement Officer's Guide to Online Crime)*, though many still may emerge:

a) Criminal use of news groups which include collection and distribution of child pornography and making children available for cyber sex; the use of news groups by thieves to advertise stolen products for sale; and collection of traditional consumer scams such as Ponzi schemes and chain letters.

b) Web site scams where criminals set up websites to collect money or gather identification information and then the website vanishes before they are determined.

c) Criminal use of internet relay chat which include the use by pedophiles and other sexual predators, trade child pornography pictures; fraudsters use these to look for people who will fall under the get-rich-quick schemes and phony business opportunities; and chat rooms are often used as criminal "meeting" venue with co-conspirators where no one else has to see them together and where wire taps are avoided.

3.2.31 At present the PNP and other law enforcement agencies have severely limited capacity to detect and apprehend cyber crime. This will require the infusion of considerable levels of human competency and technological capacity as well as a strong system of cyber crime detection capability.

3.2.32 The task will not be easy with the growing number of service providers and users that comprise the cyber landscape and with severe institutional competency limitations and training resources.

Table 3.18
NUMBER OF NTC-REGISTERED INTERNET SERVICE PROVIDERS AND ESTIMATED SUBSCRIBERS, 1996-2002

YEAR	NUMBER OF NTC-REGISTERED ISPs	ESTIMATED NUMBER OF SUBSCRIBERS
1996	24	100,000
1997	17	200,000
1998	23	300,000
1999	31	350,000
2000	34	400,000
2001	64	500,000
2002	53	800,000+

SOURCE: National Telecommunications Commission, in the NSCB Yearbook: 2003

Crimes Against Children, Youth and Women

3.2.33 The rise in the level of reported crimes against women, children and the youth may be attributed to increasing awareness of rights and remedies under the law. But the statistics do not necessarily mean increase in crime incidence. Indeed the figures should be taken with caution as they may only reflect a more active reporting rather than an increase in incidence.

3.2.34 Reported crimes against children been increasing from 1999-2002. Based on statistics most forms of violence against children are rape, followed by physical injuries/ wife battering, and acts of lasciviousness. (NSCB Yearbook: 2003)

Table 3.19
REPORTED CASES OF VIOLENCE AGAINST CHILDREN
1999-2002

CLASSIFICATION OF OFFENSE	1999	2000	2001	2002
TOTAL	6235	8629	8639	8222
Rape	2348	2354	2275	2732
Incestuous Rape	284	949	970	433
Attempted Rape	210	303	271	330
Acts of lasciviousness	786	1181	1312	1241
Physical injuries/ wife battering	1225	1973	2274	2155
Abduction/ Kidnapping	145	348	226	193
Violation of RA 7610 (child abuse)				
- Child trafficking	-	17	42	54
- Child Labor	67	55	49	85
- Child Prostitution	29	-	52	32

CLASSIFICATION OF OFFENSE	1999	2000	2001	2002
- Other forms of child abuse	1066	1269	796	658
Other related crimes				
- Parricide	-	4	20	21
- Neglect/ Abandonment	48	110	144	31
Sexual Harassment	-	-	16	24
Inducing a Minor to abandoned home	-	-	13	6
Seduction	-	22	61	119
Murder	27	38	55	61
Homicide	-	6	63	47

SOURCE: NSCB Yearbook: 2003

3.2.35 Cases violating the rights of women have also generally increased with physical injuries/ wife battering, rape and acts of lasciviousness comprising about 90% of all crimes against women from 1999 to 2002.

Table 3.20
REPORTED CASES OF VIOLENCE AGAINST WOMEN
1999- 2002

CLASSIFICATION OF OFFENSE	1999	2000	2001	2002
TOTAL	5,936	7,895	10,345	9,547
Rape	946	1,121	1,026	972
Incestuous Rape	-	242	188	91
Attempted Rape	257	280	334	316
Acts of lasciviousness	586	733	725	733
Physical injuries/ wife battering	3,921	4,577	5,668	5,058
Sexual harassment	80	93	57	109
Threats	290	397	588	561
Seduction	49	25	43	66
Concubinage	147	202	244	192
Sex trafficking/ white slavery	67	8	20	16
Abduction/ Kidnapping	49	37	86	45
Unjust vexation	57	122	153	125
Neglect/ Abandonment	-	19	75	63
Homicide	-	-	120	82
Slander	-	-	194	201
Murder	-	-	97	59

CLASSIFICATION OF OFFENSE	1999	2000	2001	2002
Attempted Murder	-	-	-	30
Frustrated Murder	-	-	-	29
Oral defamation	-	-	197	241
Parricide	-	-	69	82
Illegal Recruitment	39	39	19	26
Malicious mischief	74	-	117	64
Theft	-	-	199	139
Estafa	-	-	63	36
Hold-up	-	-	63	28
Others	-	-	-	183

SOURCE: Philippine Statistical Yearbook, 2003

3.2.36 While the legal framework on the protection of the rights of children, youth and women and the legal remedies are in place, much needs to be done to build awareness and improve capacities of the government to address the needs and concerns of the victims. Obviously preventing and detecting as well as improving the reporting of these crimes require a holistic approach that involves several agencies of government and private organizations.

3.3 Crime Geography

3.3.1 The table below shows regional crime volumes from 1998 to 2003. Crime volume is highest in the most urbanized regions of the country, with 60% of total crimes in 2003 occurring in only four regions: NCR (25%) Region 7 (14%), Region 4A (12%), and Region 3 (9%).

Table 3.21
REGIONAL DISTRIBUTION OF CRIME
1998-2003

REGIONS	1998		1999		2000		2001		2002		2003	
	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL
1	3,211	4	3,722	5	3,450	4	3,297	4	3,144	4	3,959	5
2	2,003	3	2,316	3	2,494	3	2,607	3	2,575	3	2,311	3
3	5,883	8	7,578	9	7,779	10	7,476	10	8,009	9	7,942	9
4A	9,152	13	14,400	17	13,425	17	13,003	17	12,189	14	9,840	12
4B									491	1	1,817	2
5	4,500	6	4,171	5	3,659	5	3,770	5	3,733	4	3,825	5
6	4,821	7	4,745	6	4,706	6	4,017	5	4,071	5	4,065	5
7	7,045	10	7,678	9	7,063	9	9,888	13	13,028	15	11,321	14
8	2,634	4	3,045	4	3,439	4	2,833	4	3,010	4	2,575	3
9	3,995	6	4,344	5	4,224	5	3,625	5	3,228	4	2,400	3

REGIONS	1998		1999		2000		2001		2002		2003	
	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL	CRIME VOL.	% TO TOTAL
10	2,715	4	3,160	4	4,052	5	3,032	4	4,187	5	3,655	4
11	3,216	4	2,657	3	2,672	3	2,652	3	2,455	3	2,643	3
12	3,938	6	3,235	4	3,143	4	2,919	4	2,844	3	2,605	3
ARMM	530	1	677	1	1,055	1	1,104	1	1,169	1	1,090	1
CARAGA	1,235	2	1,191	1	595	1	536	1	686	1	1,086	1
CAR	1,102	2	1,092	1	1,149	1	1,432	2	1,737	2	1,632	2
NCR	15,595	22	18,527	22	17,203	21	14,806	19	19,220	22	20,938	25
TOTAL	**71,575**	**100**	**82,538**	**100**	**80,108**	**100**	**76,997**	**100**	**85,776**	**100**	**83,704**	**100**

SOURCE: Crime Statistics, DIDM, PNP: 2004

3.3.2 There is no definitive pattern of annual crime trends across regions, except for the fact that crime trends fluctuate unpredictably each year. The years 2001 and 2002 are particularly significant in that these years experienced huge increases in criminality in some highly urbanized regions. For example, Region 7 registered significant increases in 2000-2001 (39.9%) and 2001-2002 (31.7%), but crime volume suddenly went down by 13.1% by 2003.

3.3.3 This unpredictable fluctuation in crime volume across regions is curious. It is not certain whether annual fluctuations are a function of level of police operations or degree of crime reporting. There are no clear region specific socio-economic issues that can be correlated with the annual crime patterns on a regional basis.

3.3.4 There are however subtle and perceptible trends. In particular there is a creeping increase in criminality in less urbanized regions particularly CARAGA and CAR, where crime volumes increased significantly from 536 in 2001 to 1086 in 2003 in CARAGA and from 1,432 in 2001 to 1,632 in 2003 in CAR.

Table 3.22
REGIONAL ANNUAL CRIME TRENDS
1998-2003

REGION	1998	1999		2000		2001		2002		2003	
	CRIME VOL.	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE
1	3,211	3,722	15.9	3,450	(04.0)	3,297	(04.4)	3,144	(04.6)	3,959	25.9
2	2,003	2,316	15.6	2,494	07.6	2,607	04.5	2,575	(01.2)	2,311	(10.2)
3	5,883	7,578	28.8	7,779	02.6	7,476	(03.8)	8,009	07.1	7,942	(0.08)
4A	9,152	14,400	57.3	13,425	(06.7)	13,003	(03.1)	12,189	(02.4)	9,840	(08.0)
4B								491		1,817	
5	4,500	4,171	(07.3)	3,659	(12.2)	3,770	03.0	3,733	(0.09)	3,825	02.4
6	4,821	4,745	(01.5)	4,706	(0.80)	4,017	(14.6)	4,071	01.3	4,065	(0.10)
7	7,045	7,678	08.5	7,063	(08.0)	9,888	39.9	13,028	31.7	11,321	(13.1)
8	2,634	3,045	15.6	3,439	**12.9**	2,833	(17.6)	3,010	02.7	2,575	(14.4)
9	3,995	4,344	08.7	4,224	(02.7)	3,625	(14.1)	3,228	(10.9)	2,400	(25.1)
10	2,715	3,160	16.3	4,052	28.2	3,032	(25.1)	4,187	38.0	3,655	(12.4)
11	3,216	2,657	(17.3)	2,672	0.10	2,652	(0.70)	2,455	(07.4)	2,643	07.6

REGION	1998	1999		2000		2001		2002		2003	
	CRIME VOL.	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE	CRIME VOL.	GROWTH RATE
12	3,938	3,235	(17.8)	3,143	(02.8)	2,919	(07.1)	2,844	(02.5)	2,605	(08.4)
ARMM	530	677	27.7	1,055	55.8	1,104	04.6	1,169	05.8	1,090	(06.7)
CARAGA	1,235	1,191	(03.5)	595	(50.0)	536	(09.9)	686	(27.9)	1,086	58.3
CAR	1,102	1,092	(0.90)	1,149	05.2	1,432	24.6	1,737	21..2	1,632	(06.0
NCR	15,595	18,527	16.0	17,203	(07.1)	14,806	(13.9)	19,220	29.8	20,938	08.9
TOTAL	71,575	82,538	15.3	80,108	(02.9)	76,997	(03.8)	85,776	11.4	83,704	(02.2)

SOURCE: Crime Statistics, DIDM, PNP: 2004

3.3.5 Highly urbanized regions not only have highest crime volumes; they also register the highest crime incidence. The average crime incidence in 2001-03 are highest in NCR, Region IVA, Region VII, Region X and Region XII while the lowest crime incidence is registered in the least urbanized regions of CARAGA, Region IVB, Region VI, Region XI and CAR. These suggest co-relation between urbanization and criminality in the Philippines.

Table 3.23
REGIONAL CRIME INCIDENCE, 2001-2003
(crimes per 100,000 population)

RANGE	REGIONS	INDEX							NON INDEX	TOTAL
		MURDER	HOMICIDE	PHYSICAL INJURY	RAPE	THEFT	ROBBERY	TOTAL		
TOTAL		8	5	14	3	9	12	51	50	100
LOWEST	CARAGA	10	2	5	1	2	2	22	11	33
	IVB	6	4	10	3	2	1	26	19	45
	XI	5	2	6	2	3	5	23	23	46
	VI	7	7	15	3	3	3	38	25	62
	CAR	6	3	14	3	7	12	42	21	63
MID	ARMM	10	6	15	5	5	5	52	21	73
	VIII	12	6	14	4	4	5	45	29	74
	I	8	5	15	3	5	3	38	39	77
	V	8	5	16	6	4	5	44	32	77
	II	8	12	15	4	4	2	45	38	83
	III	5	3	8	3	5	4	28	59	87
	IX	11	6	19	4	7	10	57	36	94
HIGHEST	XII	13	7	25	5	6	9	66	35	101
	IVA	9	7	12	4	5	4	41	72	112
	X	11	3	17	5	9	18	63	60	124
	NCR	6	5	17	3	27	32	89	90	179
	VII	7	4	25	4	22	44	106	78	184

NOTE: Crime Volume is based on average crime incidence for 2001-2003
Population is based on estimated population for 2004 of NSO
SOURCE: Crime Volume, DIDM, PNP:2004
Estimated Population of Regions, NSO, 2004

3.3.6 There appears to be no direct relationship between poverty incidence and crime incidence. Regions with highest crime incidence are also those that have comparatively lower poverty incidence rates. On the other hand, regions with lowest crime incidence have had much higher poverty incidence rates. But this does not mean that there is no correlation between poverty and criminality. Indeed poverty in the Philippines comprises not just those that cannot meet the minimum daily nutritional requirements.

3.3.7 A wider segment of population may actually be in social poverty. This means that while about 40% of population cannot eat 3 square meals a day, this population and those who live just above the poverty line would actually have extremely difficult access to basic health care, education, housing, water supply and other utilities and decent housing. Social poverty may be more severe in urban areas which are cash economies and where people do not have access to alternative services that are otherwise available in rural areas.

Table 3.24
PROFILE OF HIGH CRIME INCIDENCE AND LOW INCIDENCE REGIONS

REGION	AVE. CRIME PER 100,000 POPULATION (2001-03)	POPULATION (Estimated 2004)	NO. OF CITIES (As of 2004)	NO. OF MUNICIPALITIES (As of 2004)	AVE. ANNUAL PER CAPITA INCOME, 2000 (In Pesos)	INCIDENCE OF POOR FAMILIES (2000)
REGIONS WITH HIGHEST CRIME INCIDENCE						
REGION 7	184	6,196,054	12	120	99,531	32.3
NCR	179	10,224,411	14	4	300,304	5.7
REGION 4A	112	10,399,986	10	132	161,963*	16.36*
REGION 3	87	9,017,871	12	118	151,449	17
REGION 6	62	6,504,456	16	117	109,600	37.8
REGIONS WTH LOWEST CRIME VOLUME						
REGION 2	83	30,148.5	3	90	108,427	24.8
REGION 4B	45	29,198.7	2	71	161,963	20.8
ARMM	73	16,745.0	1	99	79,590	57.0
CARAGA	33	19,323.8	3	70	81,519	42.9
CAR	63	20,677.3	1	76	139,613	31.1

NOTE: Average Annual Income for Region 4B includes Region 4A
Region 4 B income is based on the total income of the entire Region 4
SOURCE: Estimated Population, NSO: 2004
Profile of Regions, DPL, PNP: 2004

4 SWOT ANALYSIS OF THE POLICE SYSTEM

4.1 Strengths

A. THE LEGAL, POLICY AND INSTITUTIONAL FRAMEWORKS FOR THE COUNTRY'S POLICE SYSTEM IS IN PLACE.

4.1.1 The fundamental legal foundations of the criminal justice system are contained in the Philippine Constitution, the Penal Code and laws on special crimes. The Philippines continues to improve legislation to curb criminality and address emerging crimes

such as terrorism, money laundering and crimes against women. Debate and proposals for continuing improvement in crime related legislation continue to occur in Congress in such areas as justiceability of economic and cultural rights and corporate crimes. There is tremendous donor support in strengthening the country's rule of law and in the continuing assessment of the country's legal framework in relation to global realities.

4.1.2 The 1987 Constitution provides for a police force which is national in scope and civilian in character. This constitutional provision was given teeth through RA 6975 as amended by RA 8551 which sets the policy and institutional framework of the police system and in particular of the PNP, and defined the functions and organization structure of the PNP, the role of its oversight offices (DILG, NAPOLCOM) and PNP's relationship with local government units. RA 6975, as amended by RA 8557 defines the indicative institutional character of the PNP – that it is a civilian and a community and service oriented agency responsible for the maintenance of peace and order and public safety.

4.1.3 While the Constitution provides for a one police force, there are actually many police forces. The very elaborate institutional framework of the country's police system comprises of at about 34 national government agencies and the many local government units, performing police operations functions; oversight and supervisory functions over the PNP, and planning, policy formulation as well as special area operational coordination (see Institutional Framework chapter of this report).

B. LGUs ARE ASSUMING STRONGER ROLES AND RESPONSIBILITIES IN MAINTAINING LOCAL PEACE AND ORDER.

4.1.4 Local governments are given the power and function to prevent crime and protect peace and order at the local level. This is exercised through the chairmanship of local executives in provincial, city or municipal peace and order councils. The councils are tasked to formulate the peace and order plan of their locality, while the local executives have the responsibility to implement them. But actual implementation on the ground is actually being performed by the PNP.

4.1.5 Further, local government units are increasingly supplementing the functions that are erstwhile assigned to the PNP. For example, many local government units provide traffic officers to enforce traffic rules; barangays have barangay tanods and patrols. These indicate that local governments are assuming increasing responsibility for directly providing and managing additional police resources for local peace and order where the national government has been inadequate.

C. CIVIL SOCIETY AND MEDIA ARE MORE VIGILANT IN EXACTING PUBLIC ACCOUNTABILITY FROM LAW ENFORCEMENT AGENCIES AND AT THE SAME TIME MORE COOPERATIVE IN LAW ENFORCEMENT.

4.1.6 There is growing awareness, conscientizisation and involvement among the general citizenry and civil society both in assisting law enforcement agencies in combating crime as well as in holding law enforcers accountable for the proper investigation and resolution of crimes. Civil society organizations against criminality are particularly active in pushing for legislation that will improve the protection, for example, of

women's rights, and in adopting procedures that will protect privacy rights of rape victims during medical examination under police care. Both broadcast and print media are replete with programs that deal with investigative journalism on crimes committed by government personnel in general and law enforcers in particular, as well as programs deploying collaborative efforts to assist the police in crime investigation.

4.1.7 Further, there is increasing participation of NGOs in combating criminality at the local level. For instance, the Central Police District has been assisted by NGOs in awareness campaigns on prostitution, illegal drug activities and others. Interviews conducted by the consultants in the station of Kamuning revealed that several activities have been launched in 2004 for building local awareness and engendering community participation in combating prostitution and illegal drug activities.

4.1.8 The government has also increased efforts in developing partnership with civil society by developing barangay police mechanisms, manned by civilians, functioning as local barangay tanods promoting and maintaining peace and order at the community level.

D. INCREASING RESOURCE SUPPORT FOR PEACE AND ORDER ILLUSTRATES RECOGNITION BY GOVERNMENT AND THE DONOR COMMUNITY OF THE IMPORTANCE OF IMPROVING PEACE AND ORDER CONDITIONS AND PROMOTING A CULTURE OF RULE OF LAW IN STRENGTHENING THE COUNTRY'S ECONOMIC COMPETITIVENESS.

4.1.9 Government's response to the growing peace and order problems has been, for the most part, the creation of special government agencies assigned to combat emerging criminality issues, such as illegal drugs, transnational crime, graft and corruption, and smuggling, among others; and the increase in the salaries and benefits of the police force of the PNP. In particular, authorized appropriations for personal services of the PNP almost doubled, from P19.1 billion in 1998 to P32 billion in 2003.

Table 3.25
AUTHORIZED ANNUAL APPROPRIATIONS IN PERSONAL SERVICES, PNP (in PHP)
1998 - 2003

1998	1999	2000	2001	2002	2003
19,165,567,000	20,453,250,000	24,866,338,000	24,743,582,000	32,531,877,000	31,931,985,000

SOURCE: GAA, 1998, 1999, 2000, 2001, 2002, 2003

4.1.10 The local government code mandates local governments to provide resource support to the PNP. This legislation became the basis for the increased support in recent years, particularly by local governments in highly urbanized areas such as Quezon City and Manila.

4.1.11 There is notable donor support for the promotion of rule of law. The UNDP has provided significant portions of its governance portfolio funds for diagnostic studies and formulation of reform programs in the criminal justice system. The USAID has an on-going rule of law assistance program for the Philippines within which crime-related legislation will be addressed. The World Bank and Asian Development Bank have provided substantial technical assistance to the Judiciary in the design and implementation of the Action Program on Judicial Reform. The European Union is in the process of executing various technical assistance projects in the Philippines in the various aspects of governance, justice and reduction of graft and corruption. AUSAID is in the process of implementing its new multi-year governance technical assistance program for the Philippines. Other donors are taking interest in potential technical assistance in reforming the pillars of justice other than the judiciary. This interest should be exploited towards concrete steps for supporting police reforms and towards achieving broad improvements in the criminal justice system.

E. THE COMMENDABLE EFFORTS BY THE PNP TOP MANAGEMENT IN IMPROVING THE CAPACITY AND PERFORMANCE, AS WELL AS THE CREDIBILITY AND PUBLIC IMAGE OF THE POLICE FORCE ESTABLISH THE FOUNDATION UPON WHICH A NEW ORGANIZATION CULTURE WITHIN THE PNP CAN EVOLVE, AND UPON WHICH DEEPER AND LONG-TERM INSTITUTIONAL REFORMS CAN BE IMPLEMENTED AND SUSTAINED.

4.1.12 The current leadership and senior management of the PNP are instituting several reforms in police discipline, training, and normative behavior in an effort to improve the individual performance of the police force and improve the credibility and public image of the PNP. The improvements in the quality of police performance and comportment are indeed visible and discernible. Policemen are now more friendly, courteous, respectful and assistive. The impact of the "No Kotong Cops" initiative has been demonstrated by anecdotal evidence where police officers in police stations refuse to accept courtesy money in a polite and professional manner.

4.1.13 The PNP should sustain and build on the initial success of these initiatives by a deeper and more fundamental institutional reform process that will have longer-term institutional reform impacts.

F. INCREASING SOCIETAL AND PNP INSTITUTIONAL AWARENESS AND VALUING OF HUMAN RIGHTS AND GENDER EQUAITY IN LAW ENFORCEMENT REINFORCES THE COUNTRY'S CONTINUING EVOLUTION INTO A RULE OF LAW SOCIETY THAT ADHERES TO INTERNATIONAL STANDARDS.

4.1.14 Human rights non –government organizations have taken significant and successful steps towards improving respect for women's and children's rights. For instance, they have contributed in bringing about the creation of Women, Children and Youth Desks in police stations dedicated to hearing and responding to the issues faced by women, children and youth.

4.1.15 The government has been increasing initiatives in the development of laws and other mechanisms to combat the violation of human rights, transnational crimes and illegal acts hazardous to the environment and its natural resources.

4.1.16 Mechanisms for ensuring the inculcation of respect for human rights by the police is strengthened by requiring clearance by the Commission on Human Rights (CHR) from policemen who are candidates for promotion. The CHR also conducts training on human rights in the PNP. Courses offered by the Philippine National Police Academy also include subjects dealing with human rights legislation and practices.

4.1.17 These reforms are instituted amidst growing citizenry demand for improvements in the legal framework and government institutions in the area of human rights promotion and protection particularly in policing functions. Although much remains to be done to improve societal capacity for respect for human rights particularly those of women, children, youth and other vulnerable demographic groups, the legal and institutional environment and the increasing awareness, understanding and valuing of human rights by the citizenry and law enforcers alike will lead the way to the evolution of a culture of rule of law that are comparable to international standards.

4.2 Weaknesses

A. DESPITE THE CONSTITUTIONAL PROVISION OF A ONE NATIONAL POLICE FORCE, AGENCIES SUPERVISING THE POLICE FORCE AND AGENCIES PERFORMING POLICE FUNCTIONS PROLIFERATE, CREATING FUNCTIONAL DUPLICATION, OPERATIONAL CONFLICT, FRAGMENTATION OF COMMAND RESPONSIBILITY, EROSION OF ACCOUNTABILITY, AND UNNECESSARY USE OF SEVERELY LIMITED RESOURCES IN REDUNDANT POLICE INSTITUTIONS[1].

4.2.1 While the institutional framework of the country's police system is in place and has evolved through long history of experience, it is also its most serious weakness. Institutional weaknesses come in many forms of dysfunctions, including among others the following:

a.1 Proliferation of agencies performing police functions.

4.2.2 Splinter groups have been formed to focus on combating certain types of criminality that is otherwise within the policing functions of the PNP. While they do not have direct costs in terms of personnel these agencies incur significant expenditures in order to maintain machineries to oversee and facilitate the task force operations.

4.2.3 Many of these law enforcement agencies still rely on police manpower to perform policing functions. Police officers are taken from police units and assigned to perform policing functions of the task force. Thus, these units do not decrease the already complex and large responsibility of the police. It instead usurps PNP limited resources and technically creates additional external management organizations that have operational control over PNP policemen. Examples include the use by the PDEA of police officers in its operations; the presence of PNP police officers in

[1] More detailed assessment of the institutional framework of the police system is contained in Chapter 5 of this report

airports and other ports where policing offices were separately created for such function; and the creation of special units such as the PCTC which rely heavily in PNP police intelligence and police services in the delivery of its own services.

4.2.4 Resources for the non-infrastructure components of traffic management are dispersed among the Traffic Management Group (TMG), police stations of the PNP, the local government units and Metro Manila Development Authority (MMDA). In the regions, local governments assume primary responsibility for traffic management in their respective localities with the TMG limiting their jurisdictions over national highways. But in Metro Manila there is duplication and diffusion of resources with three different groups – local governments, Metro Manila Development Authority (MMDA) and the TMG of PNP performing the same functions over mostly the same geographical areas. There is a need to unify traffic management functions and delineate national – local responsibilities.

4.2.5 The duplication of functions between the NBI and the PNP cannot be denied, despite the cordial and professional relations both institutions have. While there were previous efforts to delineate the functions of the NBI and the PNP, there were no concrete results, and even the reorganization of the PNP has not addressed its functional duplication with the NBI. The result of this duplication is more a detriment to the police than to the NBI agents. First, because NBI agents often enter cases handled by the PNP when they are directed to conduct parallel investigation. Based on this direction, NBI may acquire jurisdiction over the cases handled by the PNP whenever deemed necessary. In some instances, where investigation drawn by the two agencies present different findings, the prosecutor is left to determine which of the evidences provided is most useful in bringing the case to court or in winning conviction. This does not only undermine the quality of justice, it also gives rise to competition and decrease in morale of competing law enforcement institutions.

a.2 Law enforcement is a comprehensive function that includes among others regulation and policing. The infusion of comprehensive law enforcement functions to specialized agencies is creating confusion in the performance of police functions.

4.2.6 Law enforcement includes among others, regulation and policing. When a crime becomes a societal issue, legislators have the tendency to create a new agency and infuse it with comprehensive powers and functions. But regulation and policing are two separate functions within the ambit of law enforcement that require very different competencies and management. The result is not just inefficient use of resources and duplication of operations; the effectiveness of these specialized agencies has been limited to highlighted incidences.

4.2.7 The capacity for eradicating or reducing the crime at its roots and on a sustainable basis is not in place. An example of this is the Optical Media Board, which while accorded policing functions utilizes the PNP and NBI to actually execute its policing functions. Other law enforcement agencies, such as the DENR with respect to combating illegal logging has not been effective not just because of alleged politicization and corruption, but because the department as severely weak policing resources. This form government operation which holds true in several other regulatory agencies of government that have policing functions becomes pointless

and ineffective simply because the policing functions of these agencies are only appendices of their more important regulatory functions. Government could have invested its limited resources in strengthening the crime R and D, detection and special crimes investigation capacities of the PNP and NBI instead of creating an agency that has no competency in the specialized science of police work.

4.2.8 Another issue is the need for the clear delineation and coordination of the functions of and the inter-agency linkages between the PNP and NBI. There is ample opportunity to distinguish roles, expertise and corresponding services and their complementation at the operational level. For example, NBI can focus its functions on criminality that have international scope while the PNP can focus on internal security. The cooperative mechanisms with respect to domestic components of international crimes can be agreed upon. A deeper study of the delineation and coordination of functions between these two agencies would be necessary.

a.3 Fragmentation of the management of the PNP.

4.2.9 Several agencies perform supervisory functions over the PNP. The NAPOLCOM has administrative supervision over the PNP, while the DILG, in theory conducts policy coordination and technical supervision of the PNP being under its institutional umbrella. But in practice the department's supervision is done for the most part through the rule making and supervisory powers of the NAPOLCOM where the DILG secretary sits as chairperson. The Peace and Order Council and its local counterparts, the National Anti-Crime Commission and its local counterparts, the various coordinating councils, and the President, exercise various types of policy and administrative supervision over the police force.

4.2.10 LGUs also exercise supervision over the PNP in that they have a say on the appointment and promotion of policemen in their localities and they are responsible for the formulation and implementation of local peace and order plans. Local government heads have the power to direct, superintend and oversee the day-to-day functions of police investigation of crime, crime prevention activities, and traffic control in accordance with the rules and regulations promulgated by the NAPOLCOM. They also have the power to direct the employment (defined as utilization of units or elements of the PNP for purposes of protection of lives and properties, enforcement of laws, maintenance of peace and order, prevention of crimes, arrest of criminal offenders and bringing offenders to justice, and ensuring public safety, particularly in the suppression of disorder, riots lawlessness, violence, rebellious and seditious conspiracy, insurgency, subversion or other related activities) and deployment (defined as the orderly and organized physical movement of elements or units of the PNP within the province, city and municipality for purposes of employment) of units or elements of the PNP, through the station commander, to ensure public safety and effective maintenance of peace and order within the locality. These operational management powers directly interfere with the management authority of the PNP leadership.

4.2.11 At the helm of the PNP itself is a PNP head and his deputies who are responsible and accountable for the PNP's entire institutional performance. And yet administratively their authority to decide on resources, human resources development, on long-term institutional directions and on operations is effectively

delimited if not undermined by the intervention and the power of external agencies over their internal administration.

4.2.12 When crime management fails the public holds the PNP accountable, and yet this accountability is not matched with the authority and the power to decide on resources and operations as these are extensively diffused and exercised by several external agencies. This confused and fragmented management setup is a serious problem that impinges on the capacity, performance and effectiveness of the PNP.

a.4 Ineffective mechanisms for civilian overview in the area of police discipline

4.2.13 Based on a history of alleged police and military abuse of authority, the public has long demanded civilian review or civilian oversight over the conduct of the police. Internal mechanisms of accountability, they argue, fail to adequately investigate complaints and to discipline officers found guilty of misconduct.

4.2.14 Thus, one (1) People's Law Enforcement Board (PLEB) is created by local governments for every five hundred (500) city or municipality police personnel and for each of the legislative districts in a city (based on RA 6975 and amended by RA 8551). The PLEB functions as "the central receiving entity for any citizen's complaint against the officers and members of the PNP". The PLEB is comprised of a member of the sanggunian; any barangay captain within the city or municipality chosen by the LIGA or the Association of barangay captains; and three other members from among the respected members of the community known for their probity and integrity, one of which must be a woman and another member of the Bar or in the absence thereof a college graduate or the principal of the central elementary school. The resources in maintaining the PLEB and its facilities comes from the LGU budget, while per diem is provided for each member of the PLEB by the DILG.

4.2.15 PLEBs hold cases where the offense is punishable by withholding of privileges, restriction to specified limits, suspension or forfeiture of salary, or any combination thereof, for a period of thirty (30) days, or by dismissal. The PLEB's decision on cases are final and executory for implementation by the PNP, and disregarding the recommendation of the PLEB for action by the responsible chief is held administratively liable for serious neglect of duty.

4.2.16 The NAPOLCOM functions also as civilian reviewing body, linked with the PLEB. The Commission conducts pre-charge investigation on cases and complaints filed against police officers. It has also the National Appellate Board which decides over cases on appeal from decisions rendered by the Chief of the PNP, involving demotion or dismissal from the service of PNP members; and the Regional Appellate Board which decides with finality on all appealed cases from decisions of the PLEBs and the PNP Regional Directors involving demotion in rank, forced resignation or dismissal from the service and appeals from decisions of city or concerning adjudication of claims by NAPOLCOM Regional Directors.

4.2.17 Civilian review is a mechanism for the public to be more confident that their rights are preserved, and that civilian authority is over and above the police. Civilian review therefore is traditionally considered a necessary control mechanism over the use of police discretion. However, systemic issues render the civilian review system highly

susceptible to integrity issues. Also the civilian review mechanism is actually impinging on the internal management of the PNP since the notion of civilian review is confused with internal management. This system is ineffective for the following reasons:

a) While the law protects the police from forum shopping or multiple filing of complaints, the PLEB has no system for tracking cases filed against the police in different localities, courts and civilian review bodies, thus limiting its capacity as a disciplining body.

b) The current setup does not provide control mechanism that will prevent some PLEBs from using their power to control police operations or police activities that affect their interest. Further, since the funding of such PLEBs come from the local government units, it is/may be perceived as a mechanism for imposing control over the police by the local executives.

c) The trust of the public is not necessarily gained by such procedure. How many are actually aware of the role and functions of the PLEB? Thus, a situation is created where external bodies exercise tremendous administrative power over the internal management of the PNP but has not public accountability for its failure. The trust and confidence of the public will be gained if top management of the PNP demonstrates its seriousness in weeding out the undesirables among the police force. Unfortunately, the public accountability of the PNP head on this matter is not matched with corresponding authority.

4.2.18 Anecdotal information gathered reveal that some police are held in preventive suspension or even held from promotion because cases are left pending at the PLEB without speedy action on the case. This indicates that though PLEBs may function in varying levels of involvement and devotion of time for their service, there are current systemic problems in ensuring that PLEBs speedily deal with cases. The system ought to cater not only to the rights of civilians but also those of the accused police officer.

4.2.19 While politicians as representative of the public may consider the PLEB a mechanism guaranteed by the State to ensure objectivity in police discipline, removing the function of police discipline from the internal administration of the PNP undermines the command responsibility and the power of the PNP leadership to impose proper conduct and discipline over this own personnel. The lack of effectiveness of the PLEB can be illustrated by the many civilians seeking help from media for lack of knowledge as to who will handle or hear their complaints against the police. This however is detrimental to the police officer, specially since before even the police officer goes through just procedures for determining his/ her guilt (or vise-versa), he/ she is already subject to public scrutiny.

B. THE LEGISLATED MANDATORY RETIREMENT AGE OF 56 YEARS FOR ALL POLICEMEN UNDERMNES THE INSTITUTIONAL STABILITY AND CONTINUITY OF THE PNP.

4.2.20 The law that limits the retirement age of policemen to 56 has undermined the overall institutional stability and continuity of any PNP reform initiative and deprives of the PNP of the benefit of the service of senior police officials who are at the height of

their career and capacity to perform when they are compulsorily retired. This is demonstrated by the series of very short tenures of PNP heads and senior management officials in the past 2-3 years, and where reforms initiated where limited to achieving quick wins rather than on effecting deeper fundamental and long-term reforms.

C. GRAFT AND CORRUPTION AND ABUSE OF AUTHORITY IS ONE OF THE MOST NEGATIVE REPUTATIONS OF THE PNP. BUT THE INHERENT INTEGRITY VULNERABILITY AND WEAK ACCOUNTABILITY IN THE PNP'S INSTITUTIONAL FRAMEWORK AND ITS OPERATING SYSTEMS WILL CONTINUE TO UNDERMINE ANY EFFORT TO CURB THE PERCEPTION AND REALITY OF GRAFT AND CORRUPTION, AND ABUSE OF AUTHORITY IN THE POLICE FORCE.

c.1 On corruption in the police

4.2.21 Based on Transparency International's survey issued towards the end of 2004, the police ranked highest among corrupt government offices, despite the recent tremendous effort by the current leadership to improve public perception of police integrity. The launching of the PNP's anticorruption plan presents the first organized attempt at addressing the PNP's integrity issues at their roots.

4.2.22 Herman Goldstein defines police corruption as "acts involving the misuse of authority by a police officer in a manner designed to produce personal gain for himself or for others" (1975). But every illegal police action is not necessarily an act of corruption. An off-duty theft by a police officer does not involve use of official authority. It is corruption only when the officer uses his/ her authority to commit the crime. An illegal arrest or unwarranted physical brutality by a police officer does not usually involve any personal gain. Finally, some actions are questionable but not necessarily illegal. Some acts are violations of internal policies but are not crimes.

4.2.23 Several forms of police corruption are identified and defined in empirical studies and may be relevant in assessing integrity issues in the PNP (also defined under *Police Corruption: A Perspective on its Nature and Control*: 1975). These include among others the following:

a) Gratuities are the most common form of police corruption. It involves the receipt of free meals, free rides in public vehicles, and free or discounts on purchases. While this is not prohibited by law, it may be prohibited by internal policies of the police. However, the problem with this is that there are no well defined policies or rules that will guide when are gratuities considered an act of corruption and when they are acts of good will. Gratuities are often gestures of good will or self-interest on the part of business owners or individuals. Some sincerely feel that the police officers are entitled to a few "breaks," considering the risks they take in behalf of the community. Others believe that having police cars or patrol officers by their establishment or homes will help deter robbers. Local merchants may also hope that the police will return the favor by providing a little extra patrol coverage in the area. On the other hand, even though gratuities may be relatively harmless by themselves, these open the door to more serious forms of corruption (Kania: 1998). They create an environment

where the police think they are entitled to favors. An officer who is constantly given discounts by stores may resolve to solicit a larger amount.

b) Bribe is a far more serious form of corruption. The most common observable form of bribery is when apprehended drivers try to bribe traffic enforcers in order that they will not be penalized. In some if not most instances the citizen rather than the traffic enforcer initiates the bribe but this act comes with the perception that the police traffic enforcer can be bribed. Some business owners use bribes to further get away with illegitimate business practices. Such as for the use of trucks during hours where trucks are restricted in major roads and highways. Historically, the most serious alleged police corruption has involved regular payoffs to protect an ongoing illegal activity – gambling, prostitution, or narcotics. Certain police officers are also said to be bribed in return for extra police protection. These practices illustrate the problems raised by seemingly harmless police favors: such that it is not clear where gratuity ends and when a bribe begins. Other allegations of corrupt practices include such examples as taking money in exchange of information about criminal investigations, either before or after arrests are made, giving a tip about an investigation to help gamblers or drug dealers for instance to escape arrest; or altering testimony, "forgetting" important points on the witness stand, destroying evidence, or revealing important points about the prosecution's case.

c) Internal corruption has also been mentioned in some interviews made with police officers, where promotion to higher ranks or recruitment to police positions is purchased with bribes. The tedious promotion and selection process allows such instances because of the long and often tedious process it incurs.

4.2.24 Current studies on police corruption indicate that basically, corruption is of three levels (Sherman, ed.: 1974). The first level being the less serious corruption where police officers act on their own. This is called "the rotten apple theory" where a "rotten pocket" (several corrupt officers) cooperate with one another. Corruption reaches a higher degree when it already involves a majority number of corrupt police officers, but who are of little relationship to each other. Here corruption is pervasive but unorganized. The most serious form of corruption exists at an organized level that penetrates the higher levels of the organization. An example of the latter is a systemic payoff to protect illegal activities, with the payoff shared among all members of a unit and their supervisors. Once corruption has reached the higher levels of a department, it is extremely hard to eliminate. The basic process of supervision has broken down, and elimination of corruption usually requires the intervention of external authorities.

4.2.25 Most experts explain police corruption in terms of the Philippine social structure, since related aspects of criminal law, cultural conflict and politics encourage and sustain corruption. The most important immediate cause of corruption is the nature of the criminal law. To a great extent, like in American criminal law, our criminal law has been used to resolve questions of public morality. Statutes regulate activities that some people regard as immoral or socially harmful: gambling, alcohol and drug consumption, and various sexual practices. These are the so-called victimless crimes. These crimes foster corruption in the administration of justice primarily because not everyone believes these acts should be criminalized. Many people

regard gambling, drinking, and/ or certain sexual practices as legitimate forms of recreation. Besides other issues that arise from victimless crimes (such as over criminalization or using criminal law to address social problems), the corruption resulting from these crimes may not be direct bribes to police or criminal justice elements. For instance, money derived from organized crime may be used to support candidates for political office who then use their influence to prevent investigation of certain criminal activities. Thus, a mayor who had received support from people associated with syndicated crime may appoint a sympathetic police chief or arrange for the appointment of a chief who understands that certain criminal activity is not to be investigated. In this respect, the intersection of the law and conflicting public attitudes has a major influence on the political process.

4.2.26 The victimless-crime statutes are, to a great extent, the result of cultural conflict in Philippine society. We are a heterogeneous mix of cultures and religions, ethnic groups and lifestyles. Criminal law is seen to be the point of divergence or seen to resolve cultural issues. According to Mc Mullen: "A high level of corruption is the result of a wide divergence among the attitudes, aims, and methods of the government of a country and those of the society in which they operate" (1961).

4.2.27 The forces in the social structure that encourage police corruption do not necessarily have the same degree of influence in the community. The local political culture is an important variable. Some communities develop traditions of efficient and honest public service, while others develop self-serving, or "private regarding" traditions that encourage corruption.

4.2.28 Three aspects of the nature of police work contribute to police corruption. First, police work exposes officers to many opportunities to be corrupt. Second, policing is hard to supervise, and often risk of being caught is very low. Third, the impact of police work on officers' attitude also contributes indirectly to corruption. The latter is explained by Goldstein (1975) to be a result of constant exposure to cynical attitudes among police, and the belief that everyone does it.

4.2.29 Corruption thrives in organizations that have inherent institutional weaknesses. In the case of the PNP there are serious integrity weaknesses that are inherent in its structure and operations: duplication of police functions that erode accountability, proliferation of disciplining authority, politicization of appointments and promotion due to administrative authority of several organizations over the human resources management of the PNP, weak processes and information systems both for mission critical and financial management operations that will allow monitoring of integrity of transactions and activities at all organization levels, weak accountability mechanisms in performance and other reporting systems, unclear job descriptions and behavioral standards for police positions, weak integrity and value formation content of police training, and screening procedures that have limited capacity to weed out applicants with integrity weaknesses and very low salaries.

4.2.30 The most important organizational variable in corruption is leadership (Goldstein:1975): the quality of management and supervision. Corruption after all flourishes in organizations that tolerate it. Assuming that temptation or "invitations" to corruption are prevalent, individual officers are more likely to succumb if they believe they won't be caught. Another organizational variable is the current level of

corruption in an organization. Peer group pressure is one of the most important factors both in sustaining corruption and turning honest officers into corrupt ones (Ellwyn Stoddard: 1968). The police subculture puts a high value on loyalty and group solidarity. On the other hand, peer pressure may as well work for the other side: that is, helping maintain standards of integrity.

c.2 On Abuse of Authority.

4.2.31 Police use of force is a prerequisite for its police law enforcement. However, accusations of police brutality are the most frequent issue in police-community relations here and in other countries. In commenting, the police practice of "third degree" actions despite administrative control measures and criticism is viewed by the police as functional to their work while citizens see it as excessive use of force. This perceived abuse of authority are generally described hereunder:

a) Denial of due process of law. When an officer shoots and kills someone, he/ she is acting as judge and executioner. Due process requires that an officer have some reasonable standard for taking someone's life.

b) Denial of equal protection of the law. The Constitution guarantees equal protection of the law to all citizens.

4.2.32 Arrest patterns or shooting of, for instance, the "masses" while those rallying who are perceived to be middle class contribute to police community relations problems.

4.2.33 The real problem here is that discretion itself is not bad, but instead uncontrolled or unregulated discretion is. Thus, varied control mechanisms are set to check on police use of authority. But there is a growing perception that the internal mechanisms that check on police use of discretion is not met with the proper controls, or that the perceived corrupt practices influence abuse of authority.

D. THE VULNERABILITY OF THE PNP TO POLITICIZATION IS INHERENT IN ITS INSTITUTIONAL FRAMEWORK AND OPERATING SYSTEMS AND WEAKENS THE ENTIRE PNP INSTITUTIONAL INTEGRITY AND ACCOUNTABILITY INFRASTRUCTURE.

4.2.34 The vulnerability of the PNP to politicization can be found in the politicization of the appointment and promotion process and in the management by external agencies of the internal operations of the PNP.

d.1 Politicized appointment and promotion process.

4.2.35 While there is no formal study exploring the issue of presidential appointments and debts of gratitude and appointment/ promotion based on loyalty, there is much speculation on this issue by the public. The assumption by the President of the power of appointment theoretically makes the process vulnerable to appointment of heads that are loyal to the appointing authority. Anecdotal information also point that the power of the President to appoint PNP personnel has time and again been the source of much problems in the career pathing system. Based on the discretion of the President, police officers may be placed in a position without due consideration of established career development policies. Further, the President may direct on the

spot promotion of policemen when he/ she deems it appropriate. This shows that the President's power may encroach in police internal management, since their positions are dependent on the President's "discretion".

4.2.36 At the local level, the mayors and provincial governors have the power to select the chief of police or the provincial director in their area of jurisdiction. Specifically, at the provincial level, the governor is given the power to choose from among a list of three candidates provided by the Police Regional Director, the Police Provincial Director. They also recommend to the provincial director the transfer, reassignment or detail of PNP members outside of their respective city or town residence. Given that local government heads provide funds to local police stations and regional and provincial offices and to individual police officers therein, the politicization of the recommendation process is reinforced.

d.2 The administrative powers that local governments exercise over the police and its duplicative function with the PNP with respect to maintaining local peace and order and the PNP as the local government's implementing force, creates an environment vulnerable to undue political influence and pressure as well as operational inefficiency.

4.2.37 Local government executives formerly had the power to organize and administer the police as independent units of government in cities and municipalities. But even where the PNP was nationalized under the 1987 constitution and its functions and structures stipulated under RA 6975, as amended under RA 8551, local governments still exercise power of operational supervision and control of the PNP.

4.2.38 Several problems have been enunciated regarding the exercise of local government powers. Some local executives allegedly use their power (in choosing the local chief of police and as Chairperson of the Peace and order council, to approve the roster of police uniformed personnel chosen by the local chief of police) to gain personal security and ensure services of policemen often for personal reasons. In this sense, the promotion, recruitment and career development of the police is subject to what is called a "bata-bata" system. Thus, as often as the local executive is changed, local police chief and personnel are as well changed therefore undermining the career development process. Police may also be removed from position based on their affiliation or their agreeability with political incumbents. This influences individual decision-making of the police particularly in responding to cases that may be caused by local officials or local executive's family, friends, allies or employees.

4.2.39 Further, some of the local executives do not have clear understanding of their role in police administration. Thus the planning, provision of resources and provision of necessary leadership to ensure peace and order in localities is often observed to be left to the police. Often the quality of local peace and order administration changes depending on the capacity and regard of incumbent local leadership.

E. THE PERCEPTION THAT THE PNP HAS NOT GOTTEN AWAY FROM ITS MILITARY NATURE OF ADMINISTRATION AND IDENTITY PERSISTS.

4.2.40 According to Cuaderno (1988) the integration of the former INP and PC is meant to establish a single command with national jurisdiction where characteristics such as

"consolidation of resources, physical facilities and equipment, materials, records, and the like, into a common pool for maximum efficiency and effectiveness; the standardization of systems and procedures; and the creation of an overarching organizational structure linking together previously discrete and separate units. "

4.2.41 The constitutional integration of the PC and the various local police departments into one national police force was guided by the findings of the Survey of Philippine Law Enforcement (1966) of the Department of State, specifying deficiencies in the system of policing during the Marcos regime. The experience of the country in so far as the use of law enforcement as personal bandits of local executives and undermined public status of the police are some of the reasons identified in the survey.

4.2.42 The presence of many military men in management positions within the PNP has been construed as militarization. But the issue of PNP militarization is both a psyche and to a lesser extent a reality. Militarization is associated with the power of the police to use force and to have weapons. But militarization is more in the informal culture that can potentially overcome a civilian system, for example, in the actual use of management authority over individual or groups of police officers and individual police behavior.

4.2.43 Criticisms on the quasi-military nature of policing adopted in the country include the argument that this system or style encourages police to deal with criminal suspects as "the enemy," despite the civil rights guaranteed by the Constitution. In this mentality the police may use military tactics even in resolving certain civil disorder. Often there is perceived lack of respect for civilian rights. Innately, it is noted by Cicero (1986) as he quoted a line from Berkley's *The Democratic Policemen*:

> *Military values, in many respects conflict with democratic values. (Values) as equality, participation in power and individual self-determination are suppressed in a military setting.*
>
> *xxx The more the police are brought under civilian control and suffused with civilian influences, the more these problems will diminish. Civilian administration (is) the warp and woof of the democratic police force.*

4.2.44 Many strategies and programs of the PNP, NAPOLCOM and even the principal police training institution, the Philippine Public Safety College (PPSC), are aimed at professionalizing the police, rendering it more civilian or civilianized and enhancing police-community relations. However, the military culture of discipline and command responsibility is one that is shared with the military here in the Philippines.

4.2.45 There have been other significant efforts to strengthen the civilianization of the police force. The civilian in character provision of the 1987 Constitution is the basis for the provision of RA 6975: "The Civil Service Laws and its implementing rules and regulations shall apply to all personnel of the Department". Thus, the PNP officials and personnel are not excluded from the policies handed to public officials by the CSC.

4.2.46 At present the notion of civilian is often construed to mean terms and conditions of work similar to other civil servants, such as regular working hours and overtime pay. But much remains to be done to transform the formal processes and relationships as well as organization culture of the PNP from one that has strong military perspective and roots to another that is civilian in its culture, values and practices.

F. WITHIN THE PNP ITSELF THERE ARE SERIOUS STRUCTURAL DYSFUNCTIONS AND OPERATIONAL WEAKNESSES.

4.2.47 A review of the PNP administrative structure indicated several dysfunctions which include among others the following:

a) Proliferation of central offices and directorates.

b) Duplication of delivery units. Many directorates and offices, PNP regional and provincial offices perform delivery functions in addition to the police stations in each city or municipality thus creating widespread duplication of delivery functions.

c) Weak conscience functions as indicated by lack of capacity for crime research and crime management innovations, performance monitoring and evaluation, strategic planning linked with operations, and resource management, among others.

d) Diffusion or dispersal of administrative and financial management functions at the central level and over-centralization of administrative and financial management.

e) Deficient logistical and knowledge support mechanisms and tools at the police station levels and discrepancies in rules and procedures.

f) Deficiencies in police core competencies reflecting problems in the relevance and quality of police education and training. Resources and programs for police education and training are diffused between the directorates of the PNP and the PPSC. There is no coherent and integrated training program that directly and adequately relates to the competency requirements and professional standards for policemen at work.

g) Police remuneration renders the police force vulnerable to bribery and other forms of graft and corruption that will improve economic and social status.

h) Recruitment system has limited capacity to weed out the unfit from entering the police service.

i) One-track career path limits career development opportunities to a few managerial positions and at the same time discourages excellence in the more scientific and technical aspects of police expertise.

4.2.48 A more detailed analysis of the internal structure, staffing and operating systems of the PNP is contained in the subsequent chapters of this report. The analysis points to the need for a comprehensive reengineering of organizational infrastructure, staffing, human resources development, operations, financial management and other relevant key operating systems of the PNP, but which should be done within the context of higher level reforms in the overall institutional framework of the police system.

G. THE ABSENCE OF A SOUND AND INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM LIMITS THE CRIME MANAGEMENT CAPACITY OF THE COUNTRY'S POLICE SYSTEM AND WEAKENS THE CAPACITY OF THE CRIMINAL JUSTICE SYSTEM IN PROVIDING SPEEDY, IMPARTIAL AND QUALITY JUSTICE.

4.2.49 The national crime information system (NCIS) was suspended. A review made by the consultants indicated that the system was not implemented not only because of alleged corruption issues. It would not have worked in the first place, since crime data and workflows across the participating law enforcement and justice agencies were not compatible. In some agencies such as the Supreme Court the hardware was delivered but the systems were not installed.

4.2.50 Within the PNP itself, the planned NCIS was to be installed at the regional level and therefore the system for managing data would still be dependent on manually processed reports emanating from the various stations. The system is extremely prone to error, its integrity and accountability mechanisms are not in place and it is not capable of supporting crime management, planning and monitoring at the local level.

4.2.51 The PNP needs a more sophisticated crime management information system that will enable the recording of all crime cases whether reported or initiated, together with all the evidentiary and other information on each case, and allows monitoring and analysis of crime at individual case and at various geographical and demographic levels thus supporting strategic and operations planning as well as individual and institutional performance management.

H. INADEQUACIES IN THE PNP'S CRIME SCIENCE AND TECHNOLOGY MECHANISMS AND RESOURCES AS WELL AS BASIC LOGISTICAL RESOURCES UNDERMINE PNP'S CAPACITY TO COMBAT CRIME, TO MATCH CAPACITY WITH INCREASING CRIME SOPHISTICATION, AND FOR INDIVIDUAL AS WELL AS INSTITUTIONAL CONTINUING LEARNING AND INNOVATION.

4.2.52 There is a general absence of crime research and development functions in the PNP's organization structure. The current research office focuses its research activities on developing logistical standards. It will be necessary to expand the current formal institutional arrangements and internal capacity to include research that will improve current knowledge about the nature and socio-economic as well as political and other factors that explain criminality, to improve current knowledge or crime, to acquire better understanding of emerging crimes such as money laundering and terrorism, and to discover new crime control and management technologies.

4.2.53 Another concern is to considerably upgrade the facilities of the crime laboratory and improve police equipment to minimum standards and ratios. It was not surprising to find that many if not most policemen in the field do not perform and do not want to perform patrolling functions on a regular basis. The severe lack of such basic equipment as transport and firearms will make patrolling difficult and severely deficient.

4.3 Opportunities

A. A CULTURE OF REFORM IS EMERGING IN THE PNP.

4.3.1 The waves of PNP leaderships in the past decade introduced the PNP institutions and its personnel to various reform initiatives, such that institutional change and reforms are not new. In the stations visited by the consultants, there was both cynicism and expression of favor on a transformation program. Cynicism has its roots to the initiation of previous reforms whose benefits did not reach to the delivery system of the PNP institution such as the police stations, as well as reforms that disappear with the termination of the tenure of each PNP leadership. But expressions of support are founded on the notion that things must change and any reform initiative creates the prospect that finally something will make a difference. This provides an opportunity to successfully implement a well crafted transformation program.

B. GROWING ASSUMPTION BY HIGH INCOME LGUS OF BIGGER SHARES IN POLICE FINANCING PROVIDES OPPORTUNITY IMPLEMENT A SYSTEMAITIZED LOCAL GOVERNMENT SUPPORT ON A WIDER SCALE.

4.3.2 Financially progressive local government units are increasing their support to the police force within their localities. While local government support have been inconsistent and inadequate, many high income LGUs realize the importance of their contribution for law enforcement to their community. Thus it has paved the way to the provision of equipment and supplies, including ammunitions vehicles and infrastructures for the police. This provides the opportunity for drumming up support for more formal institutional mechanisms that will establish the basis of local government responsibility in supporting the police force and for ensuring that the execution of that support will not undermine the PNP's institutional integrity and political neutrality.

C. RECOGNITION BY THE BUSINESS SECTOR OF THE IMPORTANCE OF A CREDIBLE POLICE FORCE IN ESTABLISHING A SOCIETY OF RULE OF LAW CREATES OPPORTUNITIES FOR TAPPING THEIR SUPPORT FOR IMPROVED POLICE FINANCING.

4.3.3 More than any other sector the business community values the improvement of and maintenance of peace and order as the pre-condition for investor confidence and economic progress.

4.3.4 There is growing willingness by the business community to participate in good governance. The business community has recently enunciated its plan to raise P1billion pesos to support the anticorruption program of the government. This indicates the recognition that improving governance requires its support particularly where the implementation of governance reforms is hampered by severe lack of reform resources. This provides opportunity to elicit the contribution and support of the business community in financing some components of the PNP transformation program and its operations. There are several areas where the business community can support and formal institutional partnership mechanisms should be developed to

ensure a systematic way through which support infusions can be deployed while protecting the integrity and neutrality of the police force.

D. OTHER THAN IMPROVING LGU AND BUSINESS SECTOR CONTRIBUTIONS TO THE PNP, PROSPECTS FOR CONSIDERABLY IMPROVING POLICE FINANCING EXIST AND ACCESS TO FINANCING CAN BE FACILITATED IF IT IS FOUNDED ON A SOUND AND CREDIBLE POLICE REFORM PROGRAM.

4.3.5 Aside from improving LGU contributions and generating business sector financing other avenues exist for improving police financing. These include among others the following:

a) Improving the revenue generation activities of the PNP

An entrepreneurial approach to the management of the police force may go a long way in improving police financing over the long term. There are various ways through which the PNP can improve its resources. These include such examples as:

1) Collecting fees for private services that the police currently provides for free, such as police services for funerals, weddings and parades; and fees for the provision of security to politicians and prominent individuals.

2) Increasing fees for regulatory services such as firearms licensing, and transferring the collection of fees for traffic violations in national highways to the PNP.

3) Creation of a PNP pension and provident fund corporation which will integrate the pension, provident, insurance and housing funds in a profitable and sustainable financial corporation. With sound investment and funds administration, the PNP pension fund can provide a rich resource for the social welfare and pension benefits of all policemen and their families.

b) Privatization of certain police services

The privatization of certain police services offers a new possibility for creating a new industry, more sophisticated than the current security guards and security guard companies, who will provide police services through outsourcing arrangements with the PNP. The front line services of police stations, or traffic management, for example, can be outsourced while maintaining the functions of intelligence and the sensitive aspects of crime investigation and other more sophisticated crime management by Special Forces can be done in-house. Institutional processes that will link outsourced police services with in-house police functions can be designed and operationalized. This arrangement may encourage efficiency and at the same time provide room for market based competition in quality police force and services. A more detailed feasibility study will establish the desirability and doability of this form of PNP services acquisition and deployment.

c) Streamlining the police system and the PNP

Streamlining the structure of the police system by removing duplication of agencies and inter-agency functions and operations, and reintegrating the police function within the PNP, as well as streamlining the internal structure and functions of the PNP itself will generate savings in overhead and expenditures spent on duplicative police operations. Such savings can be used in more important expenditure priorities such as providing basic equipage or instituting overtime/or night differential payments to police personnel.

d) Promoting donor funding for one-time capacity building investments

The proposed PNP transformation program contains several one-time public investments that can be funded by donors within the ambit of their respective country programs. There has been much donor interest in financing reforms in the 5 pillars of justice. Technical assistance loans to finance improvements in the crime information management system and improving the capacities of crime forensics are very well within the interest of donor institutions. Reforms in police training both in its institutional structures and systems as well as in education content would also be within the country programs of several donors. Specific funding portfolios and projects have been established by the USAID, UNDP, Work Bank and the ADB among others for strengthening the Judicial System, instituting anti-corruption mechanisms, promoting rule of law and building capacities for good governance. A credible PNP transformation program accompanied by capacity and commitment to manage its implementation on a sustainable basis will be the foundation upon which donor assistance can be generated and sustained over the medium-term.

E. GROWING MEDIA AND CIVIL SOCIETY VIGILANCE AND PARTICIPATION IN ADDRESSING CRIME, OFFERS OPPORTUNITIES FOR STRONGER CIVIL SOCIETY/MEDIA-PNP PARTNERSHIP IN CRIME DETECTION AND INVESTIGATION AS WELL AS IN PUBLIC EDUCATION AND ADVOCACY.

4.3.6 Much of media coverage has already been centered on covering police operations and notable police performance on cases, investigative journalism, and often serves as machinery for hearing civilian complaints of police and investigating police abuse of power and corruption.

4.3.7 While many police officers find media speculations unfair to them, the participation of media has increased both the awareness of civilians on crime per se, and the commitment of civilians to work with the police or to recognize their role in resolving crime.

4.3.8 Anti-crime civil society organizations are also emerging, providing mechanisms where specific demographic groups can consciencitize government in acting on crime and in advocating policy reforms that address specific peace and order issues.

4.3.9 These provide opportunity for stronger and more useful PNP-media/civil society collaboration both in combating and reporting crime, as well as in policy and public education and advocacy. Education and advocacy programs can focus on

developing the sense of responsibility of the citizenry and communities in supporting the police in crime detection and reporting and in generally assisting the police in maintaining a culture of peace at the community level.

F. GROWING AWARENESS WITHIN THE PNP AND AMONG THE CITIZENRY ON HUMAN RIGHTS IN GENERAL AND ON WOMEN'S CHILDREN'S AND YOUTH'S RIGHTS IN PARTICULAR, PROVIDE OPPORTUNITIES FOR STRENGTHENING MUTUAL COOPERATION AND ACCOUNTABILITY MECHANISMS FOR RIGHTS BASED AND GENDER SENSITIVE APPROACHES TO POLICING AND TO ADDRESSING EMERGING CRIMINALITY INVOLVING WOMEN, CHILDREN AND YOUTH.

4.3.10 With the establishment of women's and children's desks, the inclusion of human rights in police core training, and the requirement of a CHR clearance for police promotions provide starting points upon which system-wide human rights competencies can be built in the PNP, and where the corresponding awareness, and active assertion of rights by the citizenry can be developed towards a rights-based and gender sensitive Filipino society. The cooperation of relevant agencies such as the Commission on Human Rights, Commission on the Role of Filipino Women, Civil Society Organizations, media and academe can be tapped in order to put in place the proper public education and advocacy and to establish mechanisms for a rights based policing system within the PNP.

4.4 Threats

A. GLOBALIZATION WILL CONTRIBUTE TO INCREASED AND NEW FORMS OF CRIME THAT SHOULD BE MATCHED BY APPROPRIATE LAWS AND LAW ENFORCEMENT CAPACITIES.

4.4.1 The increasing globalization of the economy and accelerating development of technology bring with it new and more sophisticated forms of criminality which include among others, terrorism, money laundering, cyber crimes, and international drug syndicates, women trafficking and other forms of transnational crime. This is will require that: 1) our legislature review existing laws and pass new laws that define the new criminal and/or civil liabilities; (2) the police system acquire new human competencies and institutional capacities that will match the sophistication of crimes; and (3) the judicial system put in place new rules and processes as well as competencies to ensure the provision of speedy, impartial and quality justice with respect to new forms of criminal cases.

4.4.2 Money laundering is a specific example of a transnational crime where much effort still needs to be put in. In 2002, the government was admonished and was about to be penalized by the Financial Action Task Force based in Paris for the lack of compliance of the newly passed anti-money laundering law with prescribed international standards. Other emerging crimes such as cyber crimes remain uncovered by appropriate legal framework that will define justiceability and criminal liabilities.

4.4.3 This will require a long process and tremendous legislative advocacy and technical support from many sectors. The PNP can take the lead in the review of the legislative

framework and the design and infusion of new institutional mechanisms that will strengthen the country's capacity to combat new forms of criminality.

B. RAPID POPULATION GROWTH AND INCREASING POVERTY PARTICULARLY IN URBAN AREAS WILL CONTINUE TO PROVIDE MORE FERTILE GROUNDS FOR INCREASING CRIMINALITY AND THUS FURTHER STRETCH MORE THINLY THE ALREADY LIMITED RESOURCES AND INSTITUTIONAL CAPACITIES OF THE POLICE SYSTEM.

4.4.4 Based on a victimization survey conducted by the United Nations Interregional Crime and Justice Research Institute (UNICJRI) in Manila covering trends from 1995 to 2000, majority of the crimes are economic in nature. Crimes against property such as theft (13.2%), burglary (3.27%) and attempted burglary (2.73%) ranked the highest. Statistics on crimes that relate to poverty (such as theft and robbery) from 1995-2003 show an all time high incidence between 1999 to 2002 when the country's poverty incidence also worsened considerably reaching to 1986 levels of more than 40% of population.

4.4.5 While crime is measured in terms of ratios its solution must reckon with the nominals. This means that as population increases and nominal crimes correspondingly increase the government's capacity should, in theory, correspondingly build up. But this is never the case. While government has strived to catch up with international standards in terms of providing one policeman for every 500 people, the other fundamental resources that are need to support each policeman are falling far behind. Such that there is increasing gap in the number of policemen and such basic equipment as transport, firearms and ammunitions, communication equipment and scientific crime investigation facility, and competency.

C. DIFFUSED PUBLIC EXPENDITURES FOR POLICING AND INSUFFICIENT GOVERNMENT FUNDING OF THE PNP WILL CONTINUE TO UNDERMINE THE PNP'S CAPABILITY TO COMBAT CRIMINALITY. FURTHER, HIGH FISCAL DEFICITS AND SEVERE BUDGETARY LIMITATIONS WILL HINDER THE SUCCESS OF THE PNP TRANSFORMATION PROGRAM.

4.4.6 The tendency of government leaderships to create a new crime busting agency to project and popularize their political agenda will continue to threaten the institutional development and stability of the country's police system and in particular the PNP as the country's primary police force. This politicized system of addressing pressing criminality issues undermines the police system in several ways:

a) It creates a culture of elitism and undue stratification of the police force and an uneven capacity development since only the elite force will be privileged with more sophisticated training;

b) It creates a sense of discrimination which becomes a source of demoralization.

c) It further erodes resources that should otherwise be allotted to the continued provision of the core resources of the PNP, creating duplicative overhead expenditures and resource inefficiencies and further contributing to the erosion of the PNP's institutional development process.

4.4.7 Until and unless the politicization of the management of the country's peace and order program will be removed, the enunciated goal of strengthening the institutional capacity and professionalization of the PNP will continue to be mere policy pronouncements devoid of demonstrated actualization process.

D. THE POLITICIZATION OF POLICE ADMINISTRATION WILL CONTINUE TO UNDERMINE THE INTEGRITY, ORGANIZATIONAL COHERENCE AND THE EFFICENCY AND EFFECTIVENESS OF THE POLICE FORCE.

4.4.8 Another level and more regular form of the politicization of the police force which is embedded in existing laws and current exercise of government oversight powers over the police, is exercised in the form of several external agencies assuming administrative authority over the internal administrative management of the PNP. This will continue to be a source of integrity vulnerability, inefficiency and lack of management authority within the PNP.

4.4.9 The government must strive to return to management fundamentals by integrating administrative authority to the PNP leadership rather than to local government heads, NAPOLCOM and several oversight agencies which do not have clear accountabilities over the resulting performance of the PNP.

4.4.10 The government must also insulate the PNP from politicization and harassment from elements in local and national governments by establishing institutionalized and objective and non-negotiable mechanisms for the infusion of budgetary and other resource contributions to the PNP.

E. WIDESPREAD PUBLIC PERCEPTION OF GRAFT AND CORRUPTION IN THE PNP WILL UNDERMINE THE CREDIBILITY OF AND ACTIVE PUBLIC SUPPORT FOR ANY SERIOUS INSTITUTIONAL TRANSFORMATION PROGRAM.

4.4.11 The latest social weather station survey which places the PNP at the helm of the most corrupt government agencies was made within a period when the current leadership has instituted tremendous disciplinary measures and quick-win reforms in the PNP. But public perception of graft and corruption may carry with it a corresponding inner judgment of the capability of the current system (not just the leadership) to restore and maintain integrity. The television show where the PNP head debated with his own police personnel on the issue of discipline is a glaring illustration of the deficient authority of the PNP head and the regard for such authority by his own personnel. It is clear that the ability to discipline and to observe discipline should be founded on clear and single and not on unclear and multiple authority. Where local government's and external agencies such as NAPOLCOM and other bodies continue to have decision making authority over discipline of the police, the authority of the PNP head is essentially undermined and eroded.

4.4.12 But restoring public confidence in the PNP and establishing the credibility of the PNP transformation program requires so much more than a cogent public advocacy. It requires that the management fundamentals must be put in place such that the PNP head's accountability over the performance of his people is appropriately matched by adequate and unified management authority. This will establish the pre-condition for

proper discipline and observance of internal administrative rules and regulations, and for unifying the entire police force of the PNP towards a common set of vision, goals and activities. Creating a publicly visible orderly PNP institution is the foundation upon which the public's trust and confidence in the ability of the PNP institution to reform itself will stand.

5 IMPLICATIONS FOR THE PNP TRANSFORMATION PROGRAM

5.1.1 The country socio-economic profile, the review of crime statistics and the SWOT analysis identified key issues that have tremendous implications on the focusing and design of the PNP transformation program. These implications are discussed hereunder.

A. ACHIEVING TRUE ECONOMIC DEVELOPMENT, REDUCING POVERTY, AND ADDRESSING GRAFT AND CORRUPTION, AND CONSIDERABLY IMPROVING SOCIAL SAFETY NET MECHANISMS WILL PROVIDE THE CORE FOUNDATIONS FOR THE DEVELOPMENT OF A CULTURE OF RULE OF LAW AND CULTURE OF PEACE IN THE PHILIPPINES.

5.1.2 Statistics suggest the correlation between poverty and criminality in the Philippines. For as long as widespread poverty and inequity in income and economic opportunity persist, criminality becomes the means for acquiring livelihood for many Filipinos for still many years to come. Government has the mandate of improving the economy, reducing poverty and distributive inequity and putting in place the appropriate environment where individual citizens can pursue their personal goals. Achieving true economic development and distributive equity and putting in place adequate social welfare mechanisms for vulnerable sectors provide the foundation for achieving a Filipino society driven by the rule of law and for establishing a culture of peace.

B. THE CAPACITY OF THE COUNTRY'S POLICE SYSTEM MUST MATCH THE GROWING SOPHISTICATION AND COMPLEXITY OF CRIME IN A GLOBAL WORLD.

5.1.3 Unless the capacity of the country's police system matches with the growing sophistication in crime and crime technology, there is danger that the country becomes the haven for terrorism and international crime syndicates. Strengthening the police system will require tremendous investments in technology and training which the government must provide.

5.1.4 The police system must achieve resource efficiencies by streamlining its institutional structure and improving both the quality and management of expenditures, as well as generate new revenues. Other means of financing the acquisition of training and crime management technology can be explored such as inter-country exchange programs and donor technical assistance.

C. THE TRANFORMATION OF THE PNP INTO A TRULY PROFESSIONAL AND CAPABLE WORKFORCE HINGES ON REFORMING THE ENTIRE INSTITUTIONAL FRAMEWORK OF THE COUNTRY'S POLICE SYSTEM WHICH PROVIDES THE CONTEXT OF MANY OF THE CURRENT DYSFUNCTIONS OF THE PNP.

5.1.5 The lack of unity of command and inadequate internal management authority within the PNP, the severe resource deficiency in police stations and in crime technology and training, the ineffective mechanisms for discipline and many integrity and efficiency issues within the PNP are offshoots of dysfunctions within the broader institutional framework within which the PNP operates. As mentioned above, these dysfunctions are manifested in the proliferation of agencies performing police functions and agencies exercising administrative authority over the internal operations of the PNP in such areas as discipline, appointment and promotion, resource allocation (LGUs deciding details of its resource contribution), and police operations, resulting in the politicization of the police force, graft and corruption, demoralization of those who do not have political influence, abuse of authority over the police force, and general erosion of the PNP leadership's management authority.

5.1.6 Thus the reform of the overall institutional framework of the police system should be undertaken within which the PNP transformation program will be an integral part. Such reform should consider the following reform directions:

a) Re-integrating in the PNP the policing functions of other national government agencies currently performing specialized police functions as well as agencies performing police functions to support their policy and regulatory functions and defining the functional delineation and cooperation between the PNP and NBI.

b) Removing the authority of external agencies such as the DILG, NAPOLCOM and local government units over the administration and management of the PNP's internal operations and conferring in the PNP head all final administrative authority and accountability over the internal operations of the PNP. This will involve redefining the proper relationship between the PNP on the one hand, and the NAPOLCOM, DILG, and local government units on the other.

c) Reorienting the role of the NAPOLCOM from administrative supervision of the PNP to proving policy advice to the President on the country's peace and order and providing independent external review or audit of the PNP's operations and performance. The latter independent audit function will serve as the civilian review mechanism whereby the public interest is protected not through direct administrative intervention but through a public "conscience" facility whereby the performance of the PNP and its police force is monitored and reported to the public.

d) Integrating all training functions and resources to a reengineered and strengthened Philippine Public Safety College. This will require several measures which should include transferring the training functions and resources of the PNP to the PPSC, reengineering its organization structure and staffing, reviewing and strengthening the entire police training program particularly ensuring its direct relevance to the core competencies of policemen

at all levels, and to ensure the provision of continuing training and improving the institution's professorial corps and training technology and equipment.

5.1.7 The resources that will be saved or generated as a result of the rationalization of the police system can be redirected to strengthening the capacity of the PNP. It is recommended that a more in depth study of the broader institutional framework of the police system, which is not part of this study, should be undertaken and recommendations for establishing the appropriate institutional structure should be formulated.

D. THE TRANSFORMATION OF THE PNP ITSELF WILL REQUIRE A HOLISTIC AND SEAMLESSLY INTEGRATED APPROACH THAT WILL ADDRESS CURRENT INTER-RELATED STRUCTURAL, SYSTEMIC AND HUMAN COMPETENCY WEAKNESSES.

5.1.8 Transforming the PNP will require that all major institutional dysfunctions will be addressed within the context of a correspondingly reforming police system. The PNP must adopt a holistic and seamless integration approach to its transformation program addressing all major reform areas and ensuring the mutual reinforcement of all reform initiatives. Transforming the PNP will involve redefining and redesigning its administrative structure by removing proliferation and overlapping of functions, unifying the delivery structures, removing inefficiencies in the vertical structure, and integrating functional components structurally; redefining its operational relationship with local government units and other oversight bodies while preserving its inherent autonomy for internal administration and management; improving staffing and position distribution across the country's geography and infusing demographic and crime incidence criteria into the staffing deployment scheme; reforming the entire police education and training mechanism, improving human resource development polices and systems, strengthening operations and infusing the appropriate conscience and innovations functions and structures, among others.

E. THE DELINEATION OF NATIONAL - LOCAL GOVERNMENT ROLES, RESPONSIBILITIES AND ACCOUNTABILITIES IN POLICING SHOULD BE CLARIFIED WITHIN THE CONTEXT OF A SELF-MANAGING PNP ORGANIZATION.

5.1.9 The conferment of functions and powers to local government units in the maintenance of peace and order finds its basis in history where the police force was a department in the organic structure of the local government. With the nationalization of the police force and the retention of the some responsibility for maintaining local peace and order in local governments, the proper delineation of national-local roles, functions and accountabilities should be clearly defined; and such delineation should not undermine the unity of command and inherent powers of the PNP leadership to have full administrative control and authority of the entire PNP organization.

5.1.10 The principles that will guide the proper delineation of roles, responsibilities and accountabilities between the national government and local government units, should therefore be defined and agreed upon.

F. THE IMMEDIATE REVISION OF THE COMPULSORY RETIREMENT AGE FROM 56 TO 65 IS NEEDED IN ORDER TO PUT IN PLACE THE FUNDAMENTAL INSTITUTIONAL CONTINUITY MECHANISMS AND AT THE SAME TIME OPTIMIZE THE UTILIZATION OF SENIOR AND EXPERIENCED POLICE OFFICERS IN THE POLICE CAREER SERVICE.

5.1.11 The recent exodus of senior and top management officials and the upcoming further exodus of the three top management officials of the PNP will continue to create institutional instability and discontinuity. Mechanisms must be put in place both interim and long-term to address the drain in leadership and managerial resources of the PNP. Interim measures may consist of a congressional resolution freezing the implementation of the compulsory retirement age of 56 while long-term measures may include legislation amending pertinent provisions of the PNP modernization act.

G. THERE IS NEED TO CONSIDERABLY UPGRADE THE RELEVANCE AND QUALITY OF POLICE EDUCATION AND TRAINING AND TO STRENGTHEN ITS OVERALL INSTITUTIONAL FRAMEWORK AND RESOURCES.

5.1.12 Improving police education and training involves the whole gamut of integrating all education and training functions and resources which are now scattered among PNP offices and the PPSC into the PPSC. The content and structure of PPSC's education and training program should be reviewed and modified based on a rational assessment of the training needs of the police force and founded on well-defined job competency and skills requirements for each position in the staffing pattern. Improving the PPSC's capacity and competency in planning, designing, and delivering relevant and quality core, continuing and specialized training and in imbibing the required competencies, values and sense of rectitude in each individual trainee is essential in putting in place the foundations of a professional and competent police force.

H. AN INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM, WITHIN WHICH A PNP CRIME MANAGEMENT INFORMATION SYSTEM WILL BE IMPLEMENTED, WILL PROVIDE THE NECESSARY MECHANISMS BOTH FOR CRIME MANAGEMENT AND FOR ENSURING THE SYNCHRONIZATION OF THE PILLARS OF CRIMINAL JUSTICE SYSTEM.

5.1.13 The PNP must upgrade its crime information systems and technology by developing and implementing an integrated crime management information system that operates within a larger criminal justice information system. Such crime information system should allow the development of case diaries and data bases, case tracking, and reporting that will feed into crime analysis modules and computing facilities that will allow crime mapping, and crime trend analysis at station, geographic and national levels. Integrated with external socio-economic, demographic, political and other relevant data, the system should strengthen the capability of the PNP in crime detection and investigation and in understanding crime behavior and patterns. From these, it shall strengthen the management of crime, in general and individual cases, in particular.

I. THE PNP MUST ESTABLISH INNOVATIVE AND ENTREPRENEURIAL MECHANISMS TO IMPROVE RESOURCES FOR ITS OPERATIONS AND PERSONNEL BENEFITS ON A SUSTAINABLE BASIS.

5.1.14 With severe budgetary constraints expected to continue through the medium-term, it is doubtful if any infusion of more budgetary resources will cover the basic requirements to establish the core resource foundation of a well-functioning PNP organization. Capital outlays will continue to be scarce, increases in MOOE budgets, if any, may very well be limited to inflationary levels, additional budgets for improved benefits will likely be limited to implementing the on-going salary upgrading program. Therefore the PNP must explore innovative approaches to PNP finance.

5.1.15 Several possibilities can be explored. First, the contribution of the LGUs to the police stations in their respective localities must be rationalized. The principles that will guide the determination of the appropriate LGU contribution to the PNP should be defined and agreed upon. The process for the annual determination of resources and their infusion should be designed ensuring that such process is insulated from negotiation and politicization. Second, alternative revenues can be generated by increasing fees on the PNP's regulatory functions. Third, the creation of a PNP pension and provident fund, to be owned by the police force, and managed possibly by private expertise, and that will earn revenues to finance additional police benefits and welfare and including such services as health, life and disability insurance, retirement pension housing and livelihood investment loans, salary and calamity loans, child education, and dividends, among others, should be explored.

4

POLICE SYSTEM INSTITUTIONAL FRAMEWORK AND PNP ADMINISTRATIVE STRUCTURE

1 INTRODUCTION

1.1.1 This section provides a general assessment of the institutional framework of the police system and puts in context the subsequent detailed assessment of the internal structure, functional configuration and operating systems of the PNP.

1.1.2 A historical background of the PNP sheds light on the genesis of the present organizational issues that are deeply rooted in the organization's historical development process. Understanding the historical roots of current issues will be useful in the identification of the reforms and the approach to effecting such initiatives.

1.1.3 A discussion of implications for the development of the PNP transformation program concludes the institutional assessment.

2 HISTORY AND LEGAL FRAMEWORK OF THE PHILIPPINE POLICE SYSTEM

2.1 Spanish Regime

2.1.1 During the Spanish regime, the maintenance of peace and order in the Philippines was looked upon as part of the military system for the defense of the colony. The local police force had dual functions. They performed civil duties but were concurrently direct adjuncts of the colonial military establishments. Such a set-up gave the Spanish Colonial Government the power to control and centralize police administration and to gauge the public pulse. Police functions then consisted mainly of:

(a) Suppression of brigandage by patrolling unspecified areas;

(b) Detection of local and party uprising by spying upon the work and movements of the people; and

(c) Enforcement of tax collection including church revenue.

2.1.2 The police consisted of:

(1) THE CUADRILLEROS – This was organized in each town. The royal decree which established provided that 5 percent of the able-bodied male inhabitants of each province were to be enlisted in this organization for 3 years. Their duties consisted of maintaining peace and order in the towns, patrolling, guarding the tribunal and prison cells and other odd duties. The members of the organization in each town were formed into a company, administered like a military unit.

(2) CARABINEROS DE SEGURIDAD PUBLICA – Armed with carbines, this police body was organized for the purpose of carrying out the regulations of the department of state. It was named *Cuerpo de Carabineros de Seguridad Publica* (Corps of Carabineers for Public Security). Its specific duties were watching and guarding customs houses, rivers, seacoasts, tobacco warehouses and the prevention of the entry of contrabands.

(3) THE GUARDIA CIVIL – This police institution was created to particularly relieve the colonial army troops of their work in policing the town. As a national police body, the *guardia civil* was instrumental in checking highway robbery to a certain extent. But its usefulness was impaired by assigning to it functions dealing with apprehending political offenders, detecting the enemies of the church and forming-up cases to compromise persons who were *persona non grata* to the ruling power or to the church authorities.

2.2 American Era

2.2.1 Upon the termination of the Filipino-American War, the Philippine Commission was established. In order to further pacify the provinces, Act No. 175 (1901) was passed by the Philippine Commission providing for "The Organization and Government of an Insular Constabulary and for Inspection of the Municipal Police". This act gave birth to the Philippine Constabulary. Originally designed as a 'counter mercenary force' to protect the American-Filipino government against armed resistance, its establishment became a necessity with the advent of civilian rule in the Philippines, in view of the fact that the existing local police forces were too small to handle the growing problem of violence and lawlessness in localities already under civil rule.

2.2.2 Section 9 of such Act provided, "The provincial inspector was under the general supervision, direction and control of the Insular Chief and the Assistant Chiefs of the Constabulary of their respective provinces." These constabulary districts were created initially and when martial law was lifted, two more districts were established. With the impending outbreak of World War I, the Filipinization of the Philippine Constabulary was intensified.

2.3 The Commonwealth Period

2.3.1 When the Commonwealth government was established, the Philippine Constabulary was deactivated and its remnants became the nucleus of the Philippine Ground Force (PGF) which was created by Commonwealth Act (CA) No. 1. In 1936, following the enactment of CA No. 88, a State Police Force was established by integrating the police forces in all municipalities, chartered cities and provincial guard

organizations and was placed under the Department of the Interior. The insular police duties of the defunct Philippine Constabulary were entrusted to the State Police. Due to the inefficiency of the State Police, the Philippine Constabulary was revived. However, CA No. 88 was repealed by CA No. 343 in 1938 because of the strong opposition from municipal and provincial authorities. The PC Division of the Philippine Army was detached and reorganized as the National Police Force under its old name, The PC.

2.3.2 Between 1939 and 1941, the Constabulary strength was increased from 7,500 officers and men to 15,000. After the war, due to the worsened peace and order situation, the Military Police Command (MPC) was created. The functions of the MPC were later reconstituted into the National Police Force which was designated as the Philippine Constabulary. When World War II broke out, the Philippine Constabulary was absorbed by the U.S. Army in the Far East (USAFFE) and constituted into a fighting unit.

2.4 The Post-war and Martial Law Era

2.4.1 Due to the Huk insurgency, President Elpidio Quirino placed the Philippine Constabulary and the Armed Forces under one command. Executive Order No. 389 dated 23 December 1950 reorganized the Armed Forces of the Philippines (AFP) which was composed of 4 major services: the Philippine Army, Navy, Air Force, and Constabulary. The Army's combat unit was directed to assist the Philippine Constabulary in the Anti-Communist campaigns. It was during this period that 4 military areas were created which later on led to the establishment of Constabulary Zones exclusively under the Philippine Constabulary but with more autonomous powers. Because of the worsened peace and order situation and the Huk insurgency after the war, the PC as a major service command, was tasked with general national police duties. It operated side by side with city and municipal police departments which were locally directly supervised by the local government executives.

2.4.2 On 08 September 1966, Republic Act No. 4864 was enacted creating the Police Commission and revising laws relative to the local police system. Its purpose was to achieve and attain high degree of efficiency in the organization, administration and operation of local police agencies with the end in view of maintaining peace and order more effectively and enforcing the law with more impartiality. It also elevated the local police service to a professional level.[1] This Police Commission was designated as the policy-making, standard setting and regulatory body on matters involving local police administration.

2.4.3 Immediately after the proclamation of martial law in 1972, the Integrated Reorganization Plan was enforced pursuant to Presidential Decree (PD) No. 1. Such a plan gave way to the reorganization of the departments or agencies of government, the PC included. The General Appropriations Decree of 1978[2] made the implementation of the rationalization a reality. The 13 Region Commands were then created, thus, harmonizing the PC's geographic jurisdictional structure with the regional set-up of the government.

[1] Sec. 2.
[2] Pres. Decree No. 1250 (1978).

2.4.4 With the adoption of a New Constitution in 1973, Section 12, article XV mandated that "The State shall establish and maintain an integrated national police force whose organization and operation shall be provided by law. On August 8, 1985, PD 765 was issued constructing the PC as the nucleus of the Integrated National Police (INP) combined with the city and municipal forces. Both the INP and the National Police Commission (NAPOLCOM) were placed under the administration of the Department of National Defense.

2.4.5 As a result of the clamor of the local government executives for more participation in the administration of police affairs in their respective units, Executive Order (EO) No. 1012, was issued on March 22, 1985 and later amended by EO 1027 on May 14, 1985. As indicated in the EOs, the power of operational supervision and direction over INP units were transferred to the city and municipal government units. But, on July 10, 1985, EO No. 1040 designated the NAPOLCOM under the Office of the President and vested it with the power of administrative control and supervision over the INP. This, however, did not transform the INP from military to civilian in character. In *Provido v. Chief, Philippine Constabulary*, the Supreme Court ruled that there was no automatic conversion of the INP from the military to civilian because the change in EO 1040 was merely structural.[3]

2.4.6 The 1973 Constitution ordained the establishment of an integrated national police force whose organization, administration and operation shall be provided by law.[4] However, two parallel police organizations were in fact established operating side by side – the Integrated National Police (INP) and the Philippine Constabulary (PC) as a direct result of PD No. 765 (1975) which created the INP under the Office of the President with the PC, a major service of the AFP, as the nucleus and the city and municipal police forces, and jail and fire departments as civilian components. The Chief of the PC as concurrent Director-General of the INP exercised command functions over all INP units while the NAPOLCOM exercised administrative control and supervision. The local executives, in the maintenance of peace and order and public safety, exercised operational supervision and direction over all INP units stationed or assigned in their respective cities or municipalities. Under their operational power, local executives were given the authority to employ and deploy INP units within their respective localities to ensure the maintenance of peace and order therein.[5]

2.4.7 Besides vitiating the "time-honored" principle of unity of command, the existence of two parallel organizations promoted conflict and confusion in the system. It has been pointed out that the military and police culture are wholly distinct and apart, sometimes even diametrically opposed. The military is strictly mission-oriented trained to execute a superior command even at the expense of lives and property. On the other hand, the police is service-oriented to keep the local peace and enforce the law on ordinary crimes, taking into consideration the welfare of the citizenry.[6]

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[3] G.R. No. 81066, January 29, 1990, 181 SCRA 508.
[4] Art. XV, sec. 12.
[5] 2 H. De Leon, Philippine Constitutional Law; Principles & Cases 723 (1991).
[6] De Leon, *ibid.*

2.4.8 The duality in the police structure also caused inequities in the system, considering the superior benefits and privileges accorded the military compared with those allowed the police. Under the command of a military force, the INP's civilian character was seriously eroded while the multiplicity of its governance hampered the attainment of an effective, efficient, and responsive police service.[7]

2.4.9 The integration, however, was not without a salutary effect; for one thing, it effected higher standards of training, pay and equipment of local police forces and considerably reduced the influence of local politicians.

2.5 The 1987 Constitution

2.5.1 The 1987 Constitution, in Section 6, Article XVI, seeks to correct these structural deficiencies and other problems besetting the system by mandating that:

> *The State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law.*

2.5.2 Under the former system, before its integration, police enforcement functions were distributed among some 1,500 local police forces which had their areas of jurisdiction. These arrangements spawned such problems as conflicts in area coverage, rivalry and inefficiency. The national character of the police force is intended to insure the continuing professionalization of public safety services and the establishment of standards concerning force, size, organizational structure, personnel qualifications and discipline, equipment and facilities, ranks and salaries, operational procedures, and training.

2.5.3 Atty. Hector de Leon makes the following observation:

> *Police work being essentially a civilian function, the Constitution has unequivocally provided for the establishment of a national police force which shall be non-military and civilian in character under the administration and control of a civilian agency. Local executives should be given some authority and jurisdiction over police units because they have a political responsibility to their constituents in the maintenance of peace and order, protection of lives and properties, and enforcement of the laws. However, care should be exercised to prevent the resurgence of the evils of the past when the police was under the control and influence of governors and mayors who often used the police for political purposes and interfered in police functions at the expense of effective and impartial law enforcement.*[8]

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[7] T.C. Natividad, "The Police Under the New Constitution," *Manila Bulletin, October 1986* as cited in De Leon, *ibid.*, p. 723-4.
[8] *Ibid.*, p. 725.

2.6 Republic Act 6975 as amended by Republic Act 8551 (Police Modernization Law)

2.6.1 The present police system has for its basis Republic Act No. 6975 (as amended by RA 8551). Pursuant to the 1987 constitutional provision, Republic Act No. 6975 was enacted into law on December 13, 1990. The Philippine National Police under the expanded Department of the Interior and Local Government (DILG) took over the functions of the PC-INP which ceased to exist effective January 1, 1991. This law provides that the National Police Commission (NAPOLCOM), the Philippine Public Safety College, PNP, Bureau of Fire Protection, and the Bureau of Jail Management and Penology are under the Department of the Interior and Local Government (DILG).[9] The powers, functions and duties of the DILG Secretary and the NAPOLCOM are detailed in Annex 4.1 (*Excerpts from R.A. 6975, as amended by R.A. 8551*).

3 INSTITUTIONAL FRAMEWORK OF THE POLICE SYSTEM

3.1 Composition of the police system

3.1.1 One of the salient features of the country's police system is an extremely expansive national government institutional infrastructure comprising of about 34 national government agencies which are mandated by law and executive issuances to undertake policing or policing related functions.

1. Philippine National Police
2. National Bureau of Investigation
3. Philippine Drug Enforcement Agency
4. Civil Relations Service, Armed Forces of the Philippines
5. Philippine Coast Guard , Department of Transportation and Communication
6. Airport Police Department (APD) of the Manila International Airport Authority
7. Metro Manila Development Authority
8. Bureau of Customs
9. Bureau of Internal Revenue
10. Bureau of Immigration
11. Land Transportation Office
12. Philippine Ports Authority
13. Philippine Center on Transnational Crime
14. Optical Media Board
15. National Anti-Kidnapping Task Force (NAKTAF)
16. Presidential Anti Organized Crime Commission (PAOCC) and Task Force (PAOC-TF)
17. National Anti-Crime Commission (NACC)

[9] Republic Act No. 6975 (1990), sec. 6.

18. Inter-Agency Council Against Trafficking (IAC-AT)
19. Joint Task Force Against Trafficking in Persons (JTF-ATP)
20. Presidential Anti-Illegal Recruiters Task Force (PAIRTF
21. Presidential Anti Smuggling Task Force (PASTF)
22. National Council for Civil Aviation Security (NCCAS)
23. Presidential Task Force on Transportation Strikes and/or Mass Actions (PTF-TSMA)
24. Metro-Manila Land Transportation Coordinating Council (MMLTCC)
25. Inter Agency Council on Anti-Violence Against Women and Their Children (IAC-AVAWC
26. National Drug Law Enforcement and Prevention Coordinating Center (NDLEPCC)
27. National Anti-Crime Commission (NACC)
28. GAB Illegal Gambling Unit of the Games and Amusement Board
29. Dangerous Drugs Board (DDB)
30. National Intelligence Coordinating Agency (NICA)
31. National Police Commission (NAPOLCOM)
32. People's Law Enforcement Board (PLEB)
33. Peace and Order Councils (POC)
34. Philippine Public Safety College (PPSC), DILG

3.1.2 In addition to these local government units from the barangay government, through to the municipal/city and provincial governments likewise perform policing functions either on their own or in the form of managing the peace and order situation in their respective localities and in directly exercising operational and administrative authority of the PNP officers in their localities. Further, there exist several security and detective agencies and their personnel and security guards licensed by the PNP and providing security to private establishments and individuals. The institutional framework of the police system reflects the participatory governance that has been borne out of necessity in the context of limited national government capacities to address myriad peace and order issues.

3.1.3 These agencies can be categorized into 3 main categories: those that are involved in police operations, those that are mandated to coordinate the operations pertaining to special crime areas; and those performing policy and rule formulation functions on criminality and peace and order including those that exercise operational and administrative control over the operations of the PNP. Within each of these groups are prevailing institutional issues that impinge on the overall efficiency and effectiveness of the police system in general and that of the PNP, the subject of this study, in particular.

DUPLICATION AND OVERLAPPING OF POLICE OPERATIONS FUNCTIONS EXISTING SIDE BY SIDE WITH FUNCTIONAL FRAGMENTATION AND PROLIFERATION, RESULT IN OPERATIONAL CONFLICT AND INCONSISTENCIES, AND CREATE PUBLIC ACCOUNTABILITY CONFUSION. THEY ALSO INVOLVE INEFFICIENT USE OF SEVERELY LIMITED GOVERNMENT RESOURCES IN DUPLICATIVE MANAGEMENT AND OVERHEAD STRUCTURES AND OPERATIONS.

3.1.4 These dysfunctions take on several forms and have correspondingly varying implications:

a) The duplication of functions between the NBI and PNP has long been recognized but is yet to be seriously addressed.

3.1.5 Functional overlap is glaring in the case of the PNP and the NBI. While both agencies may claim that they have cordial and professional relationship with each other, police officers are often placed in a subordinate position to the NBI agents especially in cases where both have investigative jurisdiction. But this effort at coordination has not really been effective since both undertake parallel investigations on cases as they come under common jurisdiction. One side effect of this as mentioned previously is a situation where both NBI and PNP present different findings on a case, and it is left to the prosecutor to determine which of the evidences substantially support a case, creating profound implications on the quality of justice.

3.1.6 There are several approaches to delineating NBI-PNP policing functions which have been presented in other studies[10] without undermining institutional pride and turf of either agencies and instead strengthen both agencies towards well delineated functional foci. Such delineation should be studied in depth and formulated within the broader context of rationalizing the entire institutional framework of the police system, wherein the PNP and NBI are the principal policing organizations.

b) There is proliferation of national government agencies and task forces performing policing functions but many of these are actually utilizing PNP and/or NBI resources to execute mandates.

3.1.7 Several government agencies performing law enforcement functions are also accorded policing functions. Since these agencies have not been provided adequate resources to perform particularly the patrolling, investigation and apprehension aspects of their functions, they use the PNP policemen to execute their operations in the field. This issue particularly applies to specialized crime busting agencies such as PDEA and PAOCC and inter-agency task forces that have been created by the President to address special crimes. These agencies are actually manned by PNP personnel detailed to them. In effect by creating these special task forces, the government has merely removed the thinking and decision making functions from the PNP and chipped off some of the PNP's muscles to execute what is otherwise a core police function.

3.1.8 The existence of so many law enforcement agencies undertaking similar functions diffuses accountability, reduces the impact of limited resources due to dispersal and duplicative overhead, and creates potential for operational confusion and conflict. In some cases there is no clear indication as to which/who among agencies/officials concerned is accountable for what. More often than not, the police is made accountable for all lapses in law enforcement, in spite of the fact that there are government agencies which are similarly mandated to carry out certain police responsibilities.

[10] UNDP-DOJ-SC "Strengthening the Other Pillars of Justice through agencies in the Department of Justice" CPRM Consultants, Inc., 2003

3.1.9 The government has the propensity to create task forces to solve/attend to specific police problems like terrorism, illegal drugs, human trafficking, illegal recruitment, smuggling, etc., in almost all police operation areas a task force is organized which is apart from PNP. Initially intended to address exigency police requirements, these task forces have perpetuated their existence, unnecessarily inter-phasing with regular police operations and competing for limited budgets. It is time to rethink this approach to strengthening overall capacity for crime reduction and instead consider strengthening the capacities of conventional police institutions.

c) The law enforcement functions of departments and their agencies that are mandated to address special areas should be clearly defined and delineated from the police functions of PNP and NBI.

3.1.10 There are several agencies performing law enforcement functions that are assigned policing functions but which have remained ineffective and weak. These include such examples as the Optical Media Board, the Bureau of Forestry and Aquatic Resources of the DENR, the Bureau of Customs and several others (see Annex 4.2).

3.1.11 Overlapping of policing functions among law enforcement agencies in the various executive departments with the operations of the PNP and NBI can be addressed by clearly delineating the law enforcement functions of these agencies from the policing functions of PNP and NBI. For example, the functions of these agencies should focus on investigative monitoring which involve regular environmental scanning for the purposes of identifying crime issues, rather on conducting case specific intelligence, investigation, patrolling and apprehension which should be relegated to the police agencies. Policing resources now attributed to these agencies can be better used in strengthening the capacities of conventional police organizations, particularly the PNP.

3.1.12 Other duplication/overlapping of functions between the PNP and other agencies such as the MMDA, LTO and some local government units particularly in Metro Manila, in traffic management is not necessarily dysfunctional if operations do not result in the performance of the same operations over the same geographical areas and covering the same cases and population; and if institutional integration will not result in economies and efficiencies. But the determination of which institutional framework would be most suitable for traffic management will require that traffic management be considered within the context of the overall peace and order function. Also, with emerging institutional conflicts among traffic enforcement agencies in NCR a more in depth study of the traffic management institutional arrangements will be needed towards streamlining and improving operational efficiency and effectiveness and particularly removing duplicative use of resources.

THERE IS A NEED TO PROVIDE A MORE COHERENT OVERSIGHT INSTITUTIONAL AND POLICY FRAMEWORK FOR THE COUNTRY'S ENTIRE POLICE SYSTEM IN ORDER TO ACHIEVE STRATEGIC FOCUS, PROVIDE UNIFYING POLICIES THAT WILL DELINEATE YET SYNCHRONIZE PRIORITIES AND OPERATIONS AND METHODS, AVOID UNNECESSARY DUPLICATIONS AND CONFLICTS AND STRENGTHEN COORDINATION, COMPLEMENTATION AND MUTUAL REINFORCEMENT.

3.1.13 While there is proliferation of agencies and inter-agency commissions and committees (such as NICA, DDB, PAOCC, NACC, IACAT, NCCAS, MMLTCC, and IAC-AVAWC) tasked to provide policy directions and coordination on various police-related services and activities undertaken by different agencies, there is an absence of a unifying oversight mechanism and overall policy framework that address crime issues in the various sectors. A deeper study that will lead to the rethinking of the entire institutional framework of the police system and the creation of capacity for integrated national policy, plan and strategy formulation to address peace and order issues and criminality in general and priority crime issues in particular should be made.

WITH INCREASING PEACE AND ORDER CHALLENGES AND SEVERELY LIMITED RESOURCES THAT GOVERNMENT CAN PROVIDE, IT WOULD BE MORE EFFICIENT TO INSTEAD STREAMLINE THE ENTIRE INSTITUTIONAL FRAMEWORK OF THE POLICE SYSTEM BY REINTEGRATING KEY POLICING FUNCTIONS TO THE CONVENTIONAL POLICE AGENCIES (PNP AND NBI), ABOLISHING SPECIALIZED AGENCIES AND TASK FORCES AND CONSIDERABLY STRENGTHENING THE CAPACITIES AND RESOURCES OF PNP AND NBI.

3.1.14 The building up of the number of crime busting agencies can be attributed to the efforts on the part of the political leaderships to demonstrate political will and capacity to address growing criminality. But this political strategy has not demonstrated strategic success despite the tremendous media exposure of successful operations where political leaders and not just the agencies directly accountable and responsible for police operations face media for political mileage. Therefore the political value of this mode of intervention has not been clearly established.

3.1.15 The government should consider reintegration of policing functions into the conventional police organization for the following reasons:

a) The inefficiencies in the use of resources in duplicative operating expenses and overhead expenses are unavoidable in this mode of organization.

b) The use of the conventional police workforce to execute the operations of specialized agencies merely reinforces the weaknesses and lack of sustainability of this institutional setup which do not provide mechanisms for institutionalized continuing learning and improvement which from the systematic building and usage of operations lessons and learning.

c) Specialized operations are very well within the mandates and institutional capacities of the PNP and NBI and resources will be better spent if invested in long-term institutional capacity development such as upgrading competency and technology.

3.1.6 A deeper and more comprehensive study that will lead to reforming the overall institutional framework of the police system and the reintegration of its formal institutional arrangements will be needed, within which the PNP's own transformation program can be placed in proper context.

3.2 Inter-Governmental Relations in Policing

3.2.1 Inter-governmental relations in policing focus on PNP- local government relations. While many national government agencies with policing functions perform functions within the geographical jurisdiction of local government units, there is no clear and cohesive framework that defines national – local relationships.

3.2.2 The Constitution provides that the role of local government units in the management of the police force be defined by law. Republic Act 6975 as amended by Republic Act 8551 defines the powers and functions local government units over the PNP to include the following:

- Direct, superintend and oversee the day-to-day functions of police investigation of crime, crime prevention activities, and traffic control in accordance with the rules and regulations promulgated by the NAPOLCOM.
- Direct the employment and deployment of units or elements of the PNP, through the station commander, to ensure public safety and effective maintenance of peace and order within the locality.
- Choose the chief of police from a list of five (5) eligibles recommended by the provincial police director. The local peace and order council, through the mayor may also recommend the recall or reassignment of the chief of police when, in its perception, the latter has been ineffective in combating crime or maintaining peace and order in the city or municipality, provided that this action is based on the guidelines established by the NAPOLCOM.
- Recommend to the provincial director the transfer, reassignment or detail of PNP members outside of their respective city or town residence.
- Recommend from a list of eligibles previously screened by the peace and order council the appointment of new members of the PNP to be assigned to their respective cities or municipalities without which no such appointment shall be attested.
- Control and supervise anti-gambling operations.
- As chairperson of the local peace and order council and in coordination with its members, develop and establish an integrated area/ community public safety plan embracing priorities of action and program thrusts for implementation by the local PNP station, as well as sponsor periodic seminars for members of the PNP assigned or detailed in his city or municipality in order to update them regarding local ordinance and legislation.

THE AUTHORITY BEING EXERCISED BY LOCAL GOVERNMENT UNITS OVER THE INTERNAL OPERATIONS AND DECISION-MAKING OF THE PNP CREATES AN ENVIRONMENT EXTREMELY VULNERABLE TO UNDUE POLITICIZATION OF THE POLICE FORCE, AND DESTROYS COMMAND RESPONSIBILITY AND ADMINISTRATIVE MANAGEMENT AUTHORITY OF THE PNP.

3.2.3 The basis for the definition of the role of local government units in the maintenance of peace and order and its relationship with the PNP is deeply rooted in history and in the wrong application of international practice where police departments were established in each city and municipality.

3.2.4 The role of local government units in the management of peace and order and in exercising authority over the police is also founded on the notion that peace and order is first and foremost a local public good and that crime is primarily a local issue simply because it happens in a specific geographical area.

3.2.5 But peace and order is both a national and local public good and crime is both a local and national concern. With the growing globalization of criminal elements crime is also becoming and international concern and consequently the achievement of world peace and order has become the joint concern of many democratic states.

3.2.6 But the law, in defining the organizational and functional relationships between national and local governments in the maintenance of peace and order and in crime management, has undermined basic organizational principles and fundamentals that are pre-conditions for the effectiveness of any organization, including the police force. In particular:

a) It has undermined the administrative authority of the PNP leadership and his field managers over police operations for which the PNP is publicly accountable since the local government head, who has no formal expertise in police operations and has no administrative accountability for the performance of PNP in his locality, is actually accorded by law the authority to direct the operations and deployment of the police in his locality.

b) It has undermined the administrative authority of the PNP head and his formal authority to command obedience and compliance by his police officers since the decision to hire, deploy and discipline is dispersed among several external bodies that have no accountability over the performance and internal management of the PNP.

c) It has rendered the PNP organization extremely vulnerable to undue politicization and abuse by local officials. The influence of local government executives in police operations is primarily evident in the selection of police officers, especially the chiefs of police. Anecdotal information gathered reveal that PNP recommendees to certain uniformed positions may not finally be hired and appointed unless they get the nod of the local executives of specific localities where they are to be assigned. Other anecdotal stories on the use of policemen as personal body guards of local executives abound.

THE DETERMINATION OF THE PROPER RELATIONSHIP BETWEEN THE NATIONAL GOVERNMENT AND LOCAL GOVERNMENT UNITS IN THE MAINTENANCE OF LOCAL PEACE AND ORDER AND IN ENSURING A WELL-FUNCTIONING POLICE FORCE IN THE COMMUNITY SHOULD BE SUCH THAT COMMAND RESPONSIBILITY AND ADMINISTRATIVE AUTHORITY, AS WELL AS CORRESPONDING ACCOUNTABILITY FOR OPERATIONAL PERFORMANCE OF THE PNP LEADERSHIP IS PRESERVED AND PROTECTED.

3.2.7 The definition of the proper relationship between the national and local governments in the maintenance of local peace and order should be guided by the following:

a) *The relationship between the national government as represented by the PNP and the local government units should be one of partnership rather than one of superior – subordinate relationship.*

3.2.8 This is based on the argument that peace and order is both a national and local concern and therefore national and local governments should share in the responsibility for its provision and maintenance.

b) *Since maintaining peace and order and combating criminality is first and foremost a local public good, local governments must assume more responsibility in financing the PNP.*

3.2.9 At present there is no clear mechanism for the determination of the level of local government responsibility and accountability in financing the police force. The current system is mainly voluntary and discretionary and is therefore prone to negotiation and bargaining, putting the police force in the bargaining end of the deal and rendering it extremely prone to abuse, harassment, blackmail and other forms of politicization by local government executives. The basis and the methodology for the determination of the local government's contribution to financing the police force should be clearly defined by law and founded on shared responsibility and clearly delineated accountability.

c) *The principles that will guide the determination of local government contribution to the police force should be defined; and the mechanisms for the annual determination and release of such resources to the police force should be institutionalized based on objective, predictable and transparent criteria and remittance procedures. .*

3.2.10 The current practice of local governments to determine the details of its contribution to the police stations and to each police officer in their localities should be replaced by institutionalized and more objective, predictable and transparent criteria and operational procedures.

3.2.11 In particular, the details of the eventual expenditures that will be incurred out of the local government contribution should be agreed upon between the PNP and the local government units but should be the responsibility of the PNP to implement and the corresponding responsibility of the local government to monitor and audit rather than to administer.

3.2.12 The policies that will guide the management of local government resource infusions should be designed and should address such issues as standardization, contribution equity in benefits and facilities, and reporting and accounting of funds to local executives.

d) The current administrative and operational authority and supervision being exercised by local executives and the PLEBs should be removed and returned to the PNP leadership in order to unify command responsibility, authority and accountability.

3.2.13 Local government units should not interfere with the internal administration of the PNP, particularly in recruitment, promotion, appointment and discipline, in the allocation and utilization of financial resources, in the day to day police operations, and in the transactional decision making process of the PNP within their locality.

3.2.14 The responsibility, authority and accountability of local government units in the provision and maintenance of local peace and order and in financing the PNP within its jurisdiction should be clearly defined by law.

e) The partnership between the PNP and local government units and the specific responsibility, authority and accountability of each partner in maintaining local peace and order and in financing the PNP should be defined and clearly delineated.

3.2.15 Such delineation may be guided by the following:

- Local government units are responsible for the formulation of local peace and order plans based on an understanding and assessment of the socio-economic, political, and other factors that affect trends in criminality and the general peace and order situation. Local peace and order plans are much broader than just a plan to be addressed by the police and covers the whole gamut of socio-economic, political and environmental issues that influence crime behavior and defines peace and order conditions.
- The PNP will propose to the local government its policing plan which will be a key component in the LGU's peace and order plan, together with a medium term and annual financial plan for its operations within which is indicated the funding share of the LGUs, determined based on criteria prescribed by law.
- The local government unit will establish the appropriate level of its funding contribution to the local police and remit such contribution to the PNP enterprise unit in accordance with prescribed procedures.
- The PNP and local government executive will execute a contract wherein the responsibilities and deliverables, and reportorial as well as accountability mechanisms and other detailed arrangements between the PNP and the local government with respect to the implementation of the policing plan will be implemented.

3.3 Police System Oversight

3.3.1 As mentioned previously, there is no oversight body for the police system. The present institutional framework limits the coverage of oversight functions to the PNP. This is exercised by the National Police Commission (NAPOLCOM). The Constitution provides that the PNP shall be administered and controlled by the NAPOLCOM.

IN OPERATIONALIZING THIS CONSTITUTIONAL MANDATE, RA 6975 AND RA 8551 INTERPRETED AND DEFINED THE FUNCTIONS OF THE NAPOLCOM AND ITS RELATIONSHIP WITH THE PNP. THE LAW DEFINES THE ROLE OF THE NAPOLCOM AS THAT OF ADVISER TO THE PRESIDENT, PROVIDER OF AND MONITOR OF COMPLIANCE TO STANDARDS ON PNP OPERATIONS, AND AS FORUM FOR APPEAL IN THE AREAS OF POLICE DISCIPLINE AND OTHER PERSONNEL MATTERS, RATHER THAN AN INTERNAL ADMINISTRATIVE MANAGER AND TRANSACTIONAL DECISION-MAKER FOR THE PNP.

3.3.2 As clarified under the law, the "administrative control and operational supervision" of the NAPOLCOM include its powers and authority to:

- Develop policies and promulgate a police manual prescribing rules and regulations for efficient organization, administration, and operation, including criteria for manpower, allocation, distribution and deployment, recruitment, selection, promotion, and retirement of personnel and the conduct of qualifying entrance and promotional examinations for uniformed members.
- Examine and audit, and thereafter establish the standards for such purposes on a continuing basis, the performance, activities, and facilities of all police agencies throughout the country.
- Establish a system of uniform crime reporting.
- Conduct an annual self-report survey and compile statistical data for the accurate assessment of the crime situation and the proper evaluation of the efficiency and effectiveness of all police units in the country.
- Approve or modify plans and programs on education and training, logistical requirements, communications, records, information systems, crime laboratory, crime prevention and crime reporting.
- Affirm, reverse or modify, through the National Appellate Board, personnel disciplinary actions involving demotion or dismissal from the service imposed upon members of the Philippine National Police by the Chief of the Philippine National Police.
- Exercise appellate jurisdiction through the regional appellate boards over administrative cases against policemen and over decisions on claims for police benefits.
- Prescribe minimum standards for arms, equipment, and uniforms and, after consultation with the Philippine Heraldry Commission, for insignia of ranks, awards, and medals of honor.
- Issue *subpoena* and *subpoena duces tecum* in matters pertaining to the discharge of its own powers and duties, and designate who among its personnel can issue such processes and administer oaths in connection therewith.
- Inspect and assess the compliance of the PNP on the established criteria for manpower allocation, distribution, and deployment and their impact on the community and the crime situation, and thereafter formulate appropriate guidelines for maximization of resources and effective utilization of the PNP personnel.

- Monitor the performance of the local chief executives as deputies of the Commission.
- Monitor and investigate police anomalies and irregularities.

IN ACTUAL OPERATIONALIZATION OF THE LAW, THE NAPOLCOM EXERCISES DECISION MAKING AUTHORITY OVER THE INTERNAL AFFAIRS OF THE PNP IN EFFECT SUPPLANTING THE MANAGEMENT DECISION-MAKING AUTHORITY THAT ARE INHERENT IN THE PNP CHIEF.

3.3.3 It is in the operationalization of the law that issues emerge. During interviews with some of the members of the Commission, it was admitted that the Commission has been inadequate in the performance of its assigned functions due to the absence of internal competencies to formulate the necessary policies, standards, operating rules and procedures and to undertake expert audits on compliance. Because of this the policies, manuals, and operating rules and procedures are formulated by the PNP and submitted to the Commission. The Commission merely reviews and approves.

3.3.4 The other operationalization issue is that NAPOLCOM has taken a transactional and internal administrative authority over the PNP by reviewing its transactions and its proposed budgets. This supplants the management authority of the PNP head and creates unnecessarily delays in internal management decision making of the PNP. Such transactional functions as investigation and payment of claims for death and disability benefits of PNP members and/ or their beneficiaries; and exercise of summary dismissal powers over any PNP respondent and/or their beneficiaries are within the purview of the management and administrative authority of the PNP Chief.

WITH THE DE FACTO ASSIGNMENT TO THE PNP OF THE NAPOLCOM TASKS OF DEVELOPING AND PROPOSING POLICIES, STANDARDS, RULES AND PROCEDURES THAT WILL GUIDE ITS OPERATIONS, AN ELABORATE ORGANIZATIONAL INFRASTRUCTURE OF CENTRAL DIRECTORATES TO PERFORM POLICY, STANDARDS AND RULE MAKING FUNCTIONS WAS ESTABLISHED IN THE PNP.

3.3.5 Several directorate offices were established which perform functions that are erstwhile functions of the NAPOLCOM:

DPRM – with respect to manpower policies and personnel administration policies and procedures

DL – with respect to the formulation of plans, standards and operating procedures in the area of logistics and logistics management

DP – with respect to the review of PNP organization structure and force development planning, and management of issues on legislation affecting the police

DPCR – with respect to the development of plans and programs on community relations

DIDM - with respect to the formulation of policies on intelligence and in the development of a crime reporting system, as well as collection and analysis of crime statistics

DHRDD – with respect to the formulation of policies and programs on human resources and doctrine development and in its application in police training

THE STRENGTHENING OF THE PNP AND, IN PARTICULAR, THE REENGINEERING OF ITS ADMINISTRATIVE STRUCTURE HINGES ON A CORRESPONDINGLY STRENGTHENED NAPOLCOM WHICH SHOULD HAVE THE INTERNAL COMPETENCY TO PERFORM ITS MANDATED FUNCTIONS.

3.3.6 A high-level review of the organization structure of the NAPOLCOM shows that its internal structure does not match its mandated functions. A deeper diagnostic study leading to the strengthening of the organization structure, internal functional configuration and competency of the NAPOLCOM should be undertaken and implemented.

3.3.7 The reengineering of the PNP organization structure and internal functions should be undertaken within the context of a strengthened and more capable NAPOLCOM.

4 PNP STRUCTURE AND FUNCTIONS

4.1 Internal Formal Structure and Functions

4.1.1 The internal functions of the PNP may be generally grouped into three types: mission-critical, conscience, and housekeeping functions.

a) Mission-critical functions - traditionally called "line" functions, which directly deal with the production and delivery of the services which the PNP is mandated by law to provide.

b) Conscience or "staff" functions – which include the formulation of plans, policies and programs; development of rules, guidelines and standards; monitoring and evaluation of organizational performance; research and development; strategic planning, and establishing the capacity for continuing learning and improvement.

c) Housekeeping functions – which cover the administrative and financial activities, including budgeting and accounting, procurement and physical assets management, human resource management, general administration services, and related logistical support services.

THE MAJOR OFFICES OF THE PNP BOTH AT THE NATIONAL HEADQUARTERS AND FIELD LEVELS ARE PROVIDED BY LAW.

4.1.2 RA 6975 provides that the PNP at the national level "...shall maintain its office in Metropolitan Manila which shall house the directorial staff, service staff and special support units. At the regional level, the PNP shall have regional offices, including that of the National Capital Region, which may be divided into two (2) separate regions

without prejudice to the pertinent provisions of the Organic Act for the Autonomous Regions of the Cordilleras and Muslim Mindanao relative to the creation of a regional police force in the area of autonomy. Each of these regional offices is headed by a regional director for peace and order. At the provincial level, there is a PNP office, headed by a provincial director. In the case of large provinces, police districts may be established by the Commission to be headed by a district director. At the city or municipal level, there is a PNP station, each headed by a chief of police".[11]

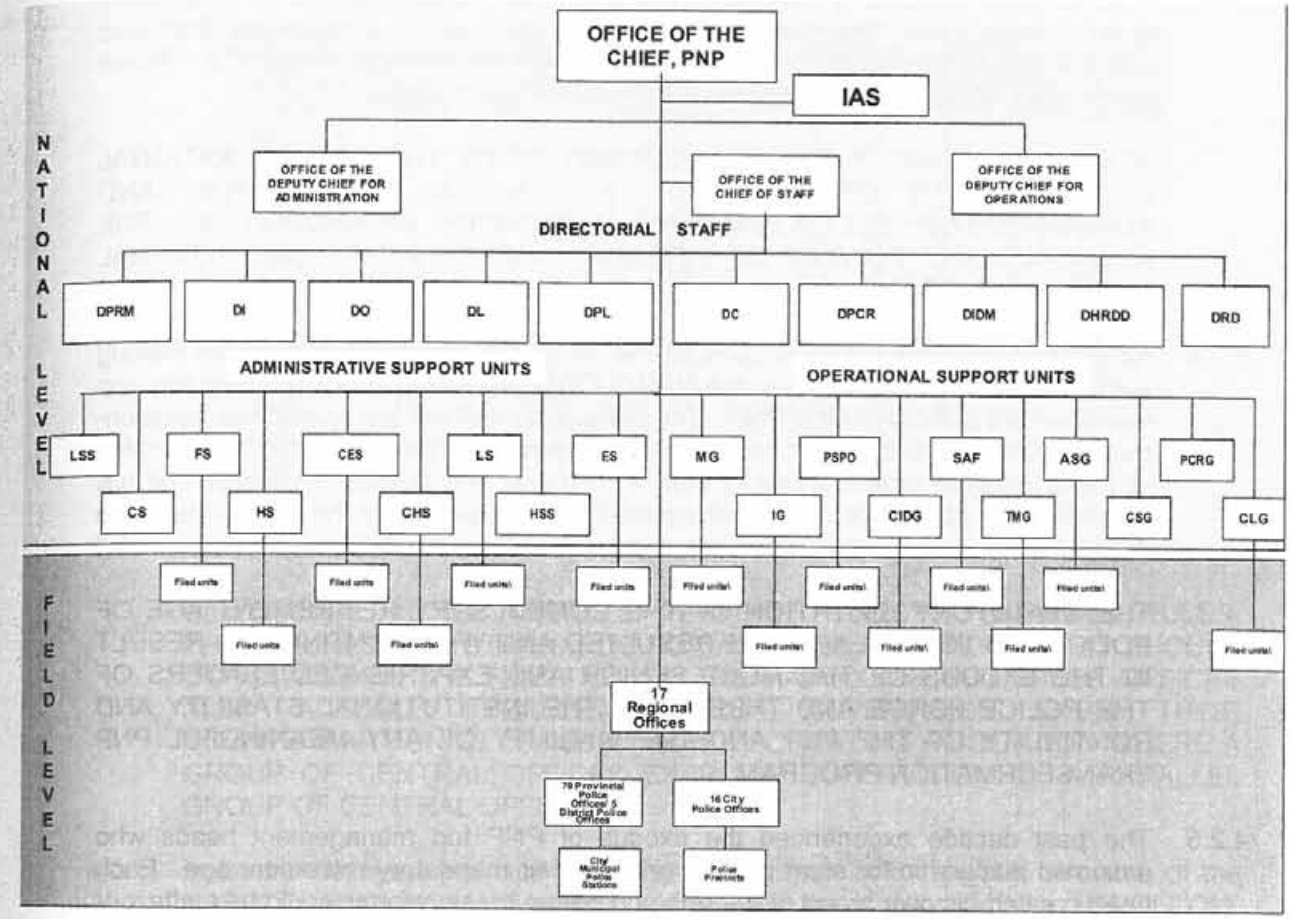
4.1.3 The services staff and the special support units mentioned in the law comprise of the National Support Units (NSUs) under the authorized organization structure of the PNP. The NSUs are classified into the operational support units and the administrative support units, each headed by a Police Chief Superintendent (equivalent to Director III at Salary Grade 27). The 10 operational support units, consisting of the CIDG, CLG, MG, ASCG, TMG, SAF, IG, CSG, PSPO and PCRG may be considered as the mission-critical units in the national headquarters. The nine administrative support units comprising of the FS, CS, ES, LSS, HSS, COMMEL, HS, LS, and CHS are the housekeeping units. The operational support units are identified under RA 6975. Among the administrative support units on the other hand, the HSS, COMMEL, and CHS are additional creations under the PNP's organization structure. The creation of these units is provided for in the law.

4.1.4 The directorial staffs are not provided for in the law but are specified in the PNP organization structure. The ten directorate staffs are the DPRM, DI, DO, DL, DP, DC, DPCR, DIDM, DHRDD, and DRD are each headed by a Police Director (Salary Grade 28).

4.1.5 Figure 4.1 presents the existing organization structure of the PNP, reflecting its major subdivisions. Summary descriptions of the functions of each office and unit are presented in Annex 4.3.

[11] *Id.*, sec. 25.

Figure 4.1
CURRENT ORGANIZATION STRUCTURE OF PNP



Source: PNP

4.2 Management Structure and Tenure

4.2.1 What is unique in the PNP is that it does not have policy formulation functions, and therefore the role of its head is limited to the management of operations. The policy formulation functions on the police are assigned to the NAPOLCOM.

4.2.2 The PNP is headed by a Chief, PNP who is mandated by law to direct and control tactical as well a strategic movements, deployment, placement, utilization of the PNP or any of its units and personnel, including its equipment, facilities and other resources; and issue detailed implementing guidelines and instructions regarding personnel, funds, properties, records, correspondence and such as other matters[12]. In actual practice however, the PNP Chief operates an elaborate structure of policy, planning, rules and standards formulation directorates, in the absence of the actual performance of these functions by the NAPOLCOM.

[12] Section 26, RA 6975

4.2.3 The PNP, Chief who has the rank of Director-General (equivalent to undersecretary of an Executive Department) is assisted by a Deputy Director-General for Administration (second in command) and a Deputy Director-General for Operations (third in command). The creation of a position of Chief of the Directorial Staff also with the rank of Deputy Director-General is likewise provided for in RA 6975. These top-ranking officials of the PNP comprise its executive structure.

WHILE THE CHIEF, PNP IS CONSIDERED TO BE THE TOP OPERATIONAL DECISION-MAKER OF THE PNP, HIS ACTUAL OPERATIONAL AND ADMINISTRATIVE DECISION-MAKING AUTHORITY IS ERODED BY THE AUTHORITY AND POWERS OF EXTERNAL AGENCIES OVER THE INTERNAL OPERATIONS OF THE PNP.

4.2.4 As mentioned in the previous parts of this study the transactional decision making authority of LGUs, PLEBS, and the NAPOLCOM erodes unity of command and top management authority of the PNP. The reintegration of the top operational decision-making functions to the PNP head, without undermining the importance of the roles of these external organizations is both a technical and political challenge that will determine the coherence of the management and consequently the operations of the PNP.

THE STATUTORY LIMITATION OF THE COMPULSORY RETIREMENT AGE OF POLICEMEN TO 56 YEARS HAS RESULTED AND WILL CONTINUE TO RESULT IN THE EXODUS OF THE MOST SENIOR AND EXPERIENCED LEADERS OF THE POLICE FORCE AND THREATENS THE INSTITUTIONAL STABILITY AND CONTINUITY OF THE PNP AND THE VIABILITY OF ANY MEANINGFUL PNP TRANSFORMATION PROGRAM.

4.2.5 The past decade experienced the exodus of PNP top management heads who assumed leadership for short periods prior to their mandatory retirement age. Each head created his own brand of reforms and before these reforms could take effect or be firmly put in place the incumbent retires. About 30% of PNP's most senior officers and who are now occupying strategic management positions will retire in the next 4 to 5 years. This will create an ever changing wave of managerial personnel and will bring about instability and undermine institutional continuity and futurity.

4.2.6 The government must seriously consider the freezing, through a Congressional Resolution of the implementation of the mandatory retirement age stipulated in RA 6975 and undertake a serious study in determining the proper retirement age of specific positions in the police force. For example, the mandatory age requirement may be applied only to policemen who are in active field duty at age of mandatory retirement, while policemen performing management functions, and even those whose functions do not involve the use of physical force should be accorded the normal retirement age of 65. The government will stand to benefit from high – level expertise of the more senior, highly trained and experienced senior officers.

Table 4.1
AGE PROFILE OF MANAGEMENT LEVEL POLICE OFFICERS, BY RANK
As of September 2004

RANK	AGE					TOTAL
	30 & BELOW	31-40	41-50	51-56	ABOVE 56	
DG	0	0	0	0	1	1
DDG	0	0	0	3	0	3
DIR	0	0	0	8	0	8
CSUPT	0	0	4	64	0	68
SSUP	0	0	169	262	0	431
SUPT	0	168	906	520	0	1,594
CINSP	15	639	568	326	0	1,548
SINSP	341	861	510	658	0	2,370
INSP	946	695	1,217	1,037	2	3,897
Sub-Total	1,302	2,363	3,374	2,878	3	9,920

Source: DPRM, PNP

4.3 Vertical and Horizontal Compartmentalization

DIRECTORIAL STAFF OFFICES PERFORM POLICY, PLANNING, RULES, PROCEDURES AND STANDARDS FORMULATION FUNCTIONS THAT SHOULD OTHERWISE BE THE FUNCTION OF THE NAPOLCOM. BUT THESE OFFICES ALSO ACTUALLY PERFORM DIRECT SUPERVISION OVER THEIR COUNTERPART UNITS IN NSUS THEREBY CREATING A SITUATION WHERE A GROUP OF CENTRAL OFFICES EXERCISE SUPERVISION OF A PARALLEL GROUP OF CENTRAL OFFICES.

4.3.1 In theory the directorial staff units should form part of the organic structure of the NAPOLCOM since their functions are actually the functions of the NAPOLCOM. However, in actual practice these directorial staff offices are the other functional half of certain NSUs particularly those performing conscience and housekeeping functions. Thus we have a situation where certain conscience and housekeeping functions are actually split into two: the planning and policy being assigned to the directorial staff and the oversight supervision of field operations being assigned to the NSUs but with the directorial staff performing operational supervision over the NSUs. This splitting of functions is particularly true in the following areas:

a) Financial management (Directorate for Comptrollership and Finance Service)

b) Human Resources Development (Directorate for Human Resources and Doctrine Development, and Directorate for Personnel and Records Management)

c) Logistics (Directorate for Logistics and Logistics Support Service)

IN ADDITION TO SUPERVISING COUNTERPART CENTRAL OFFICES DIRECTORIAL STAFF OFFICES ALSO ACTUALLY EXERCISE SUPERVISION OVER REGIONAL AND FIELD OFFICES IN THEIR RESPECTIVE FUNCTIONAL AREAS.

4.3.2 This setup is a deviation from the standard organizational model that limits conscience units to staff functions (policy formulation, standards setting and guidelines development to support mission-critical units in their operations). As such, staff or conscience units should not perform direct supervision over other units in the organization. This is confusing especially since the PNP organization chart does not even depict such relationship. It is vulnerable to inequities in the power structure.

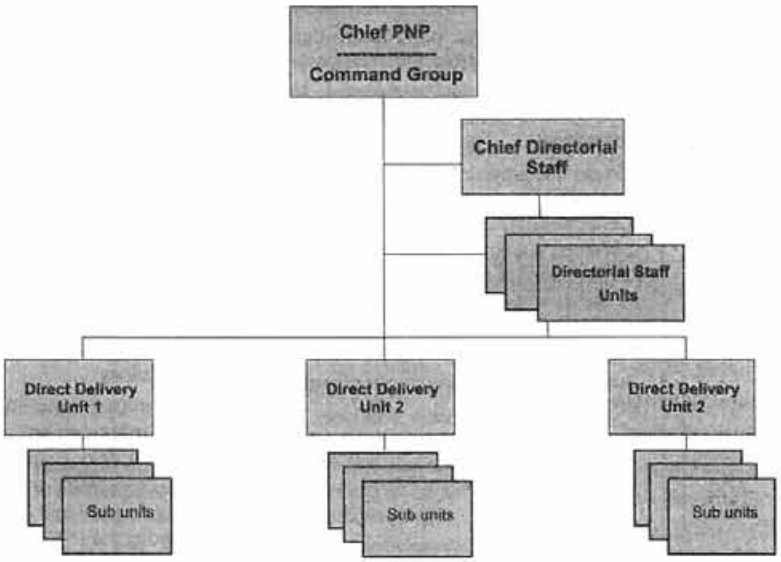
Table 4.2
SCOPE OF SUPERVISORY FUNCTIONS OF DIRECTORIAL STAFF OFFICES

DIRECTORIAL STAFF	CONSCIENCE FUNCTIONS	UNITS UNDER THE DIRECTORATE'S SUPERVISION
1. Directorate for Operations	▪ Controls, directs and monitors all activities identified as police operations, to include patrol functions, conduct of search, arrest and seizure, special operations, internal security operations, aviation security, maritime security, civil security, traffic management. ▪ Assess, evaluates and prepares immobilization, demobilization, assignment and/or location, employment/ deployment of units of the PNP in coordination with the other Directorial Staff	▪ Aviation Security Group ▪ Maritime Group ▪ Traffic Management Group ▪ Special Action Force ▪ Civil Security Group ▪ Headquarters Support Service ▪ Police Regional Offices (in the conduct of police operations activities) and police units under the PROs command
2. Directorate for Investigation and Detective Management	▪ Formulates policies, rules, procedures and standards for the conduct of investigation, as well as in research and development efforts for improving/ strengthening the delivery of investigation functions, in assistance to the Chief PNP. ▪ Directs, monitors and supervises investigation units of the PNP.	▪ Criminal Investigation and Detective Group ▪ Crime Laboratory ▪ Police Regional Offices (in the conduct of crime/ criminal investigation activities) and police units under the PROs command
3. Directorate for Intelligence	▪ Conducts planning, policy formulation and coordination and supervision pertaining to the performance of intelligence activities of the PNP, in assistance to the Chief PNP.	▪ Intelligence Group ▪ Police Security and Protection Office ▪ Police Regional Offices (in the conduct of its intelligence activities) and other police units under the PROs command
4. Directorate for Police Community Relations	▪ Plans, directs, coordinates and supervises the performance of police community relations programs, projects and activities of the PNP.	▪ Police Community Relations Group ▪ Police Regional Offices (in the conduct of its PCR activities) and other police units under the PROs
5. Directorate for Personnel and Records Management	▪ Formulates and updates personnel policies on promotion, demotion, reinstatement, procurement/ employment, administration, discipline, career management of the PNP. ▪ Evaluates performance of PNP personnel	▪ Each Directorial Staff and National Support Unit in their personnel management duties ▪ Police Regional Offices (in the conduct of personnel management within the region)

DIRECTORIAL STAFF	CONSCIENCE FUNCTIONS	UNITS UNDER THE DIRECTORATE'S SUPERVISION
6. Directorate for Human Resource and Doctrine Development	▪ Formulates policies, plans and programs for career development of PNP personnel ▪ Formulates doctrines pertaining to PNP organization, administration and operations. ▪ Directs the provision of training to PNP personnel in the regions	▪ All training units within the PNP (under other Directorial Staff Units and NSUs) ▪ Police Regional Offices (in the conduct of training services to PNP personnel within the region) and other police units under the PROs
7. Directorate for Logistics	▪ Develops policies, rules and procedures for the conduct of logistics activities such as procurement, planning, maintenance, installation, transportation and other relative to these. ▪ Supervises the management of logistics of PNP units	▪ Logistics Support Services ▪ Computer Services ▪ Engineering Services ▪ Communication and Electronic Services ▪ Each Directorial Staff and NSU in the management of office logistics ▪ Police Regional Offices (in the management of all logistics within the region) and other police units under the PROs
8. Directorate for Research and Development	▪ Reviews, studies and develops standards for weapons, clothing, transportation, communication, criminalistics, equipment, and other critical materiel and equipment for the use of PNP delivery units.	
9. Directorate for Comptrollership	▪ Formulates policies and procedures on auditing, accounting, reporting and general financial management ▪ Supervises and manages the preparation of the PNP budget estimates by the various program directors of the PNP, financial management and program review and analysis. ▪ Develops plans and programs for management improvements of the PNP.	▪ Financial Services ▪ Each Directorial Staff and NSU in their conduct of financial management activities, budgeting and planning ▪ Police Regional Offices (in financial management within the region)
10. Directorate for Plans	▪ Develops PNP organizational and force development plans ▪ Conducts research and development projects ▪ Supervises strategic programs of the PNP the PNP National Strategic Action Plan, Capability Development Plan, and its Modernization Plan.	▪ Each Directorial Staff and NSU in their conduct of planning activities ▪ Police Regional Offices (in the conduct of planning activities within the region) and other police units under the regional command.

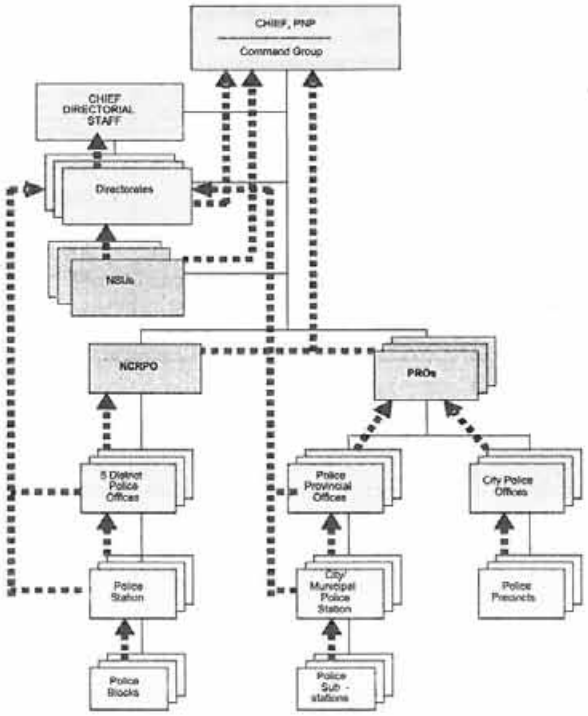
4.3.3 Since the directorial staff offices undertake management of delivery functions it has created an informal command structure that duplicates with the regular line of authority of the PNP.

Figure 4.2
PARALLEL COMMAND STRUCTURES, PNP



4.3.4 Also since the directorial staff and NSUs actually exercise direct supervision over their counterparts which are supposed to be under the direct authority of their respective regional heads in the field the entire vertical authority structure of the PNP is effectively distorted.

Figure 4.3
DISTORTION OF THE FORMAL CHANNELS OF AUTHORITY
BY PARALLEL SUPERVISORY FUNCTIONS OF DIRECTORIAL STAFF AND NSUS



4.3.5 Based on NAPOLCOM Resolution No. 96-056 – Amending Resolution No. 92-36, "except for the Maritime Group, Aviation Security Group, Health Service, Intelligence Group, Crime Laboratory, Narcotics Group (formerly under the PNP), Crime Investigation Group, and the Communication Service, all NSUs shall have offices only at the national headquarters. All their regional/ provincial/ municipal offices shall be deactivated and the personnel of these deactivated offices shall be made organic personnel of police stations in order to beef up police visible program." Another NAPOLCOM issuance, Resolution No. 2000 – 119, specifies the reactivation of Regional Finance Offices of the 16 Regional Offices. Thus, each of these NSUs supervise and direct implementation of police and other services of their satellite units, within regions, provinces, districts and other field office levels.

THE PRESENCE OF PARALLEL NSU REGIONAL OFFICES OPERATING SIDE BY SIDE WITH THE REGULAR PNP REGIONAL OFFICES EMPHASIZES NOT JUST STRUCTURAL DUPLICATION BUT ALSO THE HIGH DEGREE OF CENTRALIZATION OF ADMINISTRATIVE AND FINANCIAL MANAGEMENT DECISION MAKING.

4.3.6 This setup is such that PNP regional offices do not actually have administrative and financial management authority since this is performed by the regional office of NSUs. But at the same time PNP regional offices have administrative and financial units. This paradoxical centralization of administrative and financial management functions is illustrated in several areas:

a) Centralization of the preparation of payroll for the entire PNP

b) Centralization of decision-making with respect to the details of the budget during the annual budget preparation process

c) Centralization of key personnel management decisions such as recruitment, promotion and discipline.

THE PNP HAS A TALL ORGANIZATIONAL SET UP, ITS VERTICAL HIERARCHY COMPRISING OF SIX LEVELS OF AUTHORITY OR CONTROL POINTS AT THE NATIONAL HEADQUARTERS AND FOUR AT THE FIELD LEVEL.

4.3.7 Table 4.3 shows the hierarchical levels of authority in the national headquarters and at the field, the directorial staffs forming one level of hierarchy considering their supervisory authority over the national support units as previously mentioned. Further, the heads of the directorial staffs are higher in rank vis-à-vis those of the NSUs.

4.3.8 A tall structure like the PNP has its problems. As chain of command lengthens, top to bottom and bottom to top communication is slow, resulting in delay and risks in miscommunication. This system's integrity is particularly vulnerable in that there is great opportunity for information upward and downward to be distorted to suit personal interests of certain individuals. Subordinates may transmit to superiors only the information that improves their own standing in the organization. Managers may hoard information to protect their own interests at the expense of the organization.[13]

[13] Berkley and Rouse, The Craft of Public Administration", 1977

This situation is illustrated by an alleged incident where certain officers were added to a list of spot promotees even if they did not actually participate in a successful police operation.

Table 4.3
ORGANIZATIONAL HIERARCHIES IN PNP

PARTICULAR	ORGANIZATIONAL HIERARCHY	LEVEL
National Headquarters Operations	Chief, PNP	First
	Deputy-Director General	Second
	Directorial Staff	Third
	National Support Units	Fourth
	Divisions under each major organizational units	Fifth
	Section-level organizational units	Sixth
Field Operations	Regional Office	First
	Provincial Office District Office City Police Office	Second
	City/Municipal Police Station Divisions under each major organizational units	Third
	Precincts Section-level organizational units	Fourth

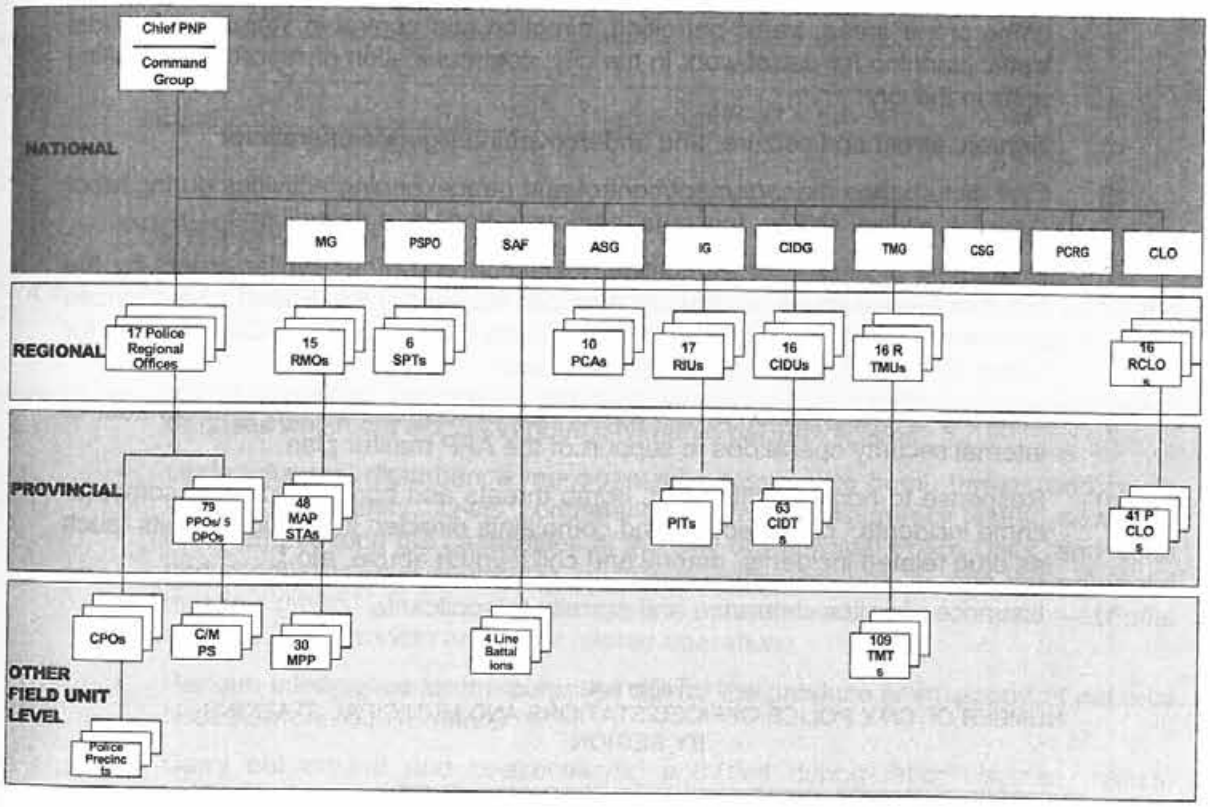
4.3.9 A tall structure is costly. Many hierarchical levels mean appointing many police managers more than necessary. In a de-layered organization structure, authority and accountability are more visible and clearer. The tendency for some supervisors to pass the buck is limited.

BECAUSE OF MULTIPLE DELIVERY SYSTEMS THE PNP MAINTAINS MISSION-CRITICAL UNITS AT THE CENTRAL LEVEL. THESE UNITS ARE ORGANIZED ALONG FUNCTIONAL SPECIALIZATIONS. FRAGMENTATION, DUPLICATION, OVERLAPS AND PROLIFERATION CHARACTERIZE THE HORIZONTAL STRUCTURING OF THESE FUNCTIONS, CREATING CONFUSION IN AUTHORITY, RESPONSIBILITY AND RESOURCE CONTROL, AND INEFFICIENT USE OF RESOURCES.

4.3.10 The PNP organizational set-up at the central level is organized along functional and geographical jurisdictions or coverage. Functional jurisdiction specifically defines the authority of the police unit to take in a police concern based on certain factors such as specialized service provision, object or subject to be responded to, or gravity of crime, among others. Geographical jurisdiction on the other hand defines the geographical boundaries within which each PNP field unit operates, as well as the specific geographical location where a crime is reported/ discovered/ complained about. For instance, a city or municipal police station has jurisdiction over the investigation of a crime committed in its locality.

4.3.11 Mission-critical functions are undertaken both at PNP central office or police headquarters and the different field units established at the regional, provincial/district (in case of NCR) and city/municipal levels. Functional and geographical overlaps and proliferation exist among the various support units which have their respective field presence and the regular PNP field offices (Figure 4.4). The MSG, PSPO, ASG, IG, CIDG, CL and TMG have parallel regional operating units, complementing the operations and activities of the 17 police regional offices (PROs). The MG, IG and CIDG are further maintaining provincial operating units "competing" with the operational jurisdiction of the 79 police provincial offices (PPOs). The MG, SAF and TMG are even operating in cities and municipalities or in specific sites such as ports or major task areas which are with the geographical jurisdictions of city and municipal stations.

Figure 4.4
FUNCTIONAL AND OPERATIONAL OVERLAPS AMONG PNP UNITS



4.4 Quality of Delivery and Public Access Mechanisms

CITY AND MUNICIPAL LEVEL

4.4.1 Geographical access to police services is provided at police stations and sub stations in each city and municipality. At present there are 16 city police offices, 86 city police stations and 1,496 municipal police stations across the country. The police services provided by local police stations, as indicated below, are in many cases also provided by the national headquarters' operational support units operating in the same geographical area:

a) Crime scene investigation - traffic investigation, custodial investigation, coordination other investigating units such as the NBI and PDEA, coordination with CIDG, calling in SOCO team or the Crime Laboratory (provincial or regional) when case requires forensic expertise and laboratory services

b) Patrolling (foot, mobile, beat) of barangays within the city/ municipality and crime prone areas; traffic patrolling, direction and control in streets and roads; traffic planning for patrol work in the city; communication of reports to patrolling units in the city

c) Search, arrest and seizure, and undercover/intelligence operations

d) Civil disturbance management/control and peacekeeping activities during labor disputes, rallies, strikes, lockouts, demonstrations and demolitions

e) Enactment of orders for demolition, injunction and other similar orders by the court or quasi-judicial court upon a written request of the Sheriff or authorized representative, with written permission from the Presidential Commission for Urban Poor, and coordination with the mayor

f) Manning of checkpoints where authorized or required by law and conduct of internal security operations in support of the AFP master plan

g) Response to hostage situations, bomb threats and bomb incidents, computer crime incidents, other reports and complaints directed to the police units (such as drug related incidents, marital and child/ youth abuse, etc.)

h) Issuance of police clearance and permits to applicants

Table 4.4
NUMBER OF CITY POLICE OFFICES/STATIONS AND MUNICIPAL STATIONS BY REGION

REGION	CITY POLICE OFFICES AND STATIONS	MUNICIPAL POLICE STATIONS
NCR	13	4
1	8	117
2	3	90
3	12	118
4-A	10	132

REGION	CITY POLICE OFFICES AND STATIONS	MUNICIPAL POLICE STATIONS
4-B	2	71
5	7	107
6	16	117
7	12	120
8	4	139
9	5	67
10	8	85
11	5	43
12	5	45
CAR	1	76
ARMM	1	99
13	3	70
	102	1,496

SOURCE: DPL, PNP: 2004

PROVINCIAL LEVEL

4.4.2 The 79 PPOs and NCR district offices also perform direct service delivery within the geographical boundaries of assigned provinces and districts. Their activities include:

- Investigate when deemed necessary or when instructed by national headquarters or cases which cut across various city/municipal jurisdictions
- Undertake civil disturbance management, respond to bomb threats and bomb incident emergency, crisis, contingency or counter-insurgency related situations extending beyond the capabilities of the City or Municipal Police Units and Plan and conduct special operations anywhere in the province through the provincial mobile group, in counter-insurgency, counter-subversion, unconventional welfare, anti-terrorism and other related operations
- Perform intelligence for the purposes set for the province or in support of national headquarters requirements
- Carry out control and peacekeeping activities during labor disputes, rallies, strikes, lockouts, demonstrations and demolitions to augment police strength at the component city/ municipal levels and when directed by higher headquarters.
- Man checkpoints where authorized or required by law and when directed by higher headquarters

4.4.3 Most of their operations are those directed by the national headquarters and those that are inter-city/municipality in scope. But the structural response to the management of inter-jurisdictional operations results in structural redundancies and overlaps and therefore inevitable involves resource utilization inefficiencies.

Table 4.5
EXISTING POLICE PROVINCIAL OFFICES, BY REGION

REGION	NUMBER OF PPOS
1	4
2	5
3	7
4-A	5
4-B	5
5	6
6	6
7	4
8	6
9	3
10	5
11	4
12	4
CAR	6
ARMM	5
13/CARAGA	4
TOTAL	79

SOURCE: DPL, PNP: 2004

REGIONAL LEVEL

4.4.4 The 17 Police Regional Offices provide police services within a larger geographical jurisdiction. In particular their functions include:

- Conduct initial evidence gathering activities on complaints brought to its attention by concerned citizens on matters involving abuses, acts destructive of the image and credibility of the PNP which are committed by PNP and other government personnel
- Investigate when deemed necessary or when instructed by national headquarters
- Investigate major cases which permeate among provinces
- Conduct civil disturbance management when directed by higher headquarters or to augment police strength within the region
- Respond to bomb threats and bomb incident emergency within the province or district
- Issue approval of personal licenses to exercise security profession
- Process application for license to possess firearms, ammunition and explosive and permit to carry firearms outside residence for approval of Chief PNP
- Plan and conduct special operations anywhere in the region through its regional mobile group, in counter-insurgency, counter-subversion, unconventional welfare, anti-terrorism and other related operations
- Respond to crisis, contingency or counter-insurgency related situations extending beyond the capabilities of the PNP Provincial/ District Command.

- Perform intelligence for the purposes set for the region or in support of national headquarters requirements

4.4.5 The above functions are not really different from those of the provincial police offices and the city/municipal police stations, the distinction being the geographic coverage, that is, on a regional basis. Nevertheless, the issue is the lack of clear delineation on what is regional, provincial and local in scope. There is also an absence of clear parameters as to when an operation should be directed by the national headquarters and when it should be initiated by the local unit. Responses on these questions during field interviews indicate that personnel could not clearly establish the policy or procedural basis for these and therefore indicates a high decree of adhocracy which is centrally driven.

AS MENTIONED, OPERATIONAL SUPPORT UNITS IN THE NATIONAL HEADQUARTERS PROVIDE DIRECT POLICE SERVICES "WITH NATIONAL JURISDICTION AND WHERE THEIR SPECIAL SERVICES ARE REQUIRED". BUT THERE IS LACK OF CLEAR GUIDELINES AS WHAT POLICE CASE IS OF NATIONAL JURISDICTION. IN THE ABSENCE OF SUCH POLICY THE CURRENT SYSTEM IS PRONE TO OPERATIONAL OVERLAPS AND CONFLICTS.

Table 4.6
FIELD MECHANISMS OF OPERATIONAL SUPPORT UNITS

OPERATIONS SUPPORT UNIT	FIELD MECHANISMS
Criminal Investigation and Detection Group (CIDG)	16 Regional Criminal Investigation and Detective Units (RCIDUs) in each region, except for Region IV A and B which have only one regional unit. Each RCIDU comprises of four (4) branches and Crime Investigation and Detection Teams, functioning as satellite units of the national CIDG in the region.
Crime Laboratory (CLG)	The National Crime Laboratory is much more equipped than the regional or provincial offices and it is complemented with a greater number of specialists, capable of providing all the above mentioned criminalistics services, in support to investigation or as part to the investigation of a crime. The Regional Crime Laboratories are located in regions 1-12, CAR, ARMM, and CARAGA. They also have distinct macro-etching stations in the regions. In the NCR, every district command has its own crime laboratory. The regional units do not have the same capacity as the national headquarters. When cases demand certain specializations or the conduct of forensic investigation through special equipment, these evidences are brought to the national headquarters for accomplishment, such as DNA testing or the use of enhance physical identification equipment. The provincial units of the Crime Laboratory do not possess the manpower strength and capacity to undertake the same forensic investigation functions as the regional units. Thus, though the provincial units were established to provide increased accessibility of crime laboratory functions in localities, most crime laboratory functions are still delivered by the regional offices.
Maritime Group (MG)	There are 15 Regional Maritime Offices performing general delivery of services to augment staff deployed in 48 Maritime Police Stations and 30 Maritime Police Precincts in ports throughout the country
Aviation Security Group (ASG)	In the regions, Police Center for Aviation Security (PCAS) are organized to undertake planning, supervision and patrolling functions of the ASG in the airports of the country.

OPERATIONS SUPPORT UNIT	FIELD MECHANISMS
	There are 10 PCAS with jurisdiction over airports[14] nationwide, and a total of 55 subgroups manned by the ASG. These units are tasked to develop intelligence information and conduct intelligence operations on known or identified syndicated groups/ criminal groups and act on gathering information on entities that pose threat to the individuals and the airport and airplanes within the complex.
Traffic Management Group (TMG)	There are 6 satellite units of the MVCOs in the NCR, providing proximate clearance services in the districts of Metro Manila. There are TMUs in all regions, provinces and almost all cities of the country. Each regional unit is composed of field units, either provincial traffic management offices to man the provinces, or other team units designated for the specific areas. Each provincial and other field traffic management team is composed of a traffic unit, an anti carnapping unit, and a motor vehicle clearance unit.
Special Action Force (SAF)	In support to SAF functions such as rapid deployment operations and other transport needs through air crafts, the SAF through its Air Unit is capable of providing immediate response and special operations through this kind of carrier. The SAF operates and manages 4 line battalions situated in areas where special operations are necessitated such as for counter terrorist operations, commando type unconventional warfare and search and rescue operations. Each battalion is composed of several companies which are in turn manages several platoons.
Intelligence Group (IG)	The 17 regional units of the IG assist the Police Regional Offices, other PNP units/ agencies and law enforcement agencies in the production of intelligence requirements. Provincial teams are also deployed in specific areas of the region performing as satellite units in the deliver of intelligence support functions.
Civil Security Group (CSG)	The CSG is composed of two direct delivery units for issuances to be made on permits within the NCR or at the national headquarters: Firearms and Explosives Division and the Security and Guards Supervision Division.
Police Security and Protection Office (PSPO)	There are Security and Protection Teams in Regional Headquarters of regions 5,7,9,10,11, and 12 that monitors security personnel assigned to authorized individuals thereat.
Police Community Relations Group (PCRG)	None

14

PCA Units	Airports Covered	PCA Units	Airports covered	PCA Units	Airports covered
PCA 1:Ninoy Aquino International Airport	Ninoy Aquino International Airport	PCAs5: Legazpi Airport	Legazpi , Virac, Naga , Masbate, and Daet	PCAs 8: Davao International	Davao International, Cotabato , General Santos, Bislig, Mati, and Tandag
PCAs 2: Manila Domestic Airport	Puerto Princesa, Busuanga, Sandoval, Marinduque, San Jose, Tablas, Pinamalayan , and Mamburao	PCAs 6: Iloilo Airport	Iloilo, Bacolod, Kalibo , Godofredo, Roxas, and EB Javier	PCAs 9: Zamboanga International Airport	Zamboanga International, Dipolog, Jolo, Ipil, Pagadian, Sarangani, and Liloy Siocon
PCAs 3: Subic Bay Freeport	Subic Bay International, Diosdado Macapagal, and Plaridel	PCAs 7: Mactan-Cebu International Airport	Mactan-Cebu International, Tacloban, Tagbilaran, Dumaguete, Catarman, Calbayog, and Sta. Fe	PCAs10th : Cagayan de Oro Lumbia Airport	Cagayan de Oro Lumbia, Bancasi, Siargo, Camiguin, Surigao, and Ozamis

PCAs 4: Laoag International Airport (Tuguegarao, Cauayan, Baguio, Basco, and San Fernando Airports)

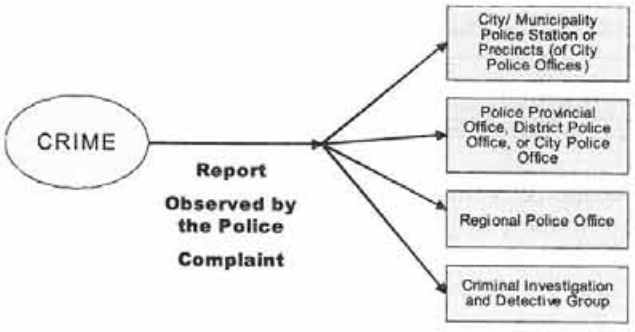
THE ISSUE IN THE PNP'S DELIVERY SYSTEM IS NOT JUST DUPLICATION AND PROLIFERATION PER SE. THE ISSUE IS THAT THE APPROPRIATE HORIZONTAL AND VERTICAL COMPARTMENTALIZATION OF FUNCTIONS THAT WILL JUSTIFY THE PRESENCE OF MULTIPLE DELIVERY SYSTEMS OVER THE SAME GEOGRAPHICAL AREA AND MULTI-LEVEL DELIVERY SYSTEMS WHICH WILL LIKEWISE REDOUND TO DUPLICATION IN GEOGRAPHICAL JURISDICTION MUST BE ESTABLISHED IN ORDER TO AVOID OPERATIONAL CONFUSION, CONFLICT, AND DYSFUNCTIONAL USE OF LIMITED RESOURCES.

4.4.6 It is recognized that higher-level delivery system focus on more sophisticated or complex forms of criminality or peace and order concerns that require the provision of specialized forces, or the management of a wider geographical scale. The challenge for the PNP is to achieve proper vertical and horizontal compartmentalization of functions that will achieve complementation and reinforcement rather than duplication and operational conflict and which will not result in the duplication of expensive vertical structures that support field operations.

AS A RESULT OF PROLIFERATION OF DELIVERY FUNCTIONS WITHIN THE PNP, THERE IS NO COMMON ENTRY POINT FOR CASES. MULTIPLE DELIVERY SYSTEMS MAY CONFUSE THE PUBLIC AND CREATE A PARADOXICAL EFFECT OF UNDERMINING PUBLIC ACCESS. IT MAY RENDER THE SYSTEM VULNERABLE TO FORUM SHOPPING.

4.4.7 The PNP has organized complaint desks in police stations where citizens may report the occurrence of crime/s. However, many people prefer to report their complaints or crimes to the "specialized" investigating teams, especially the CIDG and higher commands (police regional offices, police provincial/ district offices). In some cases citizens may engage in forum shopping to get desired results. The weakness is further magnified by lack of an effective information system that make it difficult to trace information and actions on cases/complaints across units.

Figure 4.5
ENTRY POINTS FOR CRIMES/COMPLAINTS



ACCESS TO POLICE SERVICES IS COMPROMIZED BY SEVERE LACK OF BASIC RESOURCES NEEDED TO PERFORM CORE POLICE FUNCTIONS.

4.4.8 Access is not just about providing geographically accessible police stations to run to in time of trouble. Access also means that individuals in the community feel safe because of the regular visibility of their community policeman. But interviews made by the consulting team in the police stations indicated that patrolling functions are extremely weak and policemen are unwilling to do patrolling functions. This is understandable. Patrolling functions require mobility and equipment and police stations have severely deficient basic police equipment such as firearms, transport, radios and other core equipment needed in regular police patrol operations.

Table 4.7
NUMBER OF POLICE OFFICERS ASSIGNED
IN MOBILE PATROLS IN CITY POLICE OFFICES

Mobile Patrol Officers in Type A CPOs	77
% to total no. of personnel	23%
Patrol Officers in 1 Precinct of Type A CPOs	24
% to total no. of personnel	56%
Patrol Officers in Type B CPOs	12
% to total no. of personnel	15%
Patrol Officers in 1 Precinct of Type B CPOs	24
% to total no. of personnel	60%
Patrol Officers in Type C CPOs	14
% to total no. of personnel	17%
Patrol Officers in 1 Precinct of Type C CPOs	11
% to total no. of personnel	42%

SOURCE: 1997 Approved Staffing Pattern, DPL, PNP

4.4.9 Inadequate number of vehicles for patrolling units and limited supply of gasoline and oil hamper the mobility of patrol units. For lack of petroleum considering that LGUs' support for petroleum purchase is not continuously provided, cars are often left idle in city police offices, rendering the police not able to undertake even regular patrolling rounds.

Table 4.8
POLICE VEHICLES PROFILE

VEHICLES	REQUIRED/ STANDARD TOTAL QTY. (NAPOLCOM Res. 93-08)	TOTAL ON HAND	% ON HAND BASED ON STANDARD
GROUND VEHICLES			
Patrol Cars	2,698	1,000	37%
Patrol Jeeps	8,174	2,632	32%
Motorcycles	10,495	3402	32%
WATER CRAFTS			
20 Meter Patrol Boat	5	0	0%
12 Meter Patrol Boat	26	5	19%
8 Meter Patrol Boat	36	29	81%
Motor Banca	44	45	102%
Outboard Motor	36	15	42%
Speed Boat		5	
AIRCRAFT			
Light Transport Aircraft	1	0	0%
Light Utility Helicopter	20	6	30%
Light Operational	14	0	0%
Light Transport Aircraft	6	1	17%
Med. Lift Troop Carrier Craft	6	4	67%
Command and Control A/C	1	0	0%
Trainer Aircraft	3	0	0%
Other		8	0%

SOURCE: LSS, PNP:2003

4.5 Criminalistics

4.5.1 The need to considerably improve the scientific investigation capacities of the PNP has long been recognized. But much needs to be done to translate such recognition into actual steps that will lead towards the realization of a more sophisticated crime laboratory and scientific investigation competencies.

4.5.2 The formulation and implementation of a more comprehensive plan to upgrade the PNP's overall institutional capacity for criminalistics is required. This will include not just the acquisition of scientific equipment but also the design of the appropriate institutional arrangements that will ensure speedy provision of crime laboratory services anywhere in the country and upgrade the scientific investigation competencies of forensics police officers. The development of such human competencies within the police force should be integrated with corresponding career development policies that will allow progression not just to managerial positions but also to high – level careers in forensics and specialized crime management expertise areas.

4.6 Police Community Relations

4.6.1 While police community relations is not an inherent police service but is instead a strategy adopted by the PNP, it concentrates a large percentage of its manpower for this function. Community relations is carried out by the Police Community Relations (PCR) Group and the various Police Community Relations Units and personnel from the following police offices:

- Maritime Group
- Traffic Management Group
- Aviation Security Group
- Police Security and Protection Office
- Police Regional Offices
- Police Provincial Offices
- District Police Offices
- City Police Offices
- City and Municipality Stations

4.6.2 A representative number of staff from the field units perform police-community relations functions as described in the table below:

Table 4.9
PRC FIELD UNITS, PNP

OTHER PCR UNITS OF THE PNP	PCR STAFF
Police Community Relations Group*	76
Police Regional Office, PCR Division	8-11
Police Provincial/ District Office, PCR Section	2-4
City Police Office, PCR Section	4-5
- Precinct	1
City Police Station -Sub Stations	1-4

NOTE: * Based on actual staffing data provided
SOURCE: 1997 Approved Staffing Pattern, DPL 2004

4.6.3 This setup reflects the approach to community relations by the PNP. Community relation is considered a function separate from that which should be integrated in the daily operations of each police station.

POLICE COMMUNITY RELATIONS FUNCTIONS AND ORGANIZATION UNITS PROLIFERATE ACROSS THE ENTIRE PNP ORGANIZATION AND YET POLICE STATIONS WHICH ARE ESSENTIALLY RESPONSIBLE FOR ESTABLISHING SOUND COMMUNITY RELATIONS IN THEIR RESPECTIVE LOCALITIES HAVE LIMITED ORGANIZATIONAL CAPACITIES TO PERFORM THE FUNCTIONS.

4.6.4 The presence of PCR units in several levels: national level, regional level, provincial/ district level and city/ municipal level have resulted to the duplication of police efforts to reach to the communities and coordinate local efforts for enhanced relations with the police. While the PCR is actually an approach, it has taken the form of bureaucratic expansion and high level program formulation. In the meantime, the community relations competencies of police stations where it should be lodged have not been sufficiently provided for.

THE EXPANSIVE ORGANIZATIONAL ARRANGEMENT AND ACTUAL IMPLEMENTATION OF COMMUNITY RELATIONS FUNCTIONS IS NOT CONSISTENT WITH THE COMMUNITY POLICING PRINCIPLE ENUNCIATED IN THE INTERNAL POLICIES OF THE PNP.

4.6.5 The current approach to police community relations involves development projects such as livelihood programs that are entirely removed from policing functions at the police station level, education campaigns on the role of the police to the public and on other crimes but fails to address the most basic component of community policing which is developing knowledge and individual relations in communities by the police at the community level.

4.6.6 The PNP should remove the elaborate bureaucracy on community policing and should instead use resources in building the competencies of the policemen in the police stations in promoting good community relations as well as institutionalized competencies in police stations in the generation, development, implementation and sustaining of effective community relations programs that generate community support and collaboration in maintaining local peace and order.

4.6.7 Building such competencies can be done through designed training program at two levels – one for individual skills in community relations and the other towards building the institutional capacity of police stations to design and implement effective community relations programs and projects in their respective communities.

4.6.8 The Directorate for Police-Community Relations can focus its functions on research and discovery of approaches as well as in the identification, design and piloting of community relations initiatives that can be replicated in police stations as operational mechanisms in communities rather than formal or ad hoc organization units.

4.7 Other police functions

4.7.1 The PNP currently performs a variegated set of other functions that are not part of its core policing functions but which have evolved through tradition or identified need. These include such functions as:

a) Providing security and protection to VIPs, politicians and other important private individuals

4.7.2 At present the PNP provides about 110 policemen to protect 27 foreign embassies and representatives, 803 policemen to protect 516 VIPs and an untold number of police officers in the various field assigned to protect local politicians and private individuals.

4.7.3 The provision of police security and protection to VIPs, foreign dignitaries and other state personages and institutions is subject to much criticism. The principles and parameters for the use of tax money to protect certain personages should be clearly defined.

4.7.4 Criticism can be turned around and the service made more useful if it can be designed as a revenue generating service that will not just recover cost but also enhance the overall resources of police stations in the field. The feasibility of providing protection for a fee can be studied.

b) Police regulatory functions

4.7.5 Not all regulatory functions of the PNP are fully implemented and serve the purposes of the PNP or support its mission. The PNP performs several regulatory functions:

- For all motor vehicles sold or acquired/ purchased
- For the licensing of firearms and explosives
- For the issuance of police clearance for purposes of employment and others
- For the authorization of private security agencies to operate and for licensing individuals to provide security services
- For the regulation of all private detective agencies and individuals

4.7.6 Regulatory functions of PNP should be reviewed based the relevance of this functions to the PNP mandate or whether these forms of intervention have been effective in relation to the resources poured into their operation and in relation to the value of public benefit. For example, issuance of motor-vehicle clearance is not the function of the police and will not essentially support the prevention of car napping. This should be stopped since it represents additional cost both to the government and to the public without significant public benefit.

4.8 Strategic Planning

THE PNP DOES NOT HAVE AN INTEGRATED STRATEGIC PLANNING SYSTEM.

4.8.1 Several plans are accomplished by the PNP to include the following (but not limited to):

- Medium Term Development Plan, which defines the direction of the PNP in a five year time frame.
- Annual Operating Program and Budget Guidance, which guides the direction and focus of programs, projects and activities and identifies priorities of the PNP.
- Special Plans (accomplished by different units depending on its initiative), which includes the development of special projects for the improvement or development of target areas of operation and police administration.
- Integrated Area Community Public Safety Plan, which is actually developed by local mayors in coordination with the local peace and order council and where as well the PNP provides inputs through its local police units, and when accomplished, is implemented by several government and non-government units including the PNP.
- Action Plans/ Operations Plans/ Tactical Plans/ Mater Plans are developed based in recurring, immediate concern situations and other high impact conditions which need to be addressed by concerted efforts among PNP Units. It is comprised of mainly by a general strategy, its concept of operation and delineation of tasks among responsible units within and external to the PNP. Usually these plans are developed for specific conditions or situations, but given its nature it is used as operational guidelines and procedures. Operations Plans (OPLAN) however stand out in terms of the nature of the case, in that it is developed based on internal security threats and therefore identifies as well enemy and friendly forces.
- Letter of Instruction. Most of the time, the PNP bases its LOIs on Master plans. LOIs merely contain the purpose and tasking of individual units in the accomplishment of set objectives.
- Community Relations Plans are developed for identifying programs, projects and activities for PCR in communities.

4.8.2 Further, each Chief of the PNP has had several strategic plans and directions enunciated during each Chief of Police:

a) Director General Roberto Lastimoso who was Chief PNP in 1998 held the thrust entitled: DREAMS, which stands for: **D**ispersal of police personnel from the headquarters into streets and enhancement of crime prevention and control; **R**estoration of trust and confidence of the people on the police and gain the community support; **E**limination of street and neighborhood crimes and improvement of public safety; **A**rrest of criminal elements, common or organized in coordination with the other pillars of justice system and law enforcement agencies; **M**opping up and removal of scalawags and misfits from

the police rank; and **S**trengthening of the management capacity of the PNP to undertake/ support the DREAMS operations and activities.

b) The KAISA of the Chief PNP, DG Leandro Mendoza, 2001 spelled out the following strategic goals: **K**eep the readiness of the police units and personnel to serve and protect the people (kahandaang tumupad ng tungkulin); **A**dministrative efficiency and integrity of personnel (angkop na paglilingkod na may dangal at kakayahan); **I**nternal Security Operations Support to the Armed Forces of the Philippines (Ipagtanggol ang Bayan Laban sa Lahat ng Manliligalig); **S**upport to Development of Community and Gender Awareness (Sa Pagtataguyod ng kaunlaran at Kamulatang Pangkasarian); and **A**dvocacy of Crime Prevention and Suppression through the development and practice of Community-Oriented Policing System (COPS) (Angat at Ibayong Pagkilos sa Pag-iwas at Pagsugpo sa Krimen).

c) Then Police Director General Hermogenes F. Ebdane Jr. established the thrust of O.N.E. PNP, which stands for:

Organizational Reform in Operations and Procedures to address Weakness in the Block Performance;

Neighborhood Partnerships for Community-based Anti-Crime Programs. Networks to build a united front against crime.

Education, Training and Benefits improvement for best performance. An investment in the people who will do battle to win the streets.

d) The CARE program of the current Police Dep. Dir. General Edgardo P. Aglipay, Chief PNP seeks to reinforce the O.N.E. PNP framework of P/Dir. General Ebdane:

Courtesy. Every policeman must show respect and basic courtesy to every citizen, especially the "common tao".

Action. Action requires visible policemen enforcing the law to the fullest. Every policeman will have a specific responsibility, doing it in a specific place and at a specific time.

Results. Police Operations should be results-oriented. Every police station must neutralize five (5) per cent resolution of unsolved cases per month.

Example. PNP Commanders will lead the organization by example. They should be the exemplars of what a policeman should be: physically, mentally and morally fit for the job.

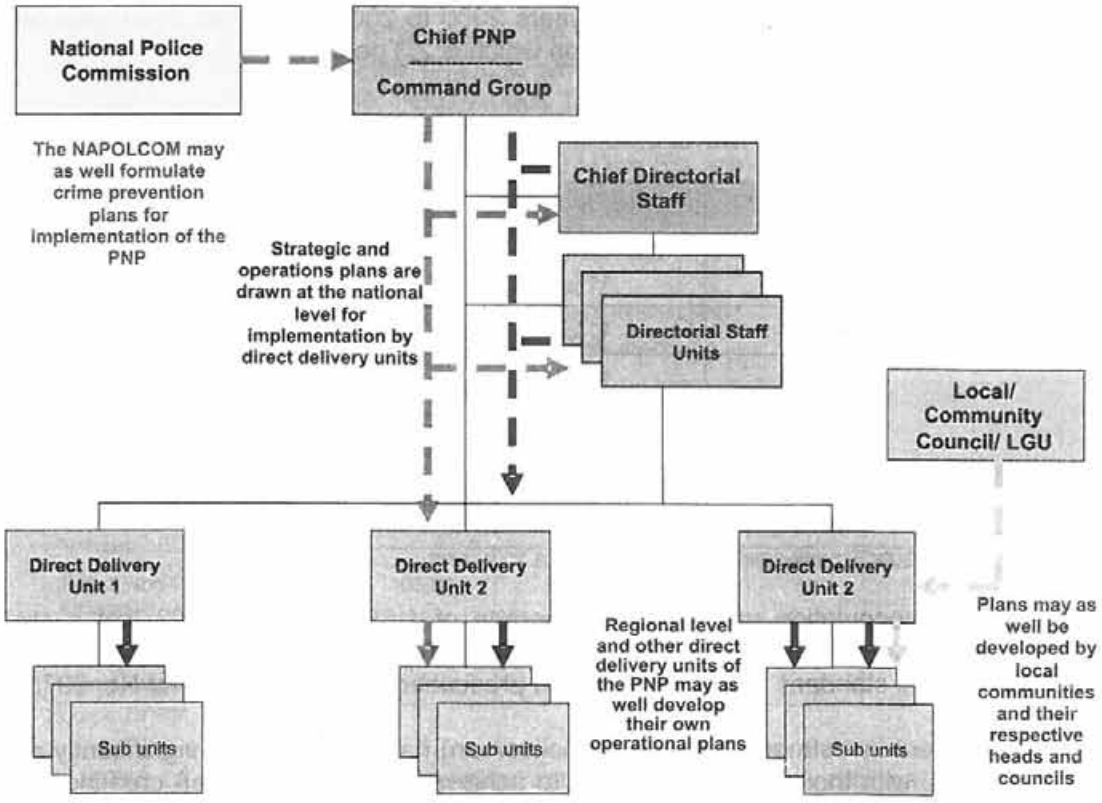
4.8.3 The proliferation of plans indicates the absence of an institutionalized strategic planning system. While the PNP has a full-blow planning unit, the unit has not assumed a strong and clear role in strategic planning in the absence of a defined strategic planning policy and corresponding operating systems and procedures.

4.8.4 The issue whether the PNP should have strategic planning functions should be addressed. The mandate of the PNP is not to formulate policies. Its mandate is operational. Policies, rules and standards are provided by the NAPOLCOM. Local peace and order plans are the responsibility of local government heads. Within this context what is the role and use of strategic planning within the PNP, since it does not have policy making functions? Should not the PNP planning activity be delimited to formulating operational plans?

4.8.5 The consultant's are of the view that the responsibility for the formulation of the PNP strategic plan within which the peace and order plan forms the mission-critical components should be the responsibility of the PNP and not of NAPOLCOM. The formulation of policies pertaining to the progressive aspects (as opposed to rules and procedures aspect) of police operations should be with the PNP and not NAPOLCOM.

4.8.6 With respect to LGUs the responsibility for the formulation of crime prevention and crime management plan for the city or municipality should be the responsibility of the police station. Such plan will form a key component of the LGU's peace and order plan.

Figure 4.6
CURRENT INSTITUTIONAL FRAMEWORK, STRATEGIC PLANNING, PNP



5 STAFFING

5.1 Staffing policies

5.1.1 The goal of staffing design for the PNP is to achieve the optimum utilization of the police force and to ensure their ready availability. At present the PNP adopts multiple methods in staff deployment to ensure consolidation of police manpower when needed. At the same time, formal staffing patterns are adopted distributing permanent positions across the PNP bureaucracy.

5.1.2 There are no integrated staffing and deployment policies within the PNP. The adoption of organization and staffing standards in police stations and the current allocation of positions across the PNP organization represents the PNP's guiding policy. Other staffing policies are contained in other rules and operational guidelines particularly in deployment of personnel in special operations. In actual operations the PNP has been very effective in ensuring the availability of policemen in special operations and crisis situations and this reflects a very high level of institutional competency in personnel deployment.

5.2 Police manpower strength

5.2.1 The national government finances some 119,893 uniformed personnel. Police staffing has not grown between the years 2000 to 2002. It has not even kept pace with the annual growth of the population which is 2.3 percent.

Table 4.10
NUMBER OF AUTHORIZED UNIFORMED PERSONNEL, 1998-2003

Year	Number of Authorized Uniformed Personnel	Growth Rate
1998	111,243	13.9
1999	111,743	0.4
2000	111,743	-
2001	111,743	-
2002	111,743	-
2003	119,893	7.3

SOURCE: Staffing Summary, 2000, 2002, 2003, 2004, 2005

5.2.2 The police:population ratio is at an average of 1:685 for 1998-2003 just a slight improvement from the 1995 ratio of 1:700. This ratio however is far from the international standard 1:500 which is also prescribed under Republic Act No. 6975.

5.2.3 Government investments per capita (policeman) has not improved significantly over the years, with the government trying to achieve a balance between creating more positions and increasing the compensation and benefits of the police force. This dilemma is evident in the trends in the annual personal services budget of the PNP.

Table 4.11
PER CAPITA PNP BUDGET AND POLICE TO POPULATION RATIO

YEAR	NUMBER OF AUTHORIZED UNIFORMED PERSONNEL	PER CAPITA PNP BUDGET IN PHP000	POLICE TO POPULATION RATIO
1998	111,243	310	1:644
1999	111,743	329	1:656
2000	111,743	391	1:672
2001	111,743	421	1:687
2002	111,743	472	1:703
2003	119,893	510	1:671
Memo item: average	113,018	406	1:685

Source: Staffing Summary, 2000, 2002, 2003, 2004, 2005; NSO

5.3 Distribution

5.3.1 Of the total authorized positions in the PNP 85% are police non-commissioned officers and these comprise of those who are directly engaged in day-to-day and special operations in the field. About 10% are police commissioned personnel, performing supervisory functions either in police operations or in administrative and oversight offices in the PNP while the rest of the 5% are civilian personnel performing administrative support functions. This general distribution reflects a high level of efficiency and operational focus.

Table 4.12
PROFILE OF POSITIONS IN PNP
AS OF 30 JUNE 2004

POSITION CATEGORY	FILLED		VACANT		TOTAL	
	NUMBER	% TO GRAND TOTAL	NUMBER	% TO GRAND TOTAL	NUMBER	% TO GRAND TOTAL
Police Commissioned Officers	10,439	9	2,346	35	12,785	10
Police Non-Commissioned Officers	103,301	87	3,807	56	107,108	85
Non-Uniformed Positions	5,290	4	589	9	5,879	5
Grand Total	119,030	100	6,742	100	125,772	100

Source: DPRM, PNP

5.3.2 In terms of regional police population ratios, only two of the regional offices, CAR and NCRPO register much lower police to population ratios, as of June 2004. The rest have ratios ranging from a low of 1:731 to a high of 1:1,413 (Table 4.13). On the other hand, using the standard police to population ratio for rural areas of 1:750, only

Region 9 would meet the standard. There is definitely more to be desired in improving the staffing ratios in order to improve services and access. Certainly, this will exert pressure on the budget. But with the current severely tight fiscal situation which is expected to protract through the medium-term it is doubtful if a national budget driven police staffing improvements can be made.

Table 4.13
SCHEDULE ON POLICE TO POPULATION
AS OF JUNE 2004

OFFICES/UNITS (1)	POPULATION CY 2004 (2)	PNP STRENGTH JUNE '04 (3)	POLICE TO POPN RATIO (4)
PRO 1	4,424,497	4,837	1:915
PRO 2	3,032,879	3,984	1:761
PRO 3	8,492,403	7,418	1:1145
PRO 4A	9,858,988	6,978	1:1413
PRO 4B	2,430,894	3,145	1:773
PRO 5	5,068,528	4,935	1:1027
PRO 6	6,778,150	6,503	1:1042
PRO 7	5,970,610	5,728	1:1042
PRO 8	4,050,633	4,989	1:812
PRO 9	3,185,498	4,359	1:731
PRO 10	3,868,394	4,610	1:839
PRO 11	4,012,248	4,701	1:853
PRO 12	3,651,551	3,763	1:970
PRO 13	2,464,401	2,860	1:862
ARMM	2,774,063	6,255	1:862
CAR	1,529,431	3,224	1:443
NCRPO	11,070,289	15,180	1:474
PNP HQS		1,662	
NSUs		18,609	
Total	82,663,457	113,740	1:727

Source: PNP

5.3.3 Of the total police force, only 52% are deployed in the police stations. A huge proportion of the positions are deployed in the provincial stations (14%), regional offices (31.5%) and central offices (3%). It is difficult to benchmark these against the international standard of about 10-90 central – field ratios since no data is readily available as to how much of the police manpower now assigned in provincial and field offices are actually performing field operations functions. But what can be readily seen from the data is that day-to-day availability of the police in community relations and patrolling has been undermined. Police forces in provincial and regional offices do not perform the day-to-day community based operations that police stations do. This deployment scheme has profound access implications that should be considered and studied in depth

Table 4.14
DISTRIBUTION OF POSITIONS IN THE PNP AUTHORIZED STAFFING PATTERN
Uniformed Positions as of 1997

OFFICE	NUMBER				
	CENTRAL	REGIONAL	PROVINCIAL	CITY/ MUNICIPAL	TOTAL
Office Chief, PNP	50	0	0	0	50
Office of Deputy Director-General for Administration	24	0	0	0	24
Office of the Deputy Director-General for Operations	24	0	0	0	24
Office of the Chief Directorial Staff	35	0	0	0	35
Office of the Inspector General (IAS)	45	0	0	0	45
Total for Executive Command	178	0	0	0	178
Directorial Staff					
Directorate for Personnel and Records Management (DPRM)	81	0	0	0	81
Directorate for Intelligence (DI)	112	0	0	0	112
Directorate for Operations (DO)	119	0	0	0	119
Directorate for Logistics (DL)	33	0	0	0	33
Directorate for Plans (DPL)	38	0	0	0	38
Directorate for Comptrollership (DC)	34	0	0	0	34
Directorate for Police Community Relations (DPCR)	35	0	0	0	35
Directorate for Investigation and Detective Management (DIDM)	35	0	0	0	35
Directorate for Human Resource and Doctrine Development (DHRDD)	34	0	0	0	34
Directorate for Research and Development	32	0	0	0	32
Total for Directorial Staff	553	0	0	0	553
Administrative Support Units					
Financial Service (FS)	70	0	0	0	70
Computer Service (CS)	28	0	0	0	28
Engineering Service (ES)	58	0	0	0	58
Logistics Support Service (LSS)	236	0	0	0	236
Headquarters Support Service (HSS)	654	0	0	0	654
Communication and Electronics Service (COMMEL)	113	600	0	0	713
Health Service (HS)	50	1026	0	0	1076
Legal Service (LS)	60	0	0	0	60
Chaplain Service (CHS)	23	0	0	0	23
Total for the Administrative Support Units	1292	1,626	0	0	2918
Operational Support Units					
Criminal Investigation and Detection Group (CIDG)	97	263	551	0	911
Crime Laboratory Group (CLG)	173	203	0	0	376
Maritime Group (MG)	59	1159	0	0	1218
Aviation Security Group (ASG)	39	855	0	0	894

OFFICE	NUMBER				
	CENTRAL	REGIONAL	PROVINCIAL	CITY/ MUNICIPAL	TOTAL
Traffic Management Group (TMG)	127	972[15]	0	0	1099
Special Action Force (SAF)[16]	25	3453	0	0	3478
Intelligence Group (IG)	212	525	0	0	737
Civil Security Group (CSG)	166	0	0	0	166
Police Security and Protection Office (PSPO)	119	1295	0	0	1414
Police Community Relations Group (PCRG)	52	0	0	0	52
Total For Operational Support Units	1069	8725	551	0	10345
Regional Commands					
NCRPO	0	1732	1565	1428	4725
PRO 1	0	1580	614	3317	5511
PRO2	0	805	707	2391	3903
PRO 3	0	1732	1333	5111	8176
PRO 4	0	1732	2302	6308	10342
PRO 5	0	1580	1050	3362	5992
PRO 6	0	1732	1020	5007	7759
PRO 7	0	1580	1030	5294	7904
PRO 8	0	1580	798	3750	6128
PRO 9	0	805	707	3808	5320
PRO 10	0	805	333	1925	3063
PRO 11	0	1580	424	2963	4967
PRO 12	0	805	424	2222	3451
PRO 13 (CARAGA)	0	805	394	2112	3311
PRO CAR	0	805	546	2003	3354
PRO – ARMM	0	805	454	1997	3256
Total for Regional Command	0	20463	13701	52998	87162
GRAND TOTAL	3092	30814	14252	52998	101156
Percent to Total	3	31	14	52	100

*NOTES: The above information were based on the 1997 staffing pattern of the PNP as approved by the DBM. This staffing pattern fixes the number of positions that comprises the units in the national headquarters (*Central Office), but only provides for staffing standard for positions that will make up the organizational units in the field, starting from the police regional offices down to the city and municipal police stations. A different set of staffing standards comprise each type (Types A, B, and C).*

The corresponding number of positions for each unit was computed accordingly following the standards. In the above matrix, the positions for the City Police Offices are included under the column "Cit}y/Municipal"

The full complement of 101,156 was indicative of the uniformed personnel level as of 1997. From that period, additional positions have been created for PNP. The staffing pattern as of June 2004 is reflected in table below.

[15] A TMG provincial team 8 officers is deployed from the total regional TMG staffing complement

[16] According to the DPL, the staffing pattern of SAF was not part of the overall staffing complement authorized by the DBM in 1997. The total number indicated in this report was taken from the PNP statistics as of June 2004. The entry under the CO was based on the minimum number of personnel that would be assigned in the Office of the Director and the Administrative Division and Operations Division in the national headquarters as prescribed by the DPL. The number under the regional office column was derived after deducting the CO figure from the total staffing complement.

5.3.4 Viewed at high level the distribution of actual "warm bodies" is very much consistent with the authorized staffing pattern and reflects the faithfulness of the PNP in observing formally established staff deployment policies.

Table 4.15
ACTUAL DISTRIBUTION OF UNIFORMED PERSONNEL
(as of June 2004, Based on Filled Positions)

OFFICE	NUMBER		
	NATIONAL HEAD QUARTERS	FIELD UNITS	TOTAL
Office Chief, PNP	101	0	101
Office of Deputy Director-General for Administration	37	0	37
Office of the Deputy Director-General for Operations	37	0	37
Office of the Chief Directorial Staff	39	0	39
Office of the Inspector General (IAS)	772	0	772
Total for Executive Command Group	986	0	986
Directorial Staff			
Directorate for Personnel and Records Management (DPRM)	197	0	197
Directorate for Intelligence (DI)	113	0	113
Directorate for Operations (DO)	92	0	92
Directorate for Logistics (DL)	38	0	38
Directorate for Plans (DPL)	28	0	28
Directorate for Comptrollership (DC)	47	0	47
Directorate for Police Community Relations (DPCR)	37	0	37
Directorate for Investigation and Detective Management (DIDM)	55	0	55
Directorate for Human Resource and Doctrine Development (DHRDD)	39	0	39
Directorate for Research and Development (DRD)	30	0	30
Total for the Directorial Staff	676	0	676
Administrative Support Units			
Financial Service (FS)	238	0	238
Computer Service (CS)	159	0	159
Engineering Service (ES)	102	0	102
Logistics Support Service (LSS)	199	0	199
Headquarters Support Service (HSS)	830	0	830
Communication and Electronics Service (COMMEL)	781	0	781
Health Service (HS)	60[17]	1,147	1,207
Legal Service (LS)	58	0	58
Chaplain Service (CHS)	82	0	82
Administrative Holding Center	2,363	0	2,363
Total for the Administrative Units	4,872	1,147	6,019

[17] Data on total complement is available, but there is no indication as to the actual number of officers deployed in the national headquarters and those in the field. Above entries were extrapolated based on the approved staffing pattern where ratio of central office staff vis-à-vis those assigned in the field is 1:20.

OFFICE	NUMBER		
	NATIONAL HEAD QUARTERS	FIELD UNITS	TOTAL
Operational Support Units[18]			
Criminal Investigation AND Detection Group (CIDG)	187	1,513	1,700
Crime Laboratory Group (CLG)	355	416	771
Maritime Group (MG)	65	1,231	1,296
Aviation Security Group (ASG)	49	1,180	1,229
Traffic Management Group (TMG)	180	1,317	1,497
Special Action Force (SAF)	25	3,453	3,478
Intelligence Group (IG)	232	568	800
Civil Security Group (CSG)	277	0	277
Police Security & Protection Office (PSPO)	120	1,379	1,499
Police Community Relations Group (PCRG)	43	0	43
Total for Operational Support Units	1, 533	11,057	12,590
Regional Commands			
NCRPO	0	15,180	15,180
PRO 1	0	4,837	4,837
PRO2	0	3,984	3,984
PRO 3	0	7,418	7,418
PRO 4-A	0	6,978	6,978
PRO 4-B	0	3,145	3,145
PRO 5	0	4,935	4,935
PRO 6	0	6,503	6,503
PRO 7	0	5,728	5,728
PRO 8	0	4,989	4,989
PRO 9	0	4,359	4,359
PRO 10	0	4,610	4,610
PRO 11	0	4,701	4,701
PRO 12	0	3,763	3,763
PRO 13 (CARAGA)	0	2,680	2,680
PRO CAR	0	3,224	3,224
PRO – ARMM	0	6,255	6,255
Total for Regional Commands	0	93,469	93,469
Grand Total	8,067	105,673	113,740
Percent to Total	7	93	100

SOURCE: PNP

[18] Figures on staffing distribution between central office and fields office units were extrapolated based on the ratio between the positions in central office and those in the field office units, using the staffing pattern of the PNP approved by the DBM in 1997. According to the PNP, actual deployment of police officers in the field, especially at provincial and city/municipal levels, is volatile or constantly changes because of the nature of police assignments which requires a great degree of mobility. Furthermore, police operating strategies regularly call for special teams and task forces which do not have fix geographical deployment, so that lumping all their names at the regional level is deemed a better way to account for them in the absence of a computerized personnel information system for personnel inventory.

5.3.5 The distribution of non-uniformed personnel reflects the location of administrative and other support functions.

Table 4.16
CURRENT DISTRIBUTION OF INCUMBENT CIVILIAN PERSONNEL, PNP

OFFICE	NUMBER				
	CENTRAL	REGIONAL	PROVINCIAL /DISTRICT	CITY/ MUNICIPAL	TOTAL
Office Chief, PNP	15	0	0	0	15
Office of Deputy Director-General for Administration	7	0	0	0	7
Office of the Deputy Director-General for Operations	8	0	0	0	8
Office of the Chief Directorial Staff	11	0	0	0	11
Office of the Inspector General (IAS)	11	0	0	0	11
Total for Executive Command	52	0	0	0	52
Directorial Staff					
Directorate for Personnel and Records Management (DPRM)	159	0	0	0	159
Directorate for Intelligence (DI)	101	0	0	0	101
Directorate for Operations (DO)	48	0	0	0	48
Directorate for Logistics (DL)	50	0	0	0	50
Directorate for Plans (DPL)	29	0	0	0	29
Directorate for Comptrollership (DC)	139	0	0	0	139
Directorate for Police Community Relations (DPCR)	22	0	0	0	22
Directorate for Investigation and Detective Management (DIDM)	21	0	0	0	21
Directorate for Human Resource and Doctrine Development (DHRDD)	18	0	0	0	18
Directorate for Research and Development	27	0	0	0	27
Total for the Directorial Staff	614	0	0	0	614
Administrative Support Units					
Financial Service (FS)	105	0	0	0	105
Computer Service (CS)	221	0	0	0	221
Engineering Service (ES)	24	0	0	0	24
Logistics Support Service (LSS)	93	0	0	0	93
Headquarters Support Service (HSS)	122	0	0	0	122
Communication and Electronics Service (COMMEL)	167	0	0	0	167
Health Service (HS)	183	128	0	0	311
Legal Service (LS)	17	0	0	0	17
Chaplain Service (CHS)	0	0	0	0	0
Total for the Administrative Support Units	932	128	0	0	1,060
Operational Support Units					
Criminal Investigation and Detection Group (CIDG)	92	0	0	0	92
Crime Laboratory Group (CLG)	103	36	0	0	139
Maritime Group (MG)	21	0	0	0	21
Aviation Security Group (ASG)	18	0	0	0	18

OFFICE	NUMBER				
	CENTRAL	REGIONAL	PROVINCIAL /DISTRICT	CITY/ MUNICIPAL	TOTAL
Traffic Management Group (TMG)	65	0	0	0	65
Special Action Force (SAF)	8	0	0	0	8
Intelligence Group (IG)	21	0	0	0	21
Civil Security Group (CSG)	0	0	0	0	0
Police Security and Protection Office (PSPO)	9	0	0	0	9
Police Community Relations Group (PCRG)	149	0	0	0	149
Total for the Operations Support Units	486	36	0	0	522
Regional Commands					
NCRPO	0	104	326	310	740
PRO 1	0	67	42	18	127
PRO2	0	62	53	9	124
PRO 3	0	80	79	74	233
PRO 4-	0	80	105	61	246
PRO 5	0	70	64	23	157
PRO 6	0	77	64	42	183
PRO 7	0	65	45	53	163
PRO 8	0	65	63	14	142
PRO 9	0	67	44	26	137
PRO 10	0	66	45	15	126
PRO 11	0	68	31	38	137
PRO 12	0	63	42	24	129
PRO 13 (CARAGA)	0	0	44	12	56
PRO CAR	0	59	57	8	124
PRO – ARMM	0	2	42	0	44
Total for Regional Commands	0	995	1,146	727	2,868
Grand Total	2,084	1,159	1,146	727	5,116
Percent to Total	41	23	22	14	100

SOURCE: PNP

5.3.6 But all these high-level data do not allow analysis of the impact of current manpower distribution on service delivery at the police station level. Limited available data would indicate that that there may be significant weaknesses in the patrolling operations of police stations where less than 50% of the police force are assigned patrolling functions.

Table 4.17
MANPOWER DISTRIBUTION IN POLICE STATIONS

POLICE STATION TYPE	% OF TOTAL MANPOWER		
	PATROLLING	INVESTIGATION	INTELLLIGENCE
CITY			
A	46	25	10
B	40	27	10
C	41	32	10
MUNICIPALITY			
A	40	23	4
B	25	41	6
C	23	27	9

Source: PNP

THE UPDATING, IMPROVEMENT OR REFORMULATION OF THE ORGANIZATION AND STAFFING POLICIES AND PROCEDURES FOR POLICE STATIONS IS NECESSARY IN ORDER TO IMPROVE THE MATCHING BETWEEN COMMUNITY BASED REQUIREMENTS AND THE CAPACITY OF THE LOCAL POLICE STATIONS.

5.3.7 The current organization structure and staffing standards for police stations have been formulated based on such criteria as land area and population. An organization and staffing model is made by grouping into categories the various cities and municipalities based on population and land area and by designing a structure and staffing model for each group.

5.3.8 This model can be improved upon by considering crime affective factors such as demographic composition, local economy and industrialization and employment, poverty and socio-economic profile, degree of urbanization or rurality, peace and order conditions, nature of demand for police services and nature of police services required. Rather than using static models, structures and staffing can be made more flexible in accordance with the needs of the specific locality. This can be designed seamlessly integrated with corresponding personnel deployment, compensation and benefits, and police dispatch mechanisms.

5.3.9 Staffing composition and distribution will also be greatly influenced by the prospective strengthening and improvement of the formal structure and functional configuration of the PNP and its relationship with the NAPOLCOM. Staffing in police stations will essentially be determined by various factors, which include among others the following:

- The rationalization of the PNP delivery systems, which will determine whether or not the delivery units of the various NSUs and special task forces will be reintegrated with the conventional delivery system embodied in police stations, and how much manpower will remain at higher levels to provide very specialized competencies across broader geographical areas.
- A study of the daily work composition and outputs of a police station and a clear definition of the work composition and daily output of a policeman

- A review and modification of police shifts and dispatch procedures
- Definition of individual normative workload geographical scope of individual operation
- A review and improvement of operational procedures
- Seasonal fluctuations in police workload (influenced by such factors as school years, Christmas season, etc)

5.3.10 The staffing levels and composition would also be influenced by the level and sophistication of police equipment and technology.

6 IMPLICATIONS FOR REFORM

6.3.1 The review of the institutional framework of the police system and the administrative structure, functions and staffing of the PNP validates the SWOT analysis and identifies essential issues that have profound implications on formulating and implementing a transformation program that will improve the capacity, integrity and performance of the police system in general and the PNP in particular. These include the following:

REFORMING THE OVERALL INSTITUTIONAL FRAMEWORK OF THE POLICE SYSTEM IS ESSENTIAL IN DEFINING THE APPROPRIATE SCOPE AND FUNCTIONS OF THE PNP AND IN INSTITUTING EFFECTIVE ORGANIZATIONAL REFORMS AND CAPACITY DEVELOPMENT INITIATIVES.

6.3.2 A deeper diagnostic study and definition of reforms in the police system institutional framework is not within the scope and resources of this engagement. But the high – level review thereof points to the following possible reform directions that will guide such police system institutional reform design process:

a) Redefine and properly delineate the role, functions and powers of law enforcement executive departments and their relationship with the PNP.

The role and functions of sectoral departments (such as BIR, BOC, LTO, BFAR, BI, etc.) and other executive offices under the Office of the President (such OMB, MTRCB, MMDA) which currently perform policing functions and powers (such as patrolling, intelligence, investigation and apprehension) associated with their regulatory and other law enforcement functions, but where they do not have the institutional competency and adequate resources to perform should be clearly defined and delimited. These agencies should instead focus their functions on investigative monitoring and relegate the functions of case based intelligence, investigation and apprehension to the conventional police institutions – PNP and NBI). The policy, strategic and operational relationships between these agencies and the police force should be clearly defined ensuring complementation and mutual reinforcement rather than duplication and parallel operations.

b) Establish a true oversight mechanism for formulating system-wide policies for the country's police system that will ensure synchronization of law enforcement and policing strategies and operations in the field.

c) Strengthen the composition and the overall institutional capacities of NAPOLCOM.

In particular reengineer its management structure, as well as its internal administrative organization and functional configuration consistent with its functions, and infuse it with the appropriate human competency mix and levels as well as technological competencies. The transactional relationship between PNP and NAPOLCOM and the current intervention of NAPOLCOM in the internal administration of the PNP should be removed; instead NAPOLCOM should be faithful to its role and functions as mandated in the law. The determination of the appropriate composition of NAPOLCOM's management structure should take into consideration the following:

- That the composition of the commission should be reflective of the civilian character of the police force.
- That the commission should have substantial membership from among those who have established competency and experience in policing.
- That the commission should have competency in specialized crime areas and in crime management technology.
- That the commission should have competency in general governance, justice, human rights and gender equality, the criminal justice system and management, thereby ensuring that that good governance, access, justice, human rights and gender equality as well as good management practices and perspectives are considered in policies, standards, rules and operating procedures.

d) Redefine the functions of local government units in establishing local peace and order and its functional and operational relationship with the PNP.

The responsibility of local governments comprise of the formulation of the broader peace and order plan within which the PNP inputs its policing plan. LGU responsibility should not be confused to mean intervening in the internal tactical operations of the police or in police personnel administration and resource management. A mutual institutional respect for the integrity of each others inherent internal management authority should be maintained. To demonstrate this, and to preserve unity of command and command responsibility and accountability and respect for administrative authority within the PNP, LGUs and their peace and order councils or any local body or committee should not be involved in personnel administration (recruitment, deployment, promotion, determination of compensation, discipline). The role of local government units would be to enforce contractual and PNP institutional accountability in the performance of PNP functions in their respective localities. The detailed mechanisms that will operationalise this institutional relationship should be carefully designed and put in place as these provide pre-conditions

for reform within the PNP and in particular for strengthening its institutional integrity, accountability and professionalization.

e) Clearly define the responsibility and accountability of local government units in financing a well-functioning police force in their localities and design resource contribution mechanisms that will remove politicization and negotiation at the police station level.

LGUs must assume more responsibility in financing the police. But the mechanism for the determination of how much local governments should contribute and what process should operationalise this should consider the following:

e.1 the socio-economic and peace and order conditions of the locality and the nature of the police services required.

e.2 capacity to pay

A cost sharing model should be developed and agreed upon between the national government and local government units.

IMMEDIATE AND PERMANENT MEASURES TO ENSURE INSTITUTIONAL STABILITY AND CONTINUITY SHOULD BE PUT IN PLACE IN THE PNP.

6.3.3 These measures may include the immediate suspension via Congressional Resolution of the implementation of the compulsory retirement age of policemen to 56 years and the limitation in the tenure of the Chie PNP to 4 years. A review of the intent of the law and their impacts on institutional stability and continuity and the revision of such legal provisions should be undertaken immediately. The large proportion of PNP senior personnel nearing compulsory retirement in the next 5 years, will bring about a hemorrhage of managerial and technical competencies and will seriously undermine the stability and sustainability of the PNP and any reform program that may be invested on.

THE RATIONALIZATION OF THE ENTIRE PNP STRUCTURE AND FUNCTIONS WILL BE REQUIRED; SUCH RATIONALIZATION WILL INVOLVE THE REMOVAL OF DUPLICATION, OVERLAPPING AND PROLIFERATION OF FUNCTIONS BOTH AMONG CENTRAL OFFICES AND AMONG FIELD OFFICES, CORRECT THE UNWEILDY INSTITUTIONAL INTEGRATION OF OVERSIGHT AND OPERATIONAL FUNCTIONS, AND ACHIVE FUNCTIONAL FOCUS.

6.3.4 The rationalization and strengthening of the PNP administrative structure and internal functional configuration should consider the following:

a) With the strengthening of the NAPOLCOM the relevance of the central directorial staff currently performing policy, standards, rules and procedures formulation functions that fall within the mandate of NAPOLCOM will be diminished.

b) The integration of oversight conscience and administrative and financial management now split between several directorial staff offices and NSUs, the

streamlining of the entire central office formal structures and the strengthening of the eventual oversight units. Such strengthening process will require the clear focusing of functions and activities, the design and installation of the various operating procedures including those that will vertically link with processes and information from the field, and infusion of updated technology and competency training as well as resources.

c) The structural separation of oversight functions from operations and the reengineering of the entire delivery organization of the PNP including the rethinking of organizational arrangements for specialized operations.

d) The reengineering of the entire vertical administrative structure of the PNP. This will involve strengthening the decentralization of administrative and financial management decision-making and operations and the capacity of field offices to generate and manage budgetary resources within the context of more systematized local government contributions and decentralized budget allocations. Decentralization reforms will also involve the determination of the appropriate organizational level (whether regional or provincial) to which enterprise functions would be assigned and the de-layering of the vertical structure that are between the enterprise unit and the central offices and those which are between the enterprise unit and the police stations.

e) The strengthening of the internal structure, functional composition and operating mechanisms of police stations. This is going to be a massive initiative but which can be started by structuring the reform process into doable and focused activities. For example, modeling can be adopted as an approach to testing institutional alternatives to a comprehensive process of strengthening the structure, functions, competencies and resources of police stations. Replication plans can be drawn up and adopted to widen the reforms to the larger PNP organizational geography.

5
POLICE OPERATIONS

1 INTRODUCTION

1.1.1 The assessment involves the examination of the policies, rules and operational procedures, institutional framework and actual operational practices of the PNP at the field level, and that of other related agencies within the context of the current constitutional and legal framework.

1.1.2 The assessment attempts to address the following research queries:

a) The adequacy of the policy framework and its translation into operational rules and guidelines for the daily performance of the police functions in the field (patrol, investigation, special operations and traffic management). In particular, the assessment will attempt to answer such questions as:

- Are all operations guided by adequate policies and operational procedures?
- Are operational procedures comprehensive and easily understandable and applicable by the police in the field or do they require substantive individual interpretation at the point of application?
- Are all policemen conversant with all the necessary policies, rules and procedures that guide them in their daily activities in the field?
- Are all policemen adequately provided with the necessary materials they need in maintaining adequate and up-to-date job knowledge?

b) The quality of the institutional arrangements. A deeper and more comprehensive assessment of the institutional arrangements is contained in the other chapters of this report. This chapter, in particular, will review the impact of the institutional arrangements on the operations of the PNP. The assessment will attempt to answer such questions as:

- Do existing institutional arrangements result in duplication, conflicts, inconsistency and/or fragmentation of activities and procedures within the PNP and between the PNP and other law enforcement agencies?
- Which institution is properly responsible and accountable for the provision of adequate and quality rules and procedures for police operations? How has this function been performed? What are the issues that affect these important conscience functions?

- What role has other systems (such as resource management, police education and training and oversight management), played in the actual operational quality of the PNP in the field?
- What are the implications for developing a PNP transformation program of such assessment? What reform opportunities and problem solving approaches can be identified in determining the appropriate directions for improving police operations?

1.1.3 The assessment leads to a discussion of implications for reforms. This in turn provides the basis for the identification of the various reforms that will form integral parts of the PNP transformation program, contained in the subsequent chapters of this report.

1.1.4 The assessment was done primarily on the basis of review of relevant literature, review of PNP policies, operational rules and procedures embodied in manuals and issuances, review of relevant laws and executive issuances, and focus group discussions, one-on-one interviews of visual surveys in selected court stations, provincial offices, regional offices and central offices of the PNP, as well as other related law enforcement agencies and civil society organizations.

2 LEGAL AND POLICY FRAMEWORK

2.1 Laws and Executive Issuances Governing the Police

2.1.1 Police operations are defined and guided by various law enunciating policies and specific rules and procedures.

REPUBLIC ACT NO. 7438 (1992)

2.1.2 It is the policy of the State to value the dignity of every human being and guarantee full respect for human rights. This act defines certain rights of persons arrested, detained or under custodial investigation, as well as the duties of the arresting, detaining and investigating officers, and provides penalties for violation thereof. The law reproduces and reaffirms the rights of a person under custodial investigation, as embodied in Art. III, Section 12 of the 1897 Constitution, but goes further by expressing that these rights are likewise applicable to persons arrested and detained. This law details these rights as follows:

a) Any person arrested, detained or under custodial investigation shall at all times be assisted by counsel.

b) Any public officer or employee, or anyone acting under his order or his place, who arrests, detains or investigates any person for the commission of an offense shall inform the latter, in a language known to and understood by him, of his rights to remain silent and to have competent and independent counsel, preferably of his own choice, who shall at all times be allowed to confer privately with the person arrested, detained or under custodial investigation. If such person cannot afford the service of his own counsel, he must be provided with a competent and independent counsel by the investigating officer.

c) The custodial investigation report shall be reduced to writing by the investigating officer, provided that before such report is signed, or thumb marked, if the person arrested or detained, does not know how to read and write, it shall be read and adequately explained to him by his counsel or by the assisting counsel provided by the investigating officer in the language or dialect known to such arrested or detained person; otherwise, such investigation report shall be null and void and of no effect whatsoever.

d) Any extrajudicial confession made by a person arrested, detained or under custodial investigation shall be in writing and signed by such person in the presence of his counsel or in the latter's absence, upon a valid waiver, and in the presence of any of the parents, elder brother and sisters, his spouse, the municipal mayor, the municipal judge, district school supervisor, or priest or minister of the gospel as chosen by him, otherwise, such extrajudicial confession shall be inadmissible as evidence in any proceeding.

e) Any waiver by a person arrested or detained under the provisions of Article 125 of the Revised Penal Code, or under custodial investigation, shall be in writing and signed by such person in the presence of his counsel; otherwise the waiver shall be null and void and of no effect.

f) Any person arrested or detained or under custodial investigation shall be allowed visit by or conferences with members of his immediate family, or any medical doctor or priest or religious minister chosen by him or by any member of his immediate family or by his counsel, or by any national non-government organization duly accredited by the Commission on Human Rights or by the Office of the President. The person's "immediate family" shall include his or her spouse, fiancé or fiancé, parent or child, brother or sister, grandparent or grandchild, uncle or aunt, nephew or niece, and guardian or ward.

2.1.3 As used in the Act, "custodial investigation" includes the practice of issuing an "investigation" to a person who is investigated in connection with an offense he is suspected to have committed, without prejudice to the liability of the "inviting" officer for any violation of law. Relevant provisions of this law are reproduced in Annex 5.1 hereof (*Excerpts From Relevant Laws, Rules and Regulations*).

REPUBLIC ACT NO. 7659 (1993)

2.1.4 This is an act to impose the Death Penalty on certain heinous crimes, amending for that purpose the Revised Penal Code, other Special Penal Laws and for other purposes. Section 4 of the Code as amended, incorporates a new article to read:

> *Art. 211-A – Qualified Bribery. If any public officer is entrusted with law enforcement and he refrains from arresting or prosecuting an offender who has committed a crime punishable by reclusion perpetua and/or death in consideration of any offer, promise, gift or present, he shall suffer the penalty for the offense which was not prosecuted. If it is the public officer who asks or demands such gift or present, he shall suffer the penalty of death.*

2.1.5 Section 11, Article 335 of the same Code is hereby amended to read as follows:

Sec. 335. When and how rape is committed.-

x x x

The death penalty shall also be imposed if the crime of rape is committed with any of the following attendant circumstances:

x x x

(6) When committed by any member of the Armed Forces of the Philippines or the Philippine National Police or any law enforcement agency.

REPUBLIC ACT NO. 8353 (ANTI-RAPE LAW OF 1997)

2.1.6 The crime of rape is classified as a crime against persons under Title 8 of Act No. 3815 which incorporates a new Chapter 3 on Rape:

Art. 266-B. Rape under paragraph 1 of Article 266-A shall be punished by reclusion perpetua.

x x x

The death penalty shall also be imposed if the crime of rape is committed with any of the following aggravating/qualifying circumstances.

x x x

(2) When the victim is under the custody of the police or military authorities or any law enforcement or penal institution.

x x x

(7) When committed by any member of the AFP or para-military units thereof or the Philippine National Police or any law enforcement agency or penal institution, when he offender took advantage of his position to facilitate the commission of the crime.

REPUBLIC ACT NO. 8505 (RAPE VICTIM ASSISTANCE AND PROTECTION ACT OF 1998)

2.1.7 This law specifies the duty of the police officer in handling complaints for rape. Section 4 thereof states:

Duty of the Police Officer.- Upon receipt by the police of the complaint for rape, it shall be the duty of the police officer to:

Immediately refer the case to the prosecutor for inquest/investigation if the accused is detained; otherwise, the rules of court shall apply;

Arrange for counseling and medical services for the offended party; and

Immediately make a report on the action taken.

2.1.8 It shall be the duty of the police officer or the examining physician, who must be of the same gender as the offended party, to ensure that only persons expressly authorized by the offended party shall be allowed inside the room where the investigation or medical or physical examination is being conducted. For this purpose, a women's desk must be established in every police precinct throughout the country to provide a police woman to conduct investigation of complaints of women rape victims. In the same manner, the preliminary investigation proper or inquest of women rape victims must be assigned to female prosecutor or prosecutors after the police shall have endorsed all the pertinent papers thereof to the same office.

IMPLEMENTING RULES AND REGULATIONS OF RA 8505

2.1.9 Section 7 stipulates the common duties and responsibilities of the investigating police officer, examining physician, prosecutor, social workers or crisis workers as follows:

a) Respect the rights and dignity of the survivors as a person;

b) Arrange for psychological counseling of rape victims and survivors by a trained and qualified counselor;

c) Arrange for the medical examination of the offended party by a trained and qualified physician and further medical services;

d) Refer the case to the Women's and Children's Desk of a precinct or agency;

e) Refer the survivor for legal services if he or she decides to file a case;

f) Inform the survivor of the range of his or her options;

g) Ensure the information regarding the survivor and his/her circumstances are kept confidential; and

h) Undergo training and other capacity development programs on, but not limited to, the following: trainings on gender sensitivity, gender sensitive counseling, human rights and women and children rights and legal management of rape cases.

2.1.10 Section 8 enunciates the specific duties and responsibilities of the investigating police officer as follows:

a) Immediately refer the case to Women's and Children's Desk of the precinct, or any other concerned agency such as the local DSWD, DOJ and NGO handling the cases;

b) Immediately refer the case to a prosecutor for inquest, if the accused is detained or for preliminary investigation, if the accused is at large;

c) Provide security to the survivors of rape, witnesses and service providers; and

d) Ensure that all evidences gathered on the case are safeguarded.

REPUBLIC ACT NO. 7610 (SPECIAL PROTECTION OF CHILDREN AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION ACT OF 1992)

2.1.11 Section 25, on the Rights of Children Arrested for Reasons Related to Armed Conflict, provides that any child who has been arrested for reasons related to armed conflict, either as combatant, courier, guide or spy is entitled to the following rights:

a) Separate detention from adults except where families are accommodated as family units;

b) Immediate free legal assistance;

c) Immediate notice of such arrest to the parents or guardian of the child; and

d) Release of the child on recognizance within twenty-four (24) hours to the custody of the Department of Social Welfare and Development or any responsible member of the community as determined by the court.

RULES AND REGULATIONS ON THE REPORTING AND INVESTIGATION OF CHILD ABUSE CASE PURSUANT TO RA 7610 (1993)

2.1.12 Pertinent provisions of the rules and regulations include the following:

Sec. 3. Reporting.- A person who learns of facts or circumstances that give rise to the belief that a child has suffered abuse may report the same, either orally or in writing, to the Department, to the police or other law enforcement agency or to a Barangay Council for the Protection of Children.

Sec. 5. Duty of Government Workers to Report.- It shall be the duty of all teachers and administrators in public schools, probation officers, government lawyers, law enforcement officers, barangay officials, corrections officers and other government officials and employees whose work involves dealing with children to report all incidents of possible child abuse to the Department.

Sec. 10. Immunity of Officer Taking the Child Under Protective Custody.- The duly authorized officer or social worker of the Department and the assisting police officer or barangay official, if any, who shall take a child under protective custody shall be exempt from any civil, criminal and administrative liability therefore.

Sec. 11. Notification of Police.- The Department shall inform the police or other law enforcement agency whenever a child victim is placed under protective custody;

Sec. 17. Filing of Criminal Case.- The investigation report of the Department and/or of the police or other law enforcement agency on the abuse of a child, together with the results of the physical/mental examination and/or medical treatment and other relevant evidence, shall be immediately forwarded to the provincial or city prosecutor concerned for the preparation and filing of the appropriate criminal charge against the person who allegedly committed the abuse.

Sec. 22. Protection of Victim From Undue Publicity.- The prosecutor in a child abuse case shall, taking into consideration the age, psychological maturity and understanding of the child victim, the nature of the unlawful acts committed, the desire of the victim and the interests of the child's family, take the necessary steps to exclude the public during the giving of testimony of the child victim; to limit the publication of information, photographs or artistic renderings that may identify the victim; and to prevent the undue and sensationalized publicity of the case.

Sec. 23. Confidentiality of Records.- All records pertaining to cases of sexual abuse shall be strictly confidential and no information relating thereto shall be disclosed except in connection with any court or official proceedings based thereon. The unauthorized disclosure of the aforementioned records shall be punishable by a fine of not more than two thousand four hundred pesos (P2,400.00) or by imprisonment of not more than one (1) year or such fine and imprisonment.

REPUBLIC ACT NO. 8749 (PHILIPPINE CLEAN AIR ACT OF 1999)

2.1.13 Section 46 (c), par. 4 provides that "All law enforcement officials and deputized agents accredited to conduct vehicle emissions testing and apprehensions shall undergo a mandatory training on emission standards and regulations. For this purpose, the Department, together with the DOTC, DTI, DOST, Philippine National Police (PNP) and other concerned agencies and private entities shall design a training program."

REPUBLIC ACT NO. 8550 (PHILIPPINE FISHERIES CODE OF 1998)

2.1.14 "Section 124. *Persons and Deputies Authorized to Enforce This Code and Other Fishery Laws, Rules and Regulations.*- The law enforcement officers of the Department, the Philippine Navy, Philippine Coast Guard, Philippine National Police (PNP), PNP-Maritime Command, law enforcement officers of the LGUs and other government enforcement agencies, are hereby authorized to enforce this Code and other fishery laws, rules and regulations."

RULES AND REGULATIONS ON THE ESTABLISHMENT, SAFE-GUARDING AND MAINTENANCE OF FISH SANCTUARIES WITHIN THE LAGUNA DE BAY (JUNE 29 2000)

2.1.15 "Section 6. *Law Enforcement.*- The LLDA shall coordinate with the Philippine National Police-Maritime Command (PNP-MariCom) and the Philippine Coast Guard (PCG) which shall take the lead in the enforcement of fishery law for the sustainable management of fish sanctuaries in collaboration with the concerned LGUs. Other law enforcement agencies shall provide support and assistance to the PNP-MariCom and the PCG for the effective enforcement of fisheries laws in Laguna de Bay."

IMPLEMENTING CERTAIN PROVISIONS OF RA 8550 (JUNE 29 2000)

2.1.16 "Section 32. *Law Enforcement.*- The Technical Committee shall initiate the formulation of law enforcement program in the Laguna de Bay and crater lakes including but not limited to activities such as training, regular monitoring and

surveillance, information campaign through proper coordination and team efforts for review by the Technical Committee. Aside from the LLDA, the Technical Committee shall ensure involvement of other agencies concerned in the Laguna de Bay Region such as the Local Government Units (LGUs), Department of Agriculture (DA), Department of Justice (DOJ), Department of the Interior and Local Government (DILG) and the Commission on Human Rights (CHR), the Philippine Coast Guard and MARICOM for the effective enforcement of fishery related laws. Likewise, the Technical Committee shall ensure the availment of privileges of deputized FARMC members and access for free legal services in protecting their rights while carrying out their functions."

REPUBLIC ACT NO. 8048 OR THE COCONUT PRESERVATION ACT OF 1995

2.1.17 Section 7, 2nd par. states: ".... The Philippine Coconut Authority may deputize the Philippine National Police or other law enforcement agencies to investigate and apprehend those caught violating the provisions of this Act."

REPUBLIC ACT NO. 9147 (2001) OR THE WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT

2.1.18 Section 30 states ".... The Philippine National Police (PNP), the Armed Forces of the Philippines (AFP) and the National Bureau of Investigation (NBI) shall designate the wildlife enforcement officers. As such, the wildlife enforcement officers shall have the full authority to seize illegally traded wildlife and to arrest violators of this Act subject to existing laws, rules and regulations on arrest and detention."

REPUBLIC ACT NO. 7166 (1991) OR AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND FOR ELECTORAL REFORMS, AUTHORIZING APPROPRIATIONS THEREFORE, AND FOR OTHER PURPOSES

2.1.19 Pertinent provisions under this law include:

Section 32. x x x Only members or officers of the Philippine National Police, the Armed Forces of the Philippines and other law enforcement agencies of the government who is duly deputized in writing by the Commission on election day may be authorized to carry and possess firearms during the election period; Provided, That, when in possession of firearms, the deputized law enforcement officer must be (a) in full uniform showing clearly and legibly his name, rank and serial number which must remain visible at all times; and (b) in the actual performance of his election duty in the specific area designated by the Commission.

Section 33. Security and Bodyguards.- during the election period, no candidate for public office, including incumbent public officers seeking election to any public office, shall enjoy himself of or engage the services of security personnel or bodyguards, whether or not such bodyguards are regular members or officers of the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP) or other law enforcement agency of the government; Provided, That, when circumstances warrant, including but not limited to threats to life and

security of a candidate, he may be assigned by the Commission, upon due application, regular members of the PNP, the AFP or other law enforcement agency who shall provide his security for the duration of the election period. The officers assigned for security duty to a candidate to the wearing of uniforms prescribed in the preceding section unless exempted in writing by the Commission.

REPUBLIC ACT NO. 7279 OR THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992

2.1.20 The relevant provisions of this act include the following:

Section 28. Eviction or Demolition as a Practice Shall Be Discouraged.- Eviction or demolition, however, may be allowed under the following situations:

xxx

when there is a court order for eviction or demolition

xxx

Proper uniform for members of the Philippine National Police (PNP) who shall occupy the first line of law enforcement and observe proper disturbance control procedure….

REPUBLIC ACT NO. 7898 (1995) OTHERWISE KNOWN AS THE "THE AFP MODERNIZATION ACT

2.1.21 Pertinent provisions of this law include the following:

Section 3. Objectives of the AFP Modernization Act.- The AFP Modernization program shall be implemented with the following objectives:

xxx

(e) to enhance its capability to assist the Philippine National Police in law enforcement and internal security operations;

Section 12. Modernization of Government Arsenal.- The modernization of the government arsenal is for the development of production capabilities to enhance self-sufficiently in defense requirements shall be part of the AFP modernization program. The government arsenal shall be effectively utilized in production of basic weapons, ammunition, and other ammunitions for the use of the AFP and the Philippine National Police (PNP) and for the sale and export of products in excess of the AFP/PNP requirements.

REPUBLIC ACT NO. 9208 (2003) OR THE ANTI-TRAFFICKING IN PERSON ACT

2.1.22 Pertinent provisions of this act include the following:

> *Section 16. Programs That Address Trafficking in Person.- (g) Philippine National Police (PNP) shall be the primary law enforcement agency to undertake surveillance, investigate and arrest of individuals or persons suspected to be engaged in trafficking. It shall closely coordinate with various law enforcement agencies to secure concerted efforts for effective investigation and apprehension of suspected traffickers. It shall also establish a system to receive complaints and calls to assist trafficked persons and conduct rescue operation.*
>
> *Section 20. Inter-Agency Council Against Trafficking.- There is hereby established an Inter-Agency Council Against Trafficking, to be composed of the Secretary of Justice as Chairperson and the Secretary of the Department of Social Welfare and Development as Co-Chairperson and shall have the following as members:*
>
> *x x x*
>
> *Director-General, Philippine National Police*

2.1.23 The Implementing Rules and Regulations for this law are reproduced in Annex 5.1 hereof ((*Excerpts From Relevant Laws, Rules and Regulations*).

REPUBLIC ACT NO. 9262 (2004) – VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT

2.1.24 There are several relevant provisions in this law. These include the following:

> *Sec. 30. Duties of Barangay Officials and Law Enforcers.- Barangay officials and law enforcers shall have the following duties:*
>
> *(a) Respond immediately to a call for help or request for assistance or protection of the victim by entering the dwelling if necessary whether or not a protection order has been issued and ensure the safety of the victims;*
>
> *(b) Confiscate any deadly weapon in the possession of the perpetrator or within plain view;*
>
> *(c) Transport or escort the victims to a safe place of their choice or to a clinic or hospital;*
>
> *(d) Assist the victim in recovering personal belongings from the house;*
>
> *(e) Assist the barangay officials and other government officers and employees who respond to a call for help;*
>
> *(f) Ensure the enforcement of the protection orders issued by the Punong Barangay or by the courts;*

(g) Arrest the suspected perpetrator even without a warrant when any of the acts of violence defined by this Act is occurring or when he/she has personal knowledge that any act of abuse has been committed and there is imminent danger to the life or limb of the victim as defined in this Act; and

(h) Immediately report the call for assessment or assistance of the DSWD, Social Welfare Development of LGUs or accredited non-government organizations (NGOs).

Any barangay official or law enforcer who fails to report the incident shall be liable for a fine not exceeding P10,000.00 or whenever applicable criminal, civil or administrative liability.

x x x

Section 34. Persons Intervening Exempt from Liability.- In every case of violence against women and their children as herein defined, any person, private individual or police authority or barangay official, who, acting in accordance with law responds or intervenes without using violence or restraint greater than necessary to ensure the safety of the victim, shall not be liable for any criminal, civil or administrative liability resulting therefrom.

x x x

Section 39. Inter-Agency Council on Violence Against Women and Their Children (IAC-VAWC).- The Council shall be composed of the following:

x x x

(h) Philippine National Police (PNP).

x x x

Section 42. Training of Persons Involved in Responding to Violence Against Women and Their Children Cases.

x x x

The PNP, in coordination with LGUs shall establish an education and training program for police officers and barangay officials to enable them to properly handle cases violence against women and their children

REPUBLIC ACT NO. 9165 (2002) – THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002

2.1.25 Provisions of this law pertain to the powers and functions of the PDEA and its organizational arrangements, which include the following:

Section 84. Powers and Duties of the PDEA.- The PDEA shall:

(a) Implement or cause the efficient and effective implementation of the national drug control strategy formulated by the Board thereby carrying out a national drug campaign program which shall include drug law enforcement, control and prevention campaign with the assistance of concerned government agencies;

x x x

(d) Arrest and apprehend as well as search all violators and seize or confiscate, the effects or proceeds of the crimes as provided by law and take custody thereof, for this purpose the prosecutors and enforcement agents are authorized to possess firearms, in accordance with existing laws;

(e) Take charge and have custody of all dangerous drugs and/or controlled precursors and essential chemicals seized, confiscated or surrendered to any national, provincial or local law enforcement agency, if no longer needed for purposes of evidence in court;

(f) Establish forensic laboratories in each PNP office in every province and city in order to facilitate action on seized or confiscated drugs, thereby hastening its destruction without delay;

x x x

(l) Establish and maintain a national drug intelligence system in cooperation with law enforcement agencies, other government agencies/offices and local government units that will assist in its apprehension of big-time drug lords;

Section 86. Transfer, Absorption, and Integration of All Operating Units on Illegal Drugs into the PDEA and Transitory Provisions.- The Narcotics Group of the PNP, the Narcotics Division of the NBI and the Customs narcotics Interdiction Unit are hereby abolished; however they shall continue with the performance of their task as detail service with the PDEA, subject to screening, until such time that the organizational structure of the Agency is fully operational and the number of graduates of the PDEA Academy is sufficient to do the task themselves: Provided, That such personnel who are affected shall have the option of either being integrated into the PDEA or remain with their original mother agencies and shall, thereafter, be immediately reassigned to other units therein by the head of such agencies. Such personnel who are transferred, absorbed and integrated in the PDEA shall be extended appointments to positions similar in rank, salary, and other emoluments and privileges granted to their respective positions in their original mother agencies.

x x x

Nothing in this Act shall mean a diminution of the investigative powers of the NBI and the PNP on all other crimes as provided for in their respective organic laws: Provided, however, That when the investigation being conducted by the NBI, PNP or any ad hoc anti-drug task force is found to be a violation of any of the provisions of this Act, the PDEA shall be the lead agency. The NBI, PNP or any of the task force shall immediately transfer the same to the PDEA: Provided,

further, That the NBI, PNP and the Bureau of Customs shall maintain close coordination with the PDEA on all drug related matters.

Relevant provisions of this law are reproduced in Annex 5.1 hereof ((Excerpts From Relevant Laws, Rules and Regulations).

PRESIDENTIAL DECREE NO. 1566 (1978) – STRENGTHENING THE PHILIPPINE DISASTER CONTROL CAPABILITY AND ESTABLISHING THE NATIONAL PROGRAM ON COMMUNITY DISASTER PREPAREDNESS

2.1.26 Provisions of this law pertain to institutional arrangements for disaster control particularly at the local level. These include the following:

Section 4. Organization of the Local Government Level.- The organization for coordination or disaster and/or emergency operations in all local political and administrative subdivisions are hereby prescribed as follows:

x x x

At the City or Municipal level, there shall be constituted the City/Municipal Disaster Coordinating Councils, with the City/Municipal Mayor as Chairman. The Station Commander of the Integrated National Police shall be the Vice-Chairman and Action Officer of the Council. The Council shall be further composed of organic City/Municipal officials as well as National Officials assigned to the City/Municipality.

2.1.27 In addition to the above statutes, various presidential issuances and administrative regulations affecting the PNP have been issued and are in force and effect. Excerpts of these issuances and regulations are appended herewith as Annex 5.1 for information and easy reference.

2.1.28 An examination of laws, presidential issuances, rules and regulations relevant to the PNP reveals that the PNP is over-burdened with duties and responsibilities when they are handicapped by inadequate law enforcers per population ratio and lack of resources. In an interview with Quezon City Mayor Feliciano Belmonte, he emphasized the need for visibility and availability of the police whenever a crime is committed in their areas of jurisdiction.

2.1.29 The laws enumerated in Annex 5.1 indicate the PNP plays a role in the internal security of the nation as well as in the protection and preservation of the environment. Their roles in these laws must be re-evaluated because internal security is the main concern of the Armed Forces of the Philippines while the protection and preservation of the environment is the main function and responsibility of the DENR. In fact, the DENR have forestry and fish wardens to protect their forests and coastal areas. They also have the assistance of the barangay officers to assist them. The delineation between protection and preservation and policing in respect thereof should guide the definition of the functions of the police in the environment sector.

2.1.30 The laws also create duplication of functions between PNP and the National Bureau of Investigation (NBI) resulting in potential institutional and operational conflict, conflicting investigation findings to support prosecution, inefficiency and wastage of

manpower, time and financial resource. Their duties and responsibilities must be clearly delineated by law.

2.1.31 There is also a duplication of functions between the PNP and MMDA regarding Traffic Management. This is also true of the LTO vis-à-vis pollution from motor vehicles.

2.2 The PNP Master Plans

2.2.1 The PNP's operations framework are contained in their six (6) Master Plans, constituting the PNP's priority areas of concern and operations. These master plans state the PNP's policies and mission with respect to the specific area of concern, and detail the strategic and operational concepts for executing said plans. A brief description of each master plan and an assessment of these are discussed below.

(1) "SANDIGAN" - The Anti-Criminality Master Plan

2.2.2 A primary function of the PNP is crime prevention, control and suppression, and the policy and operational framework underlying the plans and programs designed to further this objective is detailed in the "SANDIGAN" master plan.

2.2.3 "SANDIGAN" defines the PNP anti-criminality mission as follows: "The PNP shall implement a responsive and holistic anti-crime strategy to effectively prevent, control and suppress the occurrences of crimes to insure safety in our community." [32] Its objectives are: 1) To reduce index crime rate; 2) To improve response time; 3) To improve crime solution efficiency; 4) To increase conviction rate; and 5) To operationalize C.O.P.S. through the Police Community Precincts against security coverage.[33]

2.2.4 The thrust of the SANDIGAN master plan is the establishment and implementation of *Localized Anti-Crime Campaign Plans* at the Police Regional Offices (PRO), Provincial Police Offices (PPO), City Police Offices (CPO), and police station levels.

2.2.5 SANDIGAN provides that, except for specific anti-crime tasks, national support units shall concentrate their efforts towards supporting the PRO's in the implementation of localized anti-crime campaigns.[34]

(2) "SANDUGO" - The PNP ISO Master Plan

2.2.6 "SANDUGO" defines the PNP's policy and strategies relative to Internal Security Operations (ISO), specifically the decades' long insurgency problem, and other threats to national security. SANDUGO expressly states that pursuant to RA 8551 and Executive Order No. 110, the PNP plays a supportive role in internal security operations, assisting the lead agency – the Armed Forces of the Philippines (AFP) -- in its campaign plans for the suppression of insurgency and other serious threats.[35]

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[32] "SANDIGAN" (Anti-Criminality Master Plan), section I-D.
[33] *id.*, Section I-E.
[34] *id.*, Section III-B.
[35] "SANDUGO" (PNP ISO Master Plan), section I-C and II-B(1).

2.2.7 The specific objectives of the SANDUGO Master Plan are as follows: 1) To develop the capability of field units to fully operationalize this ISO support plan for the government and the AFP in particular; 2) To support the AFP in the isolation of the underground infrastructure and front organizations of the insurgents in the towns and cities from the general population; 3) To enhance intelligence activities against threat groups; 4) To enhance the conduct of legal offensive against the insurgents; and 5) To support the government's National Peace and Development Plan to include the Peace and Reconciliation plan.[36]

2.2.8 In the performance of these objectives, the PNP conducts limited internal security operations, sustained law enforcement, intensive information gathering, and conducts investigation and prosecution of ISO related cases.[37] Police Regional Offices (PRO's) are tasked with the preparation and implementation of *localized counter-insurgency plans*, supported and assisted by national support units and specialized units.[38]

(3) "SANGYAMAN" - PNP Master Plan for Protection and Preservation of our Environment, Cultural Properties and Natural Resources

2.2.9 This Master Plan outlines the guidelines and policies relative to the enforcement of laws for the protection of the environment and natural resources.

2.2.10 The PNP supports and assists other lead agencies in the enforcement of environmental laws and regulations[39], specifically with respect to five (5) immediate concerns, namely: 1) Forest Protection; 2) Protection of Fisheries, Marine Life and Aquatic Resources; 3) Ensuring Clean and Safe Land, Air and Water; 4) Preservation of Endangered Species and Other Wildlife; and 5) Protection of Cultural Properties.[40]

2.2.11 Implementation of the SANGYAMAN master plan is undertaken by the local police units -- PRO's, PPO's, CPO's and police stations -- which are required to select PNP personnel to conduct police operations against law violators, in coordination with lead agencies such as the Department of Environment and Natural Resources (DENR).

2.2.12 The specific objectives of SANGYAMAN are: 1) protect lives; 2) enhance public safety; 3) assist in the enforcement of environmental and cultural properties laws in coordination with tasked government agencies; and 4) community participation protection, conservation and development of environmental and natural resources.[41]

(4) "SANG-BANAT" - PNP's Master Plan for the Campaign Against Illegal Drugs

2.2.13 The SANG-BANAT Master Plan details the PNP's mission, objectives and operations in the national fight against illegal drugs. Its broad objective is the conduct of a

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[36] *id.*, Section II-B(2).
[37] *id.*, Section II-C(1).
[38] *id.*, Section II-C(2).
[39] "SANGYAMAN" (PNP Master Plan to Help Protect and Preserve Our Environment, Cultural Properties, and Natural Resources), section I-A.
[40] *id.*, Section I-B.
[41] *id.*, Section IV-B.

sustained anti-narcotics campaign to: 1) neutralize and suppress drug personalities from pushers, smugglers and syndicates; 2) prosecute drug offenders; 3) provide for the treatment and rehabilitation of drug dependents; 4) empower barangays as self-policing entities; and 5) enter into international cooperation in all aspect of anti-drug operations.[42]

2.2.14 As will be discussed below, the SANG-BANAT Master Plan will need to be reformulated in the light of the passage of R.A. 9165, transferring the implementation of the illegal drugs campaign to the Philippine Drug Enforcement Agency.

(5) "SANG-INGAT" - Master Plan on Security Preparations

2.2.15 This Master Plan provides the strategic concepts, guidelines and plans to ensure maintenance of peace and order during events that involve mass movement and action, such as holidays, protest rallies, and elections. The SANG-INGAT Master Plan's aims to undertake coordinated courses of action to prevent, contain and neutralize any harm upon persons or damage to property during the holding of mass events and activities.[43]

2.2.16 In coordination with the concerned government agencies and NGO's, the PNP's thrust, pursuant to this Master Plan, is to ensure the peaceful and orderly conduct of events by providing police security services through its local police units.[44] Among the events/activities specifically mentioned as covered by the SANG-INGAT master plan are: 1) elections and plebiscites; 2) holidays; 3) international/national and local events/celebrations; 4) mass actions; and 5) bomb threats/bomb incidents.[45]

(6) "SAKLOLO" - Master Plan for Disaster Preparedness

2.2.17 SAKLOLO is the PNP's master plan for disaster management; it provides the strategies and contingency plans to be undertaken in the event of natural or man-made disasters which generally result in significant losses and damage to citizens, property and the environment. As the Disaster Coordinating Council's operating unit, the PNP conducts disaster preparedness activities, provides security coverage in disaster areas, and assists in search and rescue, evacuation, and relief operations.[46]

THE PRIMACY OF LOCAL POLICE UNITS OVER CENTRAL OFFICES/NATIONAL SUPPORT UNITS ARE UNDERSCORED IN THE IMPLEMENTATION OF MASTER PLANS.

2.2.18 Whether the master plan refers to a primary or supportive function or role of the PNP, what is clearly underscored is the primacy of local police units over central offices/national support units in the implementation of the PNP's policies and objectives. While the PNP national leadership outlined the over-all strategy for its campaigns on anti-criminality, anti-insurgency and other priority areas, the details and specifics of the operational strategies are left to the local police units to plan for and implement.

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[42] "SANGBANATDUGO" (PNP Master Plan for Campaign Against Illegal Drugs), section II-B.
[43] "SANG-INGAT" (Master Plan On Security Preparations), section I-1.
[44] *id.*, Section II-2.
[45] *id.*, Section IV-2.
[46] "SAKLOLO" (Master Plan for Disaster Preparedness), section III.

2.2.19 The rationale is evident: different communities and sectors have peculiar and distinct concerns which must be addressed, and it is the local police unit which is best able to prepare for and implement strategies specific to the needs and concerns of there locale.

2.2.20 The recognition of the primary role of the local police unit in the PNP's mission as defined in its master plans should and must have critical bearing on the distribution of financial and logistical resources of the PNP. It would stand to reason that the local police units, as the acknowledged principal implementing arm of the PNP's campaigns, should receive a substantive allocation of resources.

2.2.21 This, however, is not the case. As borne out by the analysis of financial and logistical resources elsewhere in this study, it would seem that it is the central offices, national support units, and special task forces which enjoy the larger share of PNP resources, with local police units sometimes constrained to rely on the generosity of local government units and civil society groups to augment their budgets. This current state of budget and resource distribution perhaps necessitates review.

A MAJORITY OF THE MASTER PLANS REFER TO THE PNP'S SUPPORTIVE ROLE, RATHER THAN ITS PRIMARY FUNCTIONS.

2.2.22 Of the PNP's six (6) master plans, only SANDIGAN and -- to a lesser extent --SANG-INGAT, refer to the primary functions and mission of the PNP, namely crime prevention and suppression, and the maintenance of peace and order. Three (3) other master plans –SANDUGO, SANGYAMAN and SAKLOLO - refer to supportive or auxiliary roles played by the PNP to lead agencies such as the AFP, the DENR and the Disaster Coordinating Council. The illegal drugs campaign, covered by the SANG-BANAT master plan is now being principally implemented by the Philippine Drug Enforcement Agency (PDEA), with PNP personnel only deputized to assist in implementation.

2.2.23 From the foregoing, it appears that the PNP accords greater attention to plans that address its support functions, or, at best, that equal emphasis and attention are given to plans and programs implementing both primary and secondary or support functions.

2.2.24 There are two possible interpretations for this apparent equal emphasis. The first interpretation is that the PNP does in fact have a deliberate policy of according equal weight and importance to its primary and support roles. The second interpretation is that "master plans" were drawn up to address circumstances and situations as they arose or became prominent, without regard to their relation or correlation to existing master plans, and without distinguishing whether the subject matter of the master plan referred to a primary or support function of the PNP.

2.2.25 If the first interpretation is correct, than this would again have implications on financial, logistical and human resources of the PNP. Equal emphasis and importance generally translates into equal distribution of resources. When resources are limited, however, as they are in the case of the PNP, even the attempt to allocate resources equally can adversely affect the implementation of the primary

functions of the organization. Limited resources necessitates prioritizing, and the most obvious prioritization would be to give preference to plans and operations implementing the PNP's primary functions of crime prevention and peace and order maintenance.

2.2.26 On the other hand, as above-stated, the designation of primary and secondary missions all as "master plans" could have no relation whatsoever to a deliberate policy to accord equal importance to various functions and roles; it could simply mean that each master plan was drawn up separately and distinctly from the others; each one disconnected from the others.

2.2.27 If this second interpretation is accurate, then it highlights areas of improvement in the organization's planning and policy-making capacities. A master plan is the logical product of deliberate overall strategic planning sessions at which all the functions and strategies of the PNP are considered, defined, categorized, prioritized and correlated. A "master plan" that is reactive; drawn up to address a prominent or popular interest; and unrelated to other strategic plans of the organization, is not a master plan at all, hence it cannot and should not be the policy framework against which operations are based and assessed.

2.2.28 Three (3) of the master plans simply replicate or restate the strategic concepts of operations detailed in SANDIGAN.

2.2.29 The SANDIGAN master plan outlines its strategic concept of operations as follows:

a) Improvement of the police security service package, primarily by utilizing the Police Security Containment Ring System (PSCRS);

b) Strengthening linkages with NGO's, local and international law enforcement organizations, the AFP, and Presidential Task Force and Centers as venues for interagency and international cooperation and support;

c) Enhance community participation through the Community-Oriented Policing System (COPS);

d) Operationalize the Integrated Area/Community Public Safety Plan (IA/CPSP);

e) Promote the objectives of an criminal justice system; and

f) Devise an effective feedback mechanism.

2.2.30 A review of three (3) of the master plans reveals that their strategic concepts merely duplicate or restate those of SANDIGAN. Specifically:

a) One (1) of two (2) of the strategic concepts of SANGYAMAN is a restatement of a SANDIGAN strategic concept; and

b) All of the SANG-INGAT and SAKLOLO strategic concepts are essentially the same as the SANDIGAN concepts.

2.2.31 The strategic concepts of operations for an anti-criminality campaign should, however, differ from campaigns for the protection of the environment or disaster

management; these are different issues and problems requiring independent and distinct strategies and solutions.

2.2.32 That four (4) of the six (6) master plans share the same strategic concepts seems to imply either one of two possibilities, namely : a) that their preparation may have been hurried rather than thorough, or that b) there is no real distinction among the masterplans, hence the strategic concepts are necessarily the same.

2.2.33 Clearly, the subject matter of the four master plans are substantively different; anti-criminality is too obviously distinct from environmental protection or disaster preparedness. This leads to the conclusion then that other master plans copying the SANDIGAN concepts may not have been given the degree of deliberate and logical thought that they merited.

ONLY MINOR IMPORTANCE IS GIVEN TO WOMEN'S AND CHILDREN'S RIGHTS AND PROTECTION.

2.2.34 In the past decade, through the sustained efforts of civil society groups and international campaigns, global and national prominence has been given to the rights, issues and concerns of women and children in society. In the Philippines, this prominence is reflected in the passage of significant legislation recognizing and protecting the rights of women and children.

2.2.35 This national policy, however, does not appear to have filtered down to the institution of the PNP, whether in its Master Plans, or its actual operations.

2.2.36 It bears noting, for example, that there is only one (1) reference to women's rights and concerns in the PNP Master Plans: the inclusion in the SANDIGAN master plan of the strategy of pursuing the objectives of Gender Awareness Development as part of improving police services. In contrast, there is an entire master plan devoted to security preparations for holidays and mass actions, another on the protection of the environment, and a third on the illegal drugs' campaign.

2.2.37 That the protection of women's and children's rights do not appear to enjoy the same degree of attention or focus in the PNP's current overall policy framework for operations should be addressed, considering that these issues have warranted substantial legislation that require implementation by the PNP organization.

SANG-INGAT FOCUSES ONLY ON ONE ASPECT OF PEACE AND ORDER MAINTENANCE.

2.2.38 The SANG-INGAT master plan pertains to a very narrow and limited area of concern: security preparations during holidays, mass actions, and special events.

2.2.39 While clearly, security arrangements for these events and activities is an important PNP function, it is merely a sub-set of the more general function of peace and order maintenance. Thus, its classification as a distinct master plan is puzzling -- considering that no master plan exists for the broader PNP function of maintaining peace and order.

WITH THE PASSAGE OF R.A. 9165, SANG-BANAT IS NO LONGER RELEVANT.

2.2.40 The SANG-BANAT master plan is premised on the PNP having primary responsibility for the country's illegal drug campaign; it assumes the PNP is the lead organization in the anti-narcotics drive.

2.2.41 The passage of R.A. 9165 transferring primary enforcement of drug laws to the Philippine Drug Enforcement Agency (PDEA) has rendered SANG-BANAT irrelevant. There is need to redefine the PNP's strategy in the anti-drug campaign, in light of its supportive role under existing legislation.

3 PNP OPERATIONS MANUALS AND GUIDELINES

3.1 The PNP Handbook of Operational Procedures

A. DESCRIPTION

3.1.1 In September 2002, the PNP released its *Handbook of Operational Procedures*, a manual of twenty six (26) operational procedures to guide every police officer in the performance of his or her functions. The Handbook is a review, update and compilation of the PNP operational rules; it substitutes the June 1997 Revised Rules of Engagement, and details the procedural guidelines to cover general and special operational procedures.

3.1.2 A short description of the twenty six (26) rules classified and discussed in the Handbook is as follows:

(1) General Procedures

Rule 1: Police Blotter - All types of operational and undercover dispatches are to be recorded in police blotter.

Rule 2: Inter-Unit Coordination - National support units and local police units operating outside their areas of responsibility shall coordinate with the concerned territorial police unit.

Rule 3: Basic Requirements of Police Intervention Operations - *All* police intervention operations (i.e. arrest, searches) shall be conducted: a) with a marked police vehicle, b) preferably led by a commissioned officer, and c) with uniformed personnel.

Rule 4: Warning by Use of Megaphone - During police interventions, Megaphone or other peaceful means shall be used to influence suspects to stop or give up.

Rule 5: Warning Shots - Police shall not use warning shots during police intervention.

Rule 6: Use of Deadly Force - Use of firearm shall be only in self defense or defense of others, and if there is cause to believe suspect poses imminent danger of death or injury to others.

Rule 7: Reasonable Force - During armed confrontation, reasonable force may be used to overcome the threat posed by the suspect.

Rule 8: Moving Vehicles - Moving vehicles may not be fired upon solely to disable them, but driver/occupant may be fired upon if police believe suspect poses imminent danger to the public.

Rule 9: Things to Be Done After an Armed Confrontation - a) secure the site; b) check if there is still imminent danger; c) evacuate wounded; and d) account for those killed, wounded and arrested.

Rule 10: Jurisdictional Investigation by the Territorial Unit Concerned - After the armed confrontation, the territorial police unit concerned, with SOCO team, will investigate and process crime scene, and submit incident for inquest. If there is no inquest prosecutor, police can proceed with the investigation.

(2) Special Procedures

Rule 11: Arrest - The Rule outlines the manner by which a valid arrest warrant shall be served, and the procedure to be followed in effecting a warrantless arrest.

Rule 12: Searches and Seizures - *The* rule outlines the duties, responsibilities and prohibitions in the execution of a search warrant, and the procedure for conducting a valid warrantless search and seizure.

Rule 13: Crime Scene Investigation - In the conduct of crime scene investigation, the Rule specifies the tasks to be performed by the desk officer receiving the report, the first responding police officer, and the investigating team.

Rule 14: Undercover Operations - The Rule details the scope and restriction of undercover operations and the treatment of information obtained from these operations.

Rule 15: Custodial Investigation - The Rule defines custodial investigation, and reiterates the rights of the suspect pursuant to law. The Rule also specifies the procedure for the transport of detention prisoners, and the presentation of arrested persons to the media.

Rule 16: Inquest Procedures - This Rule details the inquest process that must be complied with to avoid illegal detention pursuant to Art. 125 of the Revised Penal Code. It specifies that a person arrested without a warrant should be presented for inquest before the inquest prosecutor, with all affidavits and sworn statements submitted.

Rule 17: Rules on Labor Disputes, Rallies, Demonstrations and Demolitions - This Rule enumerates the legal parameters and instructions for deployment of a

peace-keeping detail during rallies, strikes, pickets and labor dispute demonstrations.

Rule 18: Strikes, Lockouts and Labor Disputes - This rule provides additional guidelines for the peace-keeping detail deployed during strikes, pickets and other labor disputes.

Rule 19: Demolition Orders, Injunctions, and Other Similar Orders - This Rule defines the functions and duties of PNP personnel in the enforcement of demolition orders.

Rule 20: Checkpoints - This Rule thoroughly details checkpoint procedures, requirements, limitations, and action to be taken in hostile situation.

Rule 21: Civil Disturbance Management Operations - This Rule provide guidelines and procedures to be followed by Civil Disturbance Management ("CDM") personnel to ensure public safety during public assemblies, held with or without permits.

Rule 22: Hostage Situation - This provides the rules in case of a hostage situation, and it clearly and thoroughly details the procedure to be followed in the conduct of negotiations.

Rule 23: Aviation Security Procedures - This Rule lists the international conventions related to aviation security, and enumerates the screening procedures and equipment to prevent the introduction of firearms, weapons and other dangerous devices in the aircraft.

Rule 24: Internal Security Operations - This Rule refers to the PNP's support role in internal security operations, and outlines security measures to be taken to prevent dissident terrorist atrocities.

Rule 25: Bomb Threat and Bomb Incident Emergency Response Procedures - The Rule outlines the procedure to be followed by the responding officer in case of bomb threats/incidents.

Rule 26: Computer Crime Incident Response Procedure - This Rule enumerates the "do's" and "don'ts" in computer crime responses.

B. ASSESSMENT

(1) General and Specialized Procedures

THERE IS A NEED TO DEFINE THE GENERAL AND SPECIALIZED PROCEDURES, AS THERE IS NO CLEAR RATIONALE FOR THE CURRENT CLASSIFICATION OF RULES IN THE HANDBOOK

3.1.3 Although the Handbook classifies the twenty- six (26) rules as "general" and "special" procedures, the classification is confusing and misleading. Even a cursory examination of the ten (10) General Procedures will show that only Rule 1 (Blotter) is of general application, in the sense that it applies to all police operations.

3.1.4 Rule 2 applies only to the special circumstance when operations spill over to another unit's territorial jurisdiction, and Rules 4 to 10 clearly apply only to crisis situations and armed confrontations.

3.1.5 Rule 3 appears to be in a class by itself. It refers to ALL police operations utilizing a marked vehicle, when obviously not all operations --such as foot patrol and traffic operations -- necessitate the use of vehicles. Worse, this rule is impractical since there is severe inadequacy of motor vehicles in police operations.

3.1.6 On the other hand, the first two (2) of the Special Procedures – Arrest and Searches – refer to functions ordinarily and generally performed by all police officers.

3.1.7 The confusion underscores the need for a logical distinction between "general" and "special" procedures, so that a rational basis for classifying police operations can be provided.

(2) General and Specialized Police Operations

3.1.8 Police operations refer to police policies, processes and procedures conducted in the field by law enforcement officers. These operations include: a) patrol; b) traffic; c) investigation; and d) general calls for police service.[47]

3.1.9 Police operations require planning, and the types of operational plans that must be prepared for specific divisions are as follows:

> *"1) Those designed to meet everyday, year-round needs, which are the regular operating program of the divisions; and*
>
> *2) Those designed to meet unusual needs, the result of intermittent and usually unexpected variations in activities that demand their attention."*[48]

3.1.10 Applying the foregoing definitions to the PNP police operations as described in various written guidelines and manuals, general police operations would include those done on a daily, year-round basis and constitute the regular operations of a police unit, such as *patrol* and *traffic*.

3.1.11 On the other hand, specialized police operations can be divided into two (2) types:

a) Operations that are performed on a daily, year-round basis, but -- because they are intended to meet unusual needs -- require specialized skills and training, such as *crime scene investigation* conducted both by investigators of local police units, and by investigators of the Scene-of-the Crime Operations (SOCO) unit of the Crime Laboratory; and

b) Operations that are intermittent rather than daily, and address extraordinary rather than regular circumstances. Among the existing PNP operations, these would include civil disturbance management, bomb threat operations, counter terrorist activities, anti kidnap-for-ransom (KFR) operations, and others.

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[47] BASILIO G. CAEL, "Police Operations and Basic Police Responsibilities in Philippine Society", 2000 ed., p. 155.
[48] KAREN M. HESS and HENRY M. WROBLESKI, "Police Operations: Theory and Practice", Second Edition (1997), p. 29.

3.1.12 A description and analysis of these general and specialized procedures will be discussed below.

THE HANDBOOK IS COMPLETELY SILENT ON THE MOST BASIC POLICE OPERATION PERFORMED: PATROL OPERATIONS.

3.1.13 It has been said that patrol operations are the "backbone of a police department",[49] the "most important component in any police organization, not only because it is the largest, but because patrol is in direct contact with the public and presents the omnipresence of the police in the community".[50] The basic functions of police patrol are as follows:

a) Preventive enforcement - This will prevent crime through noticeable presence of uniformed policemen.

b) Selective enforcement - Although highly mobile it cannot cover all areas, hence, patrol to selectively concentrate where trouble is likely to occur.

c) Traffic enforcement - This refers to proper implementation of traffic laws, rules and regulations along highways, roads, streets to control mobility of vehicles and pedestrians.

d) Responding to emergency calls for service - The patrol force being the backbone and frontliner in the police service is usually the first at the scene, such as in emergencies of fire, accidents, drownings, attempted suicides, mobs and riots, etc. This requires special trainings in first aid, leadership, riot control, etc.

e) Routine calls for service - Responding to complaint either through the phone, in person or in writing or any other means.

f) Courtesy service - The reason for this, is the fact that the police agency is a service agency. Examples include: assisting a blind person cross the street; or providing police escort to VIPs.

g) General information - Assisting a tourist in locating a friend.

h) Preservation of evidence - Protecting crime scene before formal investigation is done.

i) Making reports - Gathering and reporting information regarding criminal activities, missing persons, recovered articles, etc.[51]

3.1.14 In addition, patrol services also include: a) making arrests, b) conducting preliminary investigations, and patrolling public gatherings.[52]

3.1.15 Ironically, considering that patrol functions are clearly the most basic and fundamental of police operations, there are no Rules in the Handbook for the functions, duties and operations of regular patrolmen. Certainly, aspects of patrol functions are included – such as arrests, searches and seizures, and criminal

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[49] Hess and Wroblesky, *ibid.*, p. 293.
[50] Cael, *ibid.*, p. 141.
[51] *Ibid.*, pp. 143-144.
[52] Hess and Wroblesky, *ibid.*, p. 258.

investigation – but except for these functions, an ordinary beat patrol officer reading the Handbook will have no conception or idea of how he is to perform his daily, ordinary patrol operations.

3.1.16 The Handbook's failure to provide the procedures for basic, ordinary patrol services amounts to a failure to operationalize the concepts in the PNP's Anti-Criminality Master Plan (SANDIGAN). Crime prevention – the mission of the SANDIGAN master plan – is the essence of patrol services, yet the Handbook does not provide any procedures to be implemented to prevent criminality.

3.1.17 It should be noted at this point that, prior to the establishment of the National Police Commission, there was a Police Manual which apparently is no longer utilized, and has been discussed in textbooks purely for academic purposes.[53] This Police Manual enumerated the general duties and responsibilities of a patrolman, and the patrolman's specific functions when assigned to traffic duty, to patrol car operations, and detective work.

3.1.18 The patrolman's functions, duties and operations, however, are no longer incorporated in the Handbook, which is the basic manual of police operations now in effect. That the basic procedural manual fails to provide for patrol operations – when the old Police Manual did – implies that, in the past years, there has been a shift in the PNP's operations perspective.

THE PNP OPERATIONS' PERSPECTIVE IS A "CRISIS SITUATION – SPECIAL CIRCUMSTANCES PERSPECTIVE."

3.1.19 The fact that the Handbook does not provide for basic, daily patrol operations, and instead mainly provides for special and unusual contingencies (i.e. bomb threats, hostage situations) is indicative of the PNP's operations' perspective or institutional mindset. Rather than approaching police operations from a holistic and total perspective, considering both basic and special police functions, it appears that the PNP operations' perspective is a crisis situation' or special circumstances' perspective.

3.1.20 An examination of the Handbook Rules reveals that while some Rules merit merely a replication of existing laws and rules (i.e. Rule 11 [Arrest], Rule 12 [Search and Seizures]), others are impressively detailed; a clear checklist of do's and don'ts (i.e. Rules 17 and 18 [Labor Disputes and Strikes], Rule 19 [Enforcement of Demolition Orders], Rule 20 [Checkpoints], Rule 22 [Hostage Situation], and Rule 25 [Bomb Threat Response Procedures]).

3.1.21 In addition, while there are no Rules whatsoever on basic patrol services (i.e. what is to be done during a daily foot patrol), there are detailed procedures on highly specific circumstances (i.e. Rules 4 – 10 [Armed Confrontations], Rule 19 [Enforcement of Demolition Orders] and Rule 23 [Aviation Security Screening Procedures]).

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[53] In the book "Handbook on the Philippine National Police", Prof. Jose Nolledo appends excerpts of the Original Police Manual as Appendix "BBB", but notes that the appendix was included for academic purposes, although the Police Commission may indicate which portions of the manual are still effective. (JOSE NOLLEDO, "HANDBOOK ON THE PHILIPPINE NATIONAL POLICE", 1995 ED. WITH 1996 SUPPLEMENT, P. 577.)

3.1.22 It is evident that the greatest detail – and therefore the greatest attention – has been accorded to police operations for crisis situations or special circumstances: hostage situations, bomb threats, labor dispute demonstrations, checkpoints, demolitions. Even the general procedures relate mainly to armed confrontations.

THE PNP OPERATIONS PERSPECTIVE MAY BE GREATLY INFLUENCED BY MEDIA AND PUBLIC ATTENTION

3.1.23 Why the shift in perspective to crisis situations and special circumstances? This study believes that the PNP focus on crisis situation operations, rather than basic, regular police operations, may be directly related to the degree of media attention and public scrutiny that accompanies crisis situations and special circumstances.

3.1.24 Bomb threats, demolitions and hostage situations invite media coverage; the regular patrolman plying his daily beat does not. Checkpoints and police intervention in labor disputes are controversial and fuel public debate; arresting petty thieves and conducting traffic do not.

3.1.25 That greater attention is given to high profile, crisis situations is understandable: mistakes made in the unforgiving spotlight of media attention have an immediate adverse effect on public perception; i.e. a hostage or kidnapping situation that fails generates howls of disgust from a public already skeptical of police efficiency. Adverse perception in turn influences resource generation and allocation: politicians and congressmen invariably recall controversial cases when crunching out the budget for police operations.

3.1.26 That careful detail is given to operational procedures for crisis situations and special circumstances is laudable – provided it does not translate into mere lip service guidelines for non-crisis situations such as arrests and search processes, and no guidelines at all for other patrol services. The PNP leadership cannot be faulted for reacting to high profile circumstances, provided the efforts to finesse crisis situation procedures does not prejudice the attention warranted by the primary police services.

3.1.27 It is timely, perhaps, to go back to basics; to view police operations procedures from a more holistic perspective, with attention accorded to both fundamental and special services. This more total approach would be a recognition that the patrolman is in fact the backbone of the police establishment, and that patrol services deserve as much time, effort and resources from the PNP leadership as bomb threats and hostage negotiation.

THE HANDBOOK IS WRITTEN IN FORMAL TECHNICAL ENGLISH, USING LEGAL JARGON. THIS MAY NOT BE READILY UNDERSTOOD BY THE ORDINARY POLICE OFFICER AND MAY REQUIRE FURTHER INDIVIDUAL TRANSLATION INTO SPECIFIC ACTIONS STEPS AT THE APPLICATION LEVEL, THUS DEFEATING THE VERY PURPOSE OF PROVIDING RULES THAT GUIDE AND UNIFY ACTION STEPS.

3.1.28 The Handbook's Foreword specifically states that these are the Rules that every police officer must follow, and which each one must know by heart.[54] The Handbook's principal audience is not the PNP leadership, or even its commissioned officers, but its ordinary patrolmen; its non-commissioned personnel.

3.1.29 A review of the Handbook provisions shows, however, that not only is English the language used, almost all the provisions are written in formal, technical legal jargon. To cite only a few – out of numerous -- examples:

RULE 2, PART 2:

Hot Pursuit - (also termed in the US as fresh pursuit) shall mean an immediate, recent chase or follow-up without material interval for the purpose of taking into custody any person wanted by virtue of a warrant or one suspected to have committed a recent offense while fleeing from one police jurisdiction to another, necessitating the pursuing Police Unit to cross jurisdictional boundaries that will normally require prior official personal inter-unit coordination but which the pursuing unit cannot at that moment comply with due to the urgency of the situation.

RULE 6:

Use of Deadly Force - The excessive use of force shall be avoided. The use of firearm is justifiable by virtue of the Doctrines of Self-Defense, Defense of Relative, and Defense of Stranger, and if the police has probable cause to believe that the suspect poses an imminent danger of death or serious physical injury to the police or other persons.

RULE 11, SECTION 5:

Arrest Without a Warrant: When Lawful - A peace officer or a private person may, without a warrant, arrest a person:

a) When, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense;

b) When an offense has just been committed and he has probable cause to believe, based on personal knowledge of facts or circumstances, that the person to be arrested has committed it; and

c) When the person to be arrested is a prisoner who has escaped from a penal establishment or place where he is serving final judgment or temporarily confined while his case is pending, or has escaped while being transferred from one confinement area to another.

RULE 20, SECTION 4:

Limitation of Searches at Checkpoints - Searches made at check or chokepoints shall be limited to visual search and neither the vehicle nor the occupants shall be subjected to physical search. An extensive search may be

[54] "PNP Handbook of Operational Procedures", Foreword by then DIDM Police Director Lucas Managuelod, pp. v-vi.

allowed only if the officers conducting the search have probable cause to believe that they would find evidence pertaining to the commission of a crime in the vehicle to be searched and there is no sufficient time to secure a valid warrant.

RULE 21, SECTION 6 (3):

Every effort should be made to avoid appearing as an alien invading force and to present the image of a restrained and well-disciplined force whose sole purpose is to assist in the restoration of law and order with a minimum loss of life and property and due respect for those citizens whose involvement may be purely accidental. Further, while control force personnel should be visible, tactics or force concentrations, any activity which might excite rather than calm should be avoided when possible.

RULE 23, SECTION 1 (B):

The Tokyo Convention, also known as the Convention on Offenses and Certain Other Acts Committed on Board an Aircraft, was signed in Tokyo, Japan on 14 September 1963 and came into force on 4 December 1969. This was ratified by a total of 124 states, including the Philippines.

The convention defined all acts which, whether or not classifiable as offenses, may jeopardize the safety of an aircraft, the persons on board or property therein, and such other acts which may jeopardize good order and discipline on board the aircraft. It also enumerated and explained the powers of the aircraft commander in an international flight, as well as the competence of signatory states to exercise jurisdiction over offenses committed on board an aircraft.

3.1.30 While admittedly, most policemen have college degrees and therefore a certain degree of English language proficiency can be assumed, this basic understanding of the language cannot be stretched to automatically assume a comfortable familiarity with technical legal jargon.

3.1.31 Simply put: can the ordinary police officer appreciate and immediately understand these Rules he must know by heart? Can a patrolman whose native tongue is not English but a local dialect, and who does not have prior legal training, be expected to speak and know courtroom legalese?

3.1.32 Considering the audience for the operational rules, they must be written using SIMPLE, informal words, and in a dialect or language or dialect immediately understood by the reader—the regular police officer. There are guidelines for clearly written and efficient police procedures, as follows:

"As with any other type of administrative writing goals, policies and procedures should be clearly written. Consider the following guidelines:

Use short, simple words, avoiding police jargon.
Use short, simple sentences: 10-15 words.
Use short paragraphs: 2-3 sentences.
Use lists when possible.

Use active verbs (say Clean the gun daily rather than The gun should be cleaned daily).

Use illustrations and diagrams for clarification.
Have three or four individuals read and evaluate the goal, policy or procedure.

Most important, keep things simple. Avoid the tendency to impress rather than to express, as illustrated in the story of the young boy who, when asked to go to the chalkboard and write the answer to 2 + 2 =, wrote 4.00000." [55]

3.1.33 The written operational rules do not meet this standard of simplicity; indeed, legal training is required for a clear understanding of the Handbook as it is currently phrased. If the intention of the PNP leadership is for operational rules to be understood by the most junior of policemen, then a review and re-crafting of the Handbook may be appropriate.

3.2 General Police Operations Procedures

3.2.1 While there are no current procedures on patrol operations, the Handbook does provide the guidelines for arrest, search and seizure operations. Traffic operations procedures are provided for in other laws and issuances.

A. RULES ON ARREST, SEARCH AND SEIZURES

3.2.2 One of the functions of patrol operations is the making of arrests, and the procedure to be followed by police officers in executing valid warrants of arrest and effecting warrantless arrests. The conduct of search and seizure operations, though not strictly a patrol function, nonetheless form part of regular basic police operations.

(1) Description of Arrest Rules of Procedure

3.2.3 The operational rules on arrests are embodied in Rule 11 of the *PNP Handbook of Operational Procedures*. Rule 11 consists of nine (9) sections, outlining the procedures for arrests with warrants, and warrantless arrests.

3.2.4 On execution of arrest warrants, Rule 11 specifies the period of validity of the warrant (10 days), how it is to be served, and what information should be relayed to the arrested person.

3.2.5 In the case of warrantless arrests, the Rule outlines the conditions for a lawful warrantless arrest, and the duties of the arresting officer effecting the arrest, including the necessity of completing the inquest proceedings to avoid liability for arbitrary detention under the Revised Penal Code.

3.2.6 Article 125 of the Revised Penal Code – the country's codified law on crimes – provides that a public officer who fails to deliver a detained person to the appropriate judicial authorities after a stated number of hours (12 hours for light felonies, 18 hours for less grave felonies, and 36 hours for grave offenses) shall be criminally liable for the offense of illegal detention.

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[55] Hess and Wroblesky, *ibid.*, p. 25.

3.2.7 Inquest proceedings, as provided for in Rule 16 of the Handbook as well as Rule 112, Section 7 of the 2000 Rules of Criminal Procedure, require the arresting officer to present the arrested person, together with all affidavits and evidence, to an inquest prosecutor before the lapse of the allowable detention period. It is the responsibility of the inquest prosecutor to determine whether there is sufficient basis to bind the arrested person over for trial, or to release him. Inquest proceedings allow for continued detention of the arrested person if he desires the conduct of preliminary investigation under Rule 112 of the 2000 Rules of Criminal Procedure, but he must execute a waiver of the benefits under Article 125 of the Revised Penal Code.

(2) Description of Rules for Search and Seizure

3.2.8 The operational rules on searches and seizure are embodied in Rule 12 of the *PNP Handbook of Operational Procedures*. Rule 12 consists of eight (8) sections, covering the procedure for application and service of search warrants, and defining valid warrantless searches.

3.2.9 On the application and execution of search warrants, Rule 12 specifies the data which must be included in the application, and enumerates the properties that can be lawfully subject to search and seizure. It prescribes the manner by which the search warrant is to be served, and the remedies available if admittance to a place specified in the warrant is refused.

3.2.10 In the case of warrantless searches and seizures, Section 8 of Rule 12 quotes and cites five (5) landmark Supreme Court cases that provide the conditions and requisites for valid warrantless searches and seizures.

(3) Assessment

THE HANDBOOK ON OPERATIONAL RULES ON ARREST, SEARCH AND SEIZURE MERELY REPRODUCES THE PROVISIONS OF THE RULES OF COURT, SPECIFICALLY THE 2000 REVISED RULES OF CRIMINAL PROCEDURE.

3.2.11 Any lawyer, or any person familiar with the Rules of Court applicable to judicial proceedings, will immediately recognize Rule 11 and 12 of the Handbook as mere repetitions – often verbatim reproductions – of Rules of Court provisions, specifically Rules 113 and 126 of the 2000 Revised Rules of Criminal Procedure.

3.2.12 Other sections of the Rules are likewise identical to provisions of the 1987 Constitution, other laws, or Supreme Court pronouncements. In particular:

a) Sections 1 to 5 of Rule 11 are identical to Rule 113, Sections 3 to 8 of the 2000 Revised Rules of Criminal Procedure;

b) Section 6 of Rule 11 reproduces Rule 113, Sec. 8 of the 2000 Rules of Criminal Procedure, and refers to the provisions of illegal detention under Art. 125 of the Revised Penal Code;

c) Section 8 of Rule 11 is identical to Article III, Sec. 12(2) of the 1987 Constitution;

d) Sections. 1, 2, 4 to7 of Rule 12 are identical to Rule 126, Sections 1, 3, 4, 7, 8, 10 and 11 of the 2000 Revised Rules of Criminal Procedure;

e) Section 3 of Rule 12 merely restates the contents of a search warrant application, as defined in Rule 126, Sec. 6 of 2000 Revised Rules of Criminal Procedure; and

f) Section 8 of Rule 12 quotes Supreme Court jurisprudence on the requisites for valid warrantless searches and seizures.

3.2.13 Clearly, no further effort was taken by the framers of the operational rules to define the rules and specific procedural steps on arrest, search and seizures beyond copying existing Rules of Court provisions. This indicates either a lack of discernment as to the intended audience of the Handbook, or a lack of concern to ensure that the Rules can be understood and implemented by the average or most junior of policemen. Whichever the reason, it is evident that the Rules can be improved, following the guidelines for the drafting of clear and efficient rules of procedure discussed above.

THE OPERATIONAL RULES ON ARREST, SEARCH AND SEIZURE ARE INAPPROPRIATE FOR THE INTENDED AUDIENCE.

3.2.14 The Rules on arrest, search and seizure underscore an earlier point made: they appear to have been drafted not for the ordinary police officer, but for lawyers or persons with legal training or exposure, who can readily understand and appreciate jargon such as "probable cause" (Rule 11, sec. 5 (b)), "doctrine of citizen's arrest" (Rule 11, par. 1), or "fruits of the offense" (Rule 12, sec.2(b))

3.2.15 These persons, however, are not the intended audience and readers of the Handbook; patrolmen are. Unless continuing legal education on the jurisprudential and procedural changes on the law of arrests, searches and seizures becomes mandatory for all patrolmen, there clearly is a need to simplify these operational rules.

RULE 11 DOES NOT PROVIDE FOR THE GIVING OF THE MIRANDA WARNINGS TO PERSONS ARRESTED PURSUANT TO A WARRANT OF ARREST.

3.2.16 In the landmark United States decision of *Miranda vs. Arizona* (1966), the U.S. Supreme Court mandated that persons under custodial investigation are entitled to be read their constitutional rights, known ever after as the "Miranda warnings". The Court, in that case, ruled:

... The person in custody must, prior to interrogation, be clearly informed that he has the right to remain silent, and that anything he says will be used against him in court; he must be clearly informed that he has the right to consult with a lawyer and to have the lawyer with him during interrogation, and that, if he is indigent, a lawyer will be appointed to represent him.[56]

3.2.17 The original intent of the Miranda warnings was to protect persons undergoing police interrogation; persons under custodial investigation. These famous Miranda warnings

[56] *Miranda vs. Arizona* ,384 US 436 [June 1966].

were adopted in the Philippines, but modified first by the Philippine Supreme Court, then in the 1987 Constitution, and finally in R.A. 7438, promulgated in 1992.

3.2.18 The Philippine modifications to the original Miranda warnings can be summarized as follows:

a) The right to have a lawyer present during custodial investigation can be waived, provided this waiver is in writing and in the presence of counsel;[57] and

b) The rights are given not only to persons under custodial investigation, but also to persons arrested and detained[58].

3.2.19 Whether or not the deviation or modification to the original Miranda warnings is legally sound is a matter of debate among legal scholars; the rationale for the original warnings was to protect persons being interrogated – NOT to protect any and all persons arrested, particularly not persons arrested by virtue of a warrant of arrest. The propriety then of the current laws is not the concern of this study, but the enforcement of those laws certainly is.

3.2.20 R.A. 7438 expressly provides for the giving of the Miranda warnings to persons arrested, without distinction as to whether the arrest was done in compliance with a warrant, or was a warrantless arrest. Thus the operational rules on Miranda warnings must apply to both types of arrests.

3.2.21 That is not the case in the Handbook's Rule 11. Sections 4 and 6 of said Rule are quoted hereunder for easy reference:

Sec. 4. Arrests by Virtue of a Warrant of Arrest –

(b): When making an arrest by virtue of a warrant, the officer shall inform the person to be arrested of the cause of the arrest and of the fact that a warrant has been issued for his arrest, except when he flees or forcibly resists before the officer has the opportunity to so inform him or when the giving of such information will imperil the arrest. The officer need not have the warrant in his possession at the time of the arrest but after the arrest, if the person arrested so requires, the warrant shall be shown to him as soon as practicable.

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Sec 6. Duties of Arresting Officer in Case of Arrest Without a Warrant

(a): The arresting officer shall inform the subject or suspect, in the dialect or language known to him, why he is being arrested, and of his right to remain silent and to have a counsel of his own choice, to be informed of the authority and the cause of the arrest, unless the person to be arrested is then engaged in the commission of an offense or is pursued immediately after its commission or after and escaped; or flees or forcibly resists before the officer has opportunity to so inform him, or when the giving of such information will imperil the arrest.

[57] 1987 Philippine Constitution, Article III, Section 12 (1).
[58] R.A. 7438, Section 2 (b).

3.2.22 From the foregoing, it is apparent that a police officer serving a warrant of arrest is not required to give the Miranda warnings to the arrested person. Rule 11 requires these rights to be read or relayed only to a person arrested without a warrant.

3.2.23 A police officer, then, faithfully complying with the Rules would be vulnerable to criminal prosecution for violation of R.A. 7438, for failure to give the Miranda warnings to persons arrested by virtue of a warrant. Pursuant to Section 4 of said law, the penalty for such a violation would be a fine of six thousand pesos (PhP 6,000), or eight to ten years imprisonment, or both.

3.2.24 This Philippine modification was apparently not considered in the drafting of the operational rules on arrest. A restatement of the current rules is imperative to make them comply with existing legislation, because it is the ordinary police officer merely enforcing warrants who stands the greatest risk of being held liable for this procedural lapse.

B. RULES ON TRAFFIC OPERATIONS

3.2.25 Police traffic services (PTS) are an essential function of patrol; and these services have been broadly divided into six functional areas: traffic law enforcement; accident investigation and management, traffic direction and control, traffic engineering, traffic ancillary services, and PTS management.[59]

(1) Description

3.2.26 Police traffic service is the primary function of the PNP Traffic Management Group (TMG). Although part of patrol, a police traffic unit serves a highly specific and technical function, requiring clear familiarity with road and traffic laws, and rules of enforcement. For this reason, it has been opined that the creation of a special traffic enforcement unit may enhance traffic assignment and productivity;[60] police officers assigned to the special unit benefit from specialized training and from the fact that their work is focused only on traffic management and control, without the distraction of other patrol functions.

3.2.27 In the Philippines, a special traffic enforcement unit has been created, as one of the national support units of the PNP. The Traffic Management Group (TMG) performs the following functions[61]:

a) To formulate and conduct aggressive education programs, projects and activities that will be carried out down to the provincial, city and municipal levels through mutual cooperation between government functionaries;

b) To maintain safe-travel worthiness of roads and bridges through patrolling and survey of any defects, and ensure completeness of road lights, traffic signals, informative signage and other safety devises and fixtures;

c) To enforce traffic laws and other special laws, presidential decrees, regulations, ordinances, department circulars and letter of instructions related

[59] Hess and Wroblesky, *ibid.*, p. 338.
[60] Hess and Wroblesky, *ibid.*, p. 303.
[61] PNP Official Web Portal, "Traffic Management Group", www.pnp.gov.ph.

or pertaining to traffic and environment, conduct investigation and enforce visitorial power in consonance with PD 1612 and in relation to RA 6539 and PD 532;

d) To conduct motorized patrol to safeguard and protect persons and properties, preserve the peace, maintain order, prevent the commission of crimes, suppress criminal activities, apprehend criminals, neutralize syndicated group that victimizes motorists, and spearhead operations against carnapping, hijacking, highway robbery and other forms of criminality along the highway;

e) To maintain and improve database for wanted motor vehicle information system (WVIS), develop wanted carnapping personality information system, conduct scientific research and develop database pertaining to traffic accidents and other safety infringements along the highways and issue MV clearances (WVIS) in pursuance to RA 6539; and

f) Enforce deputation orders of other law enforcement agencies pertaining to regulations and restrictions on the acquisition and use of motor vehicles along the highways, entry and exit between inter island travel.

(2) Assessment

3.2.28 An institutional review of the TMG and the overall traffic management institutional framework is contained in the other chapters of this report. The perspective of this assessment is limited to reviewing the PNP internal organizational aspects of traffic management that may be needed outside of the current capacity of the TMG.

THERE IS NEED TO INVOLVE OTHER NON-TMG OFFICERS IN THE PROVISION OF TRAFFIC MANAGEMENT SERVICES.

3.2.29 While there is a clear benefit to the establishment of a special traffic unit, vehicular and pedestrian incidents are pervasive, and the responsibility for traffic enforcement and management cannot be limited to personnel of the special traffic unit. The twin traffic enforcement purposes of controlling traffic congestion and reducing accidents is the responsibility of all police officers[62], not merely a unit such as the TMG.

3.2.30 Even with the existence of the TMG, there is a necessity of involving non-TMG elements of the local police unit in traffic management and enforcement; strict compartmentalization of functions will prejudice, rather than enhance, police services. As shown in other sections of this study, however, it is apparent that non-TMG officers do not get the benefit of traffic enforcement training, and this adversely affects the delivery of this service.

THERE IS NO CODIFIED MANUAL OF OPERATING PROCEDURES ON TRAFFIC MANAGEMENT OPERATIONS.

3.2.31 Among the documents requested for this study were the manuals of operating procedures for various offices of the PNP, and in response to said request, the TMG provided the researchers with copies of the laws currently being implemented by the TMG, among them:

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[62] *Ibid*, p. 338.

a) R.A. 4136, the "Land Transportation and Traffic Code";

b) C.A. 146, the "Public Service Act";

c) R.A. 6539, the "Anti-Carnapping Act of 1972";

d) P.D. 1612, the "Anti-Fencing law of 1979"; and

e) P.D. 96, "Declaring Unlawful the Use or Attachment of Sirens, Bells, Horns, Whistles, or Similar Gadgets".

3.2.32 In addition, the researchers were furnished copies of three (3) Standard Operating Procedure guidelines issued relative to the enforcement of traffic laws, namely:

a) SOPs Nos. 2 and 7 (Reporting and Disposition of Stolen and recovered/Impounded Motor Vehicles); and

b) SOP in Recovering Carnapped/Stolen MVs and Other Public's Complaint, et. al.

3.2.33 It is noted that while the traffic laws, specifically R.A. 4136, clearly define the traffic rules which must be followed, and enumerate and describe with particularity the traffic violations, it does not provide the procedures for enforcement of the laws, nor does it specify the operating rules to prevent traffic law violations. This is clearly the function of the TMG; the preparation of the necessary procedures for traffic enforcement and management.

3.2.34 It would appear, however, from the available and provided data, that the SOPs currently in place refer principally to carnapping incidents. It is possible that other operating guidelines relative to the other aspects of traffic police services exist, and these may be contained in other SOPs of the TMG. Considering that traffic police services need to be provided not only by trained TMG personnel but by regular patrolmen as well, the codification of operating procedures on traffic management and enforcement would certainly be beneficial both to TMG personnel in the field, and local police units.

3.2.35 It is worth noting that the original Police Manual listed in detail the functions and duties of patrolmen performing traffic duties. These old rules may be adopted and modified as part of a codified manual of traffic operations.

3.3 Specialized Police Operations Procedures

3.3.1 As above-stated, specialized police operations are of two (2) types: a) operations that are performed on a daily, year-round basis, but -- because they are intended to meet unusual needs -- require specialized skills and training, and b) operations that are intermittent rather than daily, and address extraordinary rather than regular circumstances.

3.3.2 There are numerous specialized police operations, from crime scene investigation, to civil disturbance management operations, anti-terrorist activities, anti kidnap-for-ransom (KFR) operations, bomb threat procedures, hostage negotiation, special action force operations, crime laboratory operations, aviation security, maritime

security and many others. This study will focus on a few that have detailed guidelines and operational procedures, and those which appear to be priority areas of concern for the PNP leadership.

A. RULES ON CRIME SCENE INVESTIGATION

(1) Description

3.3.3 Criminal investigation has the following objectives:

- Determine if a crime has been committed
- Legally obtain information and evidence to identify the person(s) responsible
- Arrest the suspect(s)
- Recover stolen property
- Present the best possible case to the prosecutor[63]

3.3.4 To accomplish these goals, criminal investigation consists of two (2) stages: a) preliminary investigation which includes on-scene activities such as securing the scene, searching, and interviews, and b) follow up investigation performed after the processing of the crime scene. [64] It is the first stage, deemed the most critical phase, which is better known as crime scene investigation.

3.3.5 While crime scene investigation is a regular and daily operation, because it requires specialized skills and capacities, it has been categorized as a specialized police operation.

3.3.6 Preliminary investigation or crime scene investigation typically includes the following activities[65]:

a) Attending to any existing emergencies, such as an injured person or a fleeing suspect

b) Securing the scene

c) Measuring, photographing, videotaping and sketching the scene

d) Searching for evidence

e) Identifying, collecting, examining and processing physical evidence

f) Questioning victims, witnesses and suspects

g) Recording all statements and observations in notes to be later transformed into a report

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[63] *Ibid.*, P. 472.
[64] *Ibid.*, P. 473.
[65] *Ibid.*, P. 473.

3.3.7 PNP's operational procedures on crime scene investigation are embodied in Rule 13 of the Handbook of Operational Procedures, and in Chapter III (Scene of Crime Operations [SOCO]) of the PNP Crime Laboratory Manual.

3.3.8 Rule 13 of the Handbook consists of six (6) sections, outlining the procedures to be undertaken by the first responding police officer and the team leader of the investigating team, the manner of documenting the crime scene, and the conduct of interviews and arrests. In particular, Rule 13 covers the following:

a) Duty of first responder, including duty to cordon off the crime scene and prepare to brief investigators

b) Crime scene procedure from team leader's initial survey, to documentation through photographs/sketches/video camera, to search and collection of evidence, to final survey and release of the crime scene

c) Interview of witnesses by investigator

d) Arrest of suspect either by first responder or investigator

3.3.9 The PNP Crime Laboratory Manual on SOCO enumerates the cases where SOCO services are utilized, and comprehensively and exhaustively describes the functions, duties and operations of all members of the SOCO team, as well as describes the technical aspects of their functions. In particular, the manual covers the following:

a) Composition of a SOCO team

b) Functions and duties of the team leader

c) Functions and duties of the evidence custodian

d) Functions and duties of the SOCO technicians, in particular the photographer and measurer/sketcher

e) Process of coordination with handling local investigator

f) Detailed crime scene procedure from preliminary survey, to documentation of crime scene, to crime scene search, to final survey and release of the crime scene

g) Specifics of documentation, such as data in note taking, types of crime scene sketches, and types/range of photography

h) Specifics of crime scene search, such as methods of search, search locations, manner of searching vehicles, live persons, and deceased victims/suspects

(2) Assessment

SOCO OPERATIONS PROCEDURES ARE FAR MORE DETAILED AND COMPREHENSIVE THAN THOSE CONTAINED RULE 13 OPERATIONS.

3.3.10 Operations of the Crime Laboratory SOCO team, as described in the Crime Laboratory Manual, are far more comprehensive and precise than Rule 13. While the SOCO manual elaborates on the functions to be performed by the various technicians, and indeed provides technical descriptions of the modes of

documentation and search, Rule 13 is extremely limited and general, describing mainly the functions of the first responder and the team leader of the investigating team.

3.3.11 Although Rule 13 broadly describes the documentation to be done – mainly photographs and sketches – it fails to detail how documentation is actually done, i.e. types of sketches, range of photographs, and the like. Further, although it refers to the conduct of a crime scene search, it gives no hint whatsoever of what to look for, what may be important pieces of evidence, and how to go about conducting a methodical search.

3.3.12 SOCO's methods are scientific and technical, and leave less to the discretion of the individual technician, since the manual specifies how he is to document the crime scene, and defines the manner by which the search is to be conducted. Rule 13, being less detailed, relies mainly on the experience, perception and discretion of the lead investigator and his team in processing the crime scene.

SOCO IS LIMITED TO ONLY A FEW CRIMES AND CASES.

3.3.13 The Crime Laboratory SOCO unit does not handle all crime scene investigations; quite the opposite. Most crime scene investigations are handled by the local police units, with SOCO called in only to handle the following cases:

a) Murder
b) Homicide
c) Rape with Homicide
d) Suicide
e) Death under inquiry
f) Arson
g) Theft and Robbery
h) Vehicular accidents/robbery and carnapping
i) Shooting incidents
j) Bombing incidents[66]
k) Significant or sensational cases[67]

SOCO DOES NOT CONDUCT INTERVIEWS; THAT IS A FUNCTION OF THE LOCAL HANDLING INVESTIGATOR.

3.3.14 An interesting distinction between SOCO procedures and that of the local handling investigator is that, from its manual of operations, it is evident that the conduct of interviews is NOT done by the SOCO team. On the other hand, Rule 13 specifically requires the local investigating team to conduct interviews with witnesses, victims and suspects, and to effect arrests, if necessary and possible.

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[66] PNP Crime Laboratory Manual, Chapter III, Section on "Classification of Cases for Crime Laboratory Assistance", sub-section A.
[67] PNP Handbook of Operational Procedures, Rule 13, Section 4(g).

3.3.15 The absence of the interview function of crime scene investigation from the SOCO unit operations implies that, although it principally processes a crime scene, SOCO does not perform all functions of crime scene investigation. Its function is limited to crime scene documentation and the collection and processing of physical evidence, while the gathering of testimonial evidence through interviews and sworn statements is done by the local investigator. This has tremendous implications on the detail and methodical quality of crime scene investigation by the local investigator particularly in those areas not covered or not performed by the SOCO.

MOST CRIME SCENES WILL NOT BENEFIT FROM THE TECHNICAL EXPERTISE SOCO PROVIDES.

3.3.16 While the list of SOCO cases is extensive, a majority of crime scenes would nonetheless fall outside the purview of SOCO cases. Crime scenes involving serious physical injuries, rape, domestic violence cases, destruction of property, abduction – all these crime scenes would not benefit from the methodical and scientific expertise of SOCO.

3.3.17 Because a majority of crime scenes are left for processing by the local police unit, the comprehensive SOCO procedures will not apply; instead, it is Rule 13 of the Handbook which will serve as the operational guidelines for the investigation. Since Rule 13 accords the investigating team greater discretion in their investigation, then it is the individual capacities of the investigator or investigating team – rather than the scientific and meticulous crime scene processing methods – that becomes the critical factor in the success of crime scene investigation in non-SOCO criminal cases.

THERE ARE AMBIGUITIES AND OVERLAPS IN THE ROLES OF SOCO AND LOCAL INVESTIGATOR-ON-CASE.

3.3.18 There is no question that the role of the local investigating team does not end with the arrival of the SOCO team; as above-stated, the conduct of interviews is done by the local investigators and not by the SOCO team. The rules of procedure, however, are not clear as to which unit takes the lead in crime scene investigation or what specific task delineations and integration should be followed.

3.3.19 Both Rule 13 and the SOCO procedures provide that participation of SOCO requires the request of the investigator assigned to the case, and that in fact the SOCO team leader must obtain the authority from the investigator-on-case to process the crime scene.[68] This would seem to imply that the investigator-on-case remains the lead investigator, in full control of the crime scene investigation.

3.3.20 The SOCO rules, however, provide that the authority that is given by the investigator-on-case to the SOCO team leader is the authority to "take full control of the crime scene".[69] This SOCO rule giving the SOCO team leader full control over the crime scene IS NOT, however, found in Rule 13; which impliedly leaves the lead role in the crime scene investigation to the local investigator.

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[68] PNP Crime Laboratory Manual, Chapter III, Section on "Coordination with Investigator-on-Case."
[69] *Ibid.*, Section on "Cases Falling Under SOCO Category", par. g.

3.3.21 Indeed, it would appear from Rule 13 that SOCO participation in the crime scene is limited to collection of physical evidence, with the local investigator conducting the preliminary survey, and the release of the crime scene – functions also performed by the SOCO team leader.

3.3.22 There is therefore both ambiguity and overlaps in the functions of the SOCO team and the local investigator/investigation team, which could be a source of conflict among the investigating units until clarified.

B. RULES ON CIVIL DISTURBANCE MANAGEMENT OPERATIONS

3.3.23 Civil disturbance management (CDM) operations generally refer to police operations during public assemblies, rallies, and similar demonstrations. Under current PNP operational procedures, a public assembly or demonstration requires police intervention in the following circumstances:

a) Public assembly with a permit, when police assistance is requested by the leaders or organizers;

b) Public assembly with a permit, when the assembly becomes violent;

c) Public assembly without a permit;[70] and

d) Other confrontations from a peaceful assembly to violent and destructive attack on people and property.[71]

(1) Description

3.3.24 The PNP's operational procedures on CDM are embodied in Rule 21 of the *PNP Handbook of Operational Procedures*, and in Chapter 4 (Civil Disturbance Management) of the *PNP Special Action Force (SAF) Manual*.

3.3.25 Rule 21 of the Handbook consists of seven (6) sections, specifying the guidelines for handling public assemblies with and without permits. In particular, Rule 21 provides for:

a) Detail of a CDM contingent during public assemblies, when requested by leaders and organizers

b) Dispersal of public assemblies with permit, when it becomes violent

c) Dispersal of public assemblies without permits

d) CDM contingent's operational tasks and approaches

e) CDM response during the various stages of assembly's activities: planning, peaceful, riotous, violent, and post demonstration.

3.3.26 The PNP SAF Manual on CDM lists the objectives of CDM, and the crowd control principles to be adhered to by SAF personnel in the performance of their functions.

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[70] PNP Handbook of Operational Procedures, Rule 21, sections 2-4.
[71] PNP Special Action Force (SAF) Manual, Chapter 4, Section 1.

The Manual further details the procedures to be taken in civil disturbance situations, specifically:

a) Composition of the SAF contingent

b) Equipment of SAF contingent, including pistols and rifles

c) Operational tasks, integrated tasks, and operational approaches

d) SAF response during the various stages of assembly's activities: planning, peaceful, riotous, violent, and post demonstration.

(2) Assessment

THE OPERATIONAL TASKS AND APPROACHES, AND THE POLICE RESPONSES AT VARIOUS STAGES OF ASSEMBLY ACTIVITIES ARE EXACTLY THE SAME BOTH UNDER RULE 21 OPERATIONS AND SAF OPERATIONS.

3.3.27 As previously stated, the PNP Handbook was intended as the manual of operations for all police officers. It provides the general guidelines for policemen performing regular duties, and was intended for use by policemen in the local police units.

3.3.28 On the other hand, the SAF manual is for use by an elite force: the Special Action Force. This is a specially trained unit armed with the most modern equipment that conducts special operations as a Rapid Deployment Force in the country.[72]

3.3.29 Despite the fundamental difference between the functions and duties of regular police units guided by the Handbook, and the SAF guided by its own Manual of operating procedures, the operational tasks and approaches, and the police response to assembly activities are exactly the same.

3.3.30 Indeed, the operational tasks and approaches are identical; Rule 21 reproduced the SAF manual provisions verbatim. On the police responses to assembly activities, the provisions are practically the same, with very minor differences. This now questions the rationale for the existence of a special action force, when the capacities and procedures required are exactly the same that of the regular police force.

CONFUSION AND SERIOUS ADVERSE CONSEQUENCES CAN RESULT FROM THE SAF AND REGULAR POLICE HAVING THE SAME PROCEDURES FOR THE SAME CIVIL DISTURBANCE SITUATION.

3.3.31 The SAF is trained to respond differently from regular police forces. However, in a civil disturbance situation when both groups have identical procedures, confusion and serious consequences could result. Consider the almost identical response for the different assembly stages:

[72] *Ibid.*, Chapter 1, Section II.

FROM PNP HANDBOOK OF OPERATIONAL PROCEDURES	FROM SPECIAL ACTION FORCE MANUAL
CDM Response to Assembly Activities[73] 1. During the Planning and Formative Stage a. Negotiate with demonstrators' leaders b. Police authorities send intermediaries c. Send Intel agents 2. During Initial and Peaceful Stage a. Allow demonstrators to supervise themselves b. Allow private volunteers to supervise demonstrators c. A show of force by the Police 3. During Riotous Stage a. Use respected civic leaders to appeal to the rioters to disperse b. Use of police formations and arrests c. Use of special types of less lethal weapons and ammunition d. Use of additional forces (security team/SWAT teams) e. use of AFP force – only as reserve	**SAF Response to Assembly Activities**[74] 1. During the Planning and Formative Stage a. Negotiate with demonstrators' leaders b. Police authorities send intermediaries c. Send Intel agents 2. During Initial and Peaceful Stage a. Allow demonstrators to supervise themselves b. Allow private volunteers to supervise demonstrators c. A show of force by the Police 3. During Riotous Stage a. Use respected civic leaders to appeal to the rioters to disperse b. Use of police formations and arrests c. Use of Military force – only as reserve d. Use of additional forces (security team) e. Use of special types of less lethal weapons and ammunitions *f. Use of horses and canines in crowd control*
4. During Violent Stage a. *Police should stand their ground to prevent violent demonstrators from inflicting injuries against any individual, damage to public and private properties, and for their dispersal.* b. Use respected community leaders to persuade the demonstrators to stop the violence and surrender. c. *Use necessary force as a last resort.* 5. Post-Demonstration Stage a. Withdraw main police force from the demonstrators' area. b. Maintain force or presence in the area.	4. During the Violent Stage a. *Police stay away from violent demonstrators* b. Use respected community leaders to persuade the demonstrators to stop the violence and surrender. c. *Use of deadly force when necessary* 5. Post Demonstration Stage a. Main police force withdraws from the demonstrators area b. Police maintains a show of force in the area.

NOTE: *Italics indicate differences in procedures*

THERE IS AMBIGUITY AS TO WHICH UNIT TAKES THE LEAD, OR WHICH UNIT SHALL RESPOND.

3.3.32 A first source of confusion, for example, would be which unit takes the lead in case an assembly turns violent. Both Rule 21 and the SAF Manual identically state, in their operational approaches that CDM operations shall be used only in the last resort. But what happens when it is the last resort? Who shall take the lead in controlling or confronting the crowd -- the CDM contingent, or the SAF? Worse: will both units act and respond simultaneously to the same circumstance?

[73] PNP Handbook of Operational Procedures, Rule 21, section 7.
[74] PNP Special Action Force (SAF) Manual, Chapter 4, Section V, par. 4.11.

THERE IS CONFUSION AS TO WHAT TYPE OF FORCE WILL BE UTILIZED.

3.3.33 The possible problems which could arise are not limited to the issue of which unit shall lead the police CDM operations. The more critical concern is the confusion as to the type of force to be used in case of violence. Ironically, based on the above table of police responses, the one distinction between the CDM contingent procedures and the SAF procedures is the type of force to be used in case of violence. The CDM contingent must use only the necessary force as a last resort, while the SAF are authorized to use deadly force when necessary.

3.3.34 However, both units are responding to exactly the same the public assembly circumstance: the violent stage. If both units are allowed to respond simultaneously – and nothing in their rules specifies if one group will take over from the other and at what point – then it is highly probable that there are conflicting police responses to the same situation.

3.3.35 There is a wealth of possible interpretations – and an ocean of possible differences – between the use "necessary force" and "deadly force". These should be clearly defined in the manual and the specific nature of circumstances where specific types of force are to be applied.

SAF ARE ALLOWED TO USE FIREARMS, CDM CONTINGENT CANNOT.

3.3.36 That there may be a radical difference in perception as to allowable force can be discerned from the fact that under Rule 21, the CDM contingent is expressly prohibited from carrying any kind of firearm[75], whereas under the SAF Manual, SAF personnel assigned as security team during public assemblies are authorized to carry pistols and rifles[76].

3.3.37 A disturbing scenario then is a situation where the SAF will use firearms to control violent crowds – an application of "deadly force" – even if that force is not warranted, based on the standards for CDM applicable to the regular CDM contingent.

3.3.38 Which standard shall apply and when? Considering that civil disturbance situations are extremely volatile circumstances, there is need to clarify the role of both the SAF and regular CDM units, in order to avoid undue injury, or even loss of life.

C. RULES ON PNP ANTI-TERRORISM OPERATIONS

3.3.39 It has been said time and again: September 11, 2001 forever changed the world's perception, strategies and courses of action concerning the threat and reality of terrorism. Led or influenced by the United States, countries the world over have altered their internal security concepts and operations, and the Philippines have jumped on that particular global bandwagon.

3.3.40 In response to the public attention focused on terrorism and internal security, the PNP has declared that anti-terrorism is a priority mission; indeed, the SANDUGO master plan deals precisely with this concern. Considering the resources and effort

[75] PNP Handbook of Operational Procedures, Rule 21, section 2(2).
[76] PNP Special Action Force (SAF) Manual, Chapter 4, Section III, par. 4.5.

expended in this anti-terrorism drive, a review and analysis of old and newly issued operational rules is appropriate.

(1) Description

3.3.41 In March 2003, the PNP released its *Handbook on Three-Tiered Defense System Against Terrorism and Kidnapping* (hereinafter referred to as the "3-Tiered Defense System Handbook"). The Handbook describes the PNP's three-tiered defense system against terrorism, made up of three components: intelligence, target hardening, and incident management. "Intelligence" refers to the process of knowing the enemy and identifying its potential targets. "Target hardening" refers to procedures designed to make it difficult for the terrorists to hit their targets. "Incident management" refers to the sequence of actions to be taken in the event of a terrorist attack, including actions to mitigate the effects of the attack and expediting the return to normalcy.[77]

3.3.42 The 3-Tiered Defense System Handbook, however, is not the only PNP written operations guidelines on anti-terrorism. In addition, operational procedures are also embodied in Rule 24 (Internal Security Operations) of the *Handbook of Operational Procedures*, and in Chapter 2 (Counter-Terrorism) of the *PNP Special Action Force (SAF) Manual*.

3.3.43 Rule 24 of the Handbook consists of six (4) sections, distinguishing the PNP's various roles in internal security operations (ISO) as follows:

a) In its Support Role, the PNP assists the AFP by conducting sustained law enforcement, intelligence gathering, and limited defensive ISO against dissident terrorists (DT);

b) In its Active Role, to perform search and destroy operations, intelligence operations, and civil-military operations in areas where there are no AFP units;

c) In its Defensive Position, to take security measures to guard against DT attacks on police stations in far-flung areas[78].

3.3.44 The SAF Manual defines the function of its counter-terrorist unit as handling "all high-risk criminal and terrorist threats"[79], and in fulfillment of this mission, the unit shall conduct the following operations:

a) Neutralize terrorist;

b) Rescue of hostages;

c) Destroy terrorist infrastructure and installations;

d) Locate and recover sensitive items from terrorist organizations; and

e) Interrupt terrorist's lines of supply and logistical means.[80]

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[77] PNP Handbook on the Three-Tiered Defense System Against Terrorism and Kidnapping, Chapter I, Sections 4-5.
[78] PNP Handbook of Operational Procedures, Rule 21, sections 2-4.
[79] PNP Special Action Force (SAF) Manual, Chapter 2, Section IV, par. 2.4.
[80] *ibid*

(2) Assessment

DIFFERENT UNITS HAVE OVERLAPPING FUNCTIONS; THERE IS NEED TO DELINEATE.

3.3.45 The 3-Tiered Defense System Handbook calls for the establishment of an On-Scene Command Post (OSCP) to handle crisis situations from terrorist attacks.[81] Rule 24 of the Handbook requires local police units to implement internal security operations. And the SAF Manual defines the functions of the counter-terrorist unit.

3.3.46 Again, it would appear that the responsibility for a specific situation – terrorist threats and attacks – has been delegated to distinct units of the PNP; and it is not difficult to envision the confusion that would arise in this crisis situation. There would be the issue of which unit would lead, and what procedures would be implemented, i.e. would the OSCP's strategies govern, or could the SAF counter-terrorist unit act independently?

3.3.47 There is need to delineate the functions of all PNP units engaged in internal security operations, to avoid the situation where various units respond simultaneously to the same crisis, but using different, conflicting methods.

R.A. 8551 MANDATES ONLY A SUPPORT ROLE FOR THE PNP FOR INTERNAL SECURITY OPERATIONS; RULES MAY BE VIOLATIVE OF THIS LAW.

3.3.48 The PNP in issuing the above rules, appear to have assigned to the PNP a primary role in internal security operations. The 3-Tiered Defense System Handbook, in particular, states that the PNP "shall perform all acts necessary to prevent and suppress all lawless violence engendered by the terrorist threat"[82]

3.3.49 While the determined strategic policy against terrorism is commendable, it may however be violative of law, specifically R.A. 8551, which provides:

> *SECTION 3. Section 12 of Republic Act No. 6975 is hereby amended to read as follows:*
>
> *Relationship of the Department with the Department of National Defense. — The Department of the Interior and Local Government shall be relieved of the primary responsibility on matters involving the suppression of insurgency and other serious threats to national security. The Philippine National Police shall, through information gathering and performance of its ordinary police functions, support the Armed Forces of the Philippines on matters involving suppression of insurgency, except in cases where the President shall call on the PNP to support the AFP in combat operations.*[83] (underscoring ours)

3.3.50 From the foregoing, it is evident that not only does the PNP play only a supportive role in internal security operations, the operations it can conduct in this supportive capacity are limited to information gathering and the performance of ordinary police functions. Thus, the conduct of specialized anti-terrorism activities, as envisioned in

[81] PNP Handbook on the Three-Tiered Defense System, Chapter I, Section 7.
[82] PNP Handbook on the Three-Tiered Defense System, Chapter I, Section 3 (3).
[83] Republic Act 8551, Section 3 (Feb 1998).

the 3-Tiered Defense System Handbook, may be over-reaching the powers and functions of the PNP set by law.

ARE ANTI-TERRORISM OPERATIONS CONSIDERED INTERNAL SECURITY OPERATIONS?

3.3.51 The law clearly limits the role the PNP is to play in internal security operations; the conduct of activities outside of ordinary police functions is disallowed. However, the legal loophole can be avoided if the PNP can establish that anti-terrorist activities do not fall under the purview of internal security operations; hence the limitations imposed by R.A.8551 do not apply. Unless a distinction can be made between these two types of operations, there is no legal basis for the conduct by the PNP of specialized anti-terrorist activities.

D. RULES ON BOMB THREATS AND BOMBING INCIDENTS

3.3.52 While there may be numerous forms and types of terrorist activities, one distinct activity that police forces have to prepare for are bombing incidents and bomb threats. Again, the September 11, 2001 terrorist attack on the World Trade Center and the Pentagon in the United States have demonstrated in sharp relief the need for bomb threat and bombing incident procedures and strategies.

(1) Description

3.3.53 There are three (3) manuals which outline police operational procedures in the event of bomb threats and bombing incidents: Rule 25 of the Handbook of Operational Procedures, Chapter 1, Sections 9-14 of the of the Three-Tiered Defense System Handbook, and Chapter 6, Section II of the PNP Special Action Force (SAF) Manual.

3.3.54 Rule 25 of the Handbook consists of two (2) sections, and is limited to the duties and procedures to be followed by the first responding police officer in the case of a bomb threat, and in the case of an actual bombing incident. The first responding officer is authorized to cause the evacuation of the area in case a suspected device is located and found.[84]

3.3.55 The Three-Tiered Defense System Handbook provides for the establishment of a Bomb Incident Center (BIC) that manages and coordinates efforts on bombing incidents, and provides support to investigative units. At the local police unit level, the BIC is the primary operating unit for bombing incidents, and the Handbook provides for the procedure to be followed once a suspected bomb is located, including:

a) Conducting the search for the suspicious object, but removal/disarming is left to the bomb technicians;

b) Blocking off the danger area; and

c) Conducting evacuation procedures.[85]

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[84] PNP Handbook of Operational Procedures, Rule 25, section 1.
[85] PNP Handbook on the Three-Tiered Defense System, Chapter 1, Sections 9 and 11.

3.3.56 The PNP SAF Manual details the functions and operational procedures to be followed by the SAF's bomb response unit, from:

a) Planning the route to the bomb scene, and the briefing to the bomb response unit regarding current information about the suspected device;

b) Requirement that Bomb technicians report to the Overall Ground Commander upon arrival at the scene;

c) Establishing a perimeter and control point;

d) Conducting evacuation; and

e) Conducting witness interviews.[86]

(2) Assessment

3.3.57 Whether by accident or design, the bomb procedure rules, though spread over three (3) manuals of operations, appear to have a fairly logical delineation of functions: Rule 25 of the Handbook provides the procedures for the first responding police officer, who then reports the incident to the local unit of the Bomb Incident Center, which is, in turn, governed by the procedures in the Three-Tiered Defense System Handbook.

3.3.58 Implied from the SAF Manual is that the bomb response unit is called in by the local bomb unit. This is implied from the fact that, even prior to arrival on the scene, the SAF team has already been apprised of the current situation. Further, the SAF Manual expressly requires the bomb technician to immediately report to the Overall Ground Commander – presumably the head of the concerned BIC unit – upon arrival at the scene.

3.3.59 While therefore the Rules are contained in different operating guidelines, the flow and handover of police operations appears to be reasonably clear.

ONLY RULE 25 OF THE HANDBOOK PROVIDES A PROCEDURE FOR AN ACTUAL BOMB EXPLOSION.

3.3.60 It is interesting to note, however, that of all three (3) Rules, it is only Rule 25 of the Handbook that provides a procedure in case of an actual bomb explosion; oddly, neither the Three-Tiered Defense System Handbook nor the SAF provide the police response in case a bomb actually goes off.

3.3.61 This omission should be addressed, considering that Rule 25 provides only for the operational procedures for the first responder. What, happens, however, when a bomb detonates or explodes after the first responder has turned the matter over to the concerned BIC unit? What procedures are to be employed then?

[86] PNP Special Action Force (SAF) Manual, Chapter 6, Section II, par. 6.7.

THERE IS OVERLAPPING OF FUNCTIONS RELATED TO EVACUATION PROCEDURES.

3.3.62 While generally, there is a clear delineation of functions between the first responder, the BIC unit, and the SAF unit, there is an overlap of functions related to evacuation procedures; or more particularly, who is to cause or conduct the evacuation.

3.3.63 The authority to evacuate the premises is apparently available to all three: the first responder, the BIC unit, and the SAF unit. This ambiguity can have consequences, such as the first responder or even the BIC unit hesitating to evacuate, in the assumption that this is a function of the SAF team. There may be a need to describe, in greater detail, the circumstances under which each group can or should conduct evacuation procedures.

E. RULES ON KIDNAP-FOR-RANSOM (KFR) CASES

3.3.64 In recent years, kidnap-for-ransom (KFR) incidents have increased, becoming among the most high-profile crimes in the country. The Philippine government, through the PNP, has launched a determined campaign against this nefarious crime, accelerating its efforts to neutralize KFR groups through sustained operations[87].

(1) Description

3.3.65 The PNP's *Three-Tiered Defense System Handbook* outlines the procedures and approaches to combat both terrorism and kidnapping. In relation to KFR, the Handbook describes the PNP's three-tiered defense system approach likewise as having the three (3) components: intelligence build-up, target hardening, and incident management. Intelligence build-up refers to the process of knowing the enemy and identifying its potential targets, through data collection, counter-surveillance and counter-intelligence. Target hardening refers to activities designed to make it difficult for the KFR groups to hit their targets, such as conduct of lectures, and training potential victims. Incident management refers to the sequence of actions to be taken KFR cases, including data collection, system alert and counter-intelligence[88].

3.3.66 The Three-Tiered Defense System Handbook provides for the creation and composition of the Police Anti-Crime Emergency Response (PACER) unit, the PNP anti-KFR unit spearheading the organization's police operations against KFR. It details the rules to be followed in responding to reported KFR incidents, including the rules of engagement in case of confrontations with suspects.

(2) Assessment

THE THREE-TIERED DEFENSE SYSTEM HANDBOOK IS THE ONLY OPERATIONAL MANUAL FOR KFR CASES.

3.3.67 What is notably different about the Three-Tiered Defense System Handbook is that it is the only written operational guidelines on a serious law enforcement concern: kidnap-for-ransom cases. Unlike the other specialized police operations discussed in

[87] PNP Handbook on the Three-Tiered Defense System, Chapter 2, Sections 1-2.
[88] *Ibid.*, section 6.

this study, there is no duplication or ambiguity of functions. Clearly, the moment a case is designated as a KFR case; all jurisdiction is yielded to the special task force – PACER – assigned to handle this matter.

THE TECHNICAL LANGUAGE OF THE HANDBOOK IS APPROPRIATE, CONSIDERING ITS AUDIENCE.

3.3.68 The rules are written in technical and formal English, but unlike the Handbook of Operational Procedures which is intended to be read by all police officers, the Three-Tiered Defense System Handbook's audience is the special task force handling KFR cases. Hence, it is assumed that the appropriate training and credentials are possessed by this audience; hence, the technical and legalistic tenor of the Handbook is – in this case – appropriate.

4 PROBLEM AREAS IN ACTUAL OPERATIONS

4.1 Methodology

4.1.1 To elicit information on problems and issues in relation to actual police operations, the consultants interviewed police officers, personnel and officials of PNP support units, and prosecutors. In particular, interviews were held with:

a) Police officers and officials in police stations in Quezon City;

b) Police officers and officials in Regional Police Offices, particularly Region IV-A and Region VI;

c) Official of the Crime Laboratory unit (Region IV-A)

d) Personnel and officials of the Philippine National Training Institute;

e) Two (2) city prosecutors of Pasig City, and

f) One (1) provincial prosecutor of the Province of Rizal.

4.1.2 The consultants originally intended to review case files of administrative cases against erring police officers, but these files, we were informed, are confidential in nature, hence could not be furnished to the consultants. Thus this section of the study focuses primarily on the anecdotal reports elicited during the interviews.

4.2 Issues and Concerns in Police Operations

LOCAL POLICE OFFICERS BELIEVE THAT LOCAL POLICE UNITS RANK VERY LOW IN THE PRIORITIES OF THE PNP LEADERSHIP.

4.2.1 What was striking in interviews with police officers at the police station level was their perception that local police units are not a priority area of concern to the PNP leadership; hence they are at the bottom of the pecking order in terms of training and resources.

4.2.2 Instead, local police officers believe that the PNP leadership focuses and concentrates resources for the various specialized task forces established and based in the central office. Generally, these would be specialized task forces created at the height of a particular peace and order issue generating media attention: kidnap-for-ransom cases, anti-terrorism, transnational crimes, gambling, organized crime, illegal drugs campaign, and the like.

THERE IS RESENTMENT FOR SPECIAL TASK FORCES CREATED AND BASED IN THE NATIONAL/ CENTRAL OFFICE.

4.2.3 Understandably, the stories told in interviews reveal resentment for these task forces that – to the local police officer – appear to have easy access to operational funds, resources and equipment, while ordinary policemen have to rely on their own resourcefulness to procure basic supplies. An examples of the perceived disparity is an incident with a Quezon City police officer, where he narrated how local police officers are not supplied with bullets for their service firearm. According to him, when they are issued their service firearm, they are given two (2) magazines with a total of twenty-six (26) bullets. The bullets are never replenished; hence when a police officer uses his firearm in operations, he has to use personal funds to purchase bullets, at the cost of Fifteen Pesos (PHP15.00) for every 9.mm bullet.

4.2.4 Task Forces such as NACTF have unlimited resources, including ammunition. The advantage, according to one officer, of having classmates and colleagues in these task forces is that they can spare you surplus supplies such as bullets.

4.2.5 Because the members of the task forces are based in the central offices, and coordinate directly with the PNP leadership, spot promotions come easily to them. As one officer put it in the vernacular: "*Dahil malapit sila sa kusina, madali sa kanila ang spot promotion*". ("Because they are based near the powers-that-be, spot promotions are easy").

4.2.6 Even basic administrative supplies are lacking, and without any available budget for necessities such as bond paper for reports. Local units rely on the generosity of business establishments in the area to either donate basic supplies, or sell them at discounted prices.

THERE IS RESENTMENT OVER THE ISSUE OF SPOT PROMOTIONS.

4.2.7 The perception that local police unit operations are undervalued was particularly evident in the resentment over spot promotions. While task force members could easily obtain spot promotions, successful operations by local officers would go unrewarded, or worse, others more politically savvy in the central or regional offices would reap the benefits of these operations. Some examples:

- One officer narrated how his local team successfully apprehended an Abu Sayyaf commander, and they relayed this over the radio to the regional office. They learned later that, for that operation, regional office personnel were given spot promotions, whereas the actual officers who effected the arrest were not recognized.

- In one Quezon City precinct, an officer was shot in the performance of his duties, but his efforts were never acknowledged or rewarded; nor was he given a spot promotion.

THERE IS UNWILLINGNESS TO PERFORM CERTAIN BASIC FUNCTIONS

4.2.8 As above-stated, patrol functions are the backbone of police operations, and included among patrol functions are traffic services and effecting arrests. Local police officers have expressed an unwillingness to perform these basic functions; seeing them as an unnecessary nuisance.

4.2.9 Police officers both in Metro Manila and regional offices commented that so much time was spent serving warrants of arrest, which – according to him – should just be served by court process servers. It is not necessary for the police to do this.

4.2.10 According to personnel interviewed in Region IV-A, traffic management should no longer be a function of local police units, considering that traffic management is already performed by local executives.

4.2.11 The lack of enthusiasm for the performance of basic police functions is certainly attributable to low morale; because their basic operations warrant little acknowledgment or reward from the PNP leadership, local police officers in turn have learned to undervalue the services they perform. Unless policies are changed to accord deserved recognition and resources to the patrolman and local police officers and units, an improvement in the delivery of basic police services may not materialize.

POLICE OPERATIONS ARE PREJUDICED BY TRAINING PROBLEMS AND ISSUES.

4.2.12 As detailed elsewhere in this study, there are serious issues related to training and continuing education plaguing the PNP. Aside from the basic recruitment course (now only a four month curriculum), there are no additional mandatory training for junior police officers and patrolmen. Subsequent training is basically on a quota basis, and not available to all police officers. These additional courses are generally to learn new specialized skills, rather than continuing education.

4.2.13 Issues related to training adversely affect police operations. There appears to be a basic failure to even disseminate existing guidelines on operations, and a defective prioritization of training needs.

THERE IS NO INSTITUTIONAL OR SYSTEMATIC PROCESS OF DISSEMINATING POLICE OPERATIONS RULES AND GUIDELINES.

4.2.14 As discussed in the previous sections, the PNP has released various manuals and guidelines for police operations, notably the PNP Handbook of Operational Procedures, intended to be the basic operations manual which every police officer must know "by heart". In addition to said Handbook, there is the Three Tiered Defense System Handbook, the Compendium of Six Master Plans, and various memoranda and circulars covering a wide range of police operations.

4.2.15 Ideally, there should be a structured system for disseminating these procedural rules to all police officers; there should be some training, seminar workshop, lectures, or other continuing education activities to inform all policemen of operational procedures, and to give them an opportunity to clarify some of these rules which they are required to implement.

4.2.16 There is, however, a glaring deficiency in the dissemination of operations rules and guidelines; there is no systematic or institutional process of informing all PNP officers of new or existing procedural rules.

4.2.17 In various interviews with police officers, the observation that operational procedures are not properly disseminated was almost unanimous. Some of their impressions and stories are as follows:

a) There is only one (1) copy of procedural guidelines given to the regional offices, and they in turn are responsible for disseminating this to the local police units and stations. How that is to be accomplished is left to the discretion of the regional head.

b) According to one station commander, there are no specific guidelines for police operations, and he noted, in Tagalog: "*Kung meron man, nakatago lang yan sa library ng PNP*". ("If any guidelines or manuals exist, they are just filed and stored in the PNP Library".)

c) One head of operations of a local police station described the dissemination of the Rules of Engagement this way: "*Yung rules nakasulat lang sa pader, kanya kanyang basa kayo pag nakaupo ka, or pagnagkakape.*" ("The Rules of Engagement were written on one of the walls of the precinct. An officer can read it on his own time, like when he's having his coffee.")

d) One senior officer in a precinct noted that police officers rely on the handwritten notes they took during their basic recruitment course, and those notes serve as their guidelines for operations.

TRAINING FOR OFFICERS PERFORMING SPECIALIZED FUNCTIONS IS INADEQUATE.

4.2.18 In addition to the failure to provide continuing training and education for basic police functions, the training given to officers performing specialized functions is likewise inadequate. Case in point: investigators who conduct both stages of criminal investigation --crime scene operations and follow up detective work -- are not required to undergo any additional training or course to qualify as investigators. There is no special skills' training in the field of intelligence and investigation that is mandatory. Further, personnel from the Philippine National Training Institute (PNTI) noted that, as a result of budget constraints, the Institute is unable to engage the services of experts and professionals in highly technical or specialized fields, such as specialists in bombs and explosives.

THE WRONG PRIORITIZATION OF TRAINING NEEDS IS REFLECTED IN THE COMPETENCY DEFICIENCIES AT THE CORE FIELD FUNCTION LEVELS.

4.2.19 Officials of the Philippine National Training Institute likewise opined that basic training is sacrificed in favor of specialized training. This observation dovetails with the earlier assessment that the PNP leadership's focus of attention appears to be on task forces performing specialized functions, rather that local units performing basic police operations.

4.2.20 Worse, the little added training given to local police units were inappropriate and irrelevant. One interviewee in a Quezon City police station narrated, for example that they were given airborne and scuba training, skills they would never use in the conduct of regular police operations. On the other hand, marksmanship training, which police officers believed to be a basic skill, is not given on a continuing basis to police officers. There is clearly a perceived need to address these training services, particularly basic training needs for local police units.

THE PNP HAS NOT SUBSTANTIALLY OPERATIONALIZED THE LEGISLATIVE MANDATE OF UPHOLDING THE RIGHTS OF WOMEN AND CHILDREN.

4.2.21 In the last few years, the Philippines has witnessed the passage of landmark legislation and administrative issuances upholding and protecting women's and children's rights. Among these laws are R.A. 9262 (Anti Violence Against Women and Their Children Act), R.A. 8505 (Rape Victim Assistance and Protection Act of 1998), R.A. 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act of 1992), the Implementing Rules and Regulations of RA 8505, and the Rules and Regulations on the Reporting and Investigation of Child Abuse Cases Pursuant to RA 7610 (1993), among others.

4.2.22 These laws and issuances mandated the creation of a Women's and Children's Desk in every police station, to attend to the delicate and special needs in violence against women and children cases, including domestic violence cases. The laws and regulations further expressly mandate that the Women's and Children's Desk be manned by a female police officer, and that, moreover, these police officers "undergo training and other capacity development programs on, but not limited to, the following: trainings on gender sensitivity, gender sensitive counseling, human rights and women and children rights and legal management of rape cases".[89]

4.2.23 This national policy of protection of women's and children's rights has not been significantly implemented by the PNP – the primary law enforcement agency in the country. Indeed, as above-stated, this policy is not found in the PNP Master Plans, except for a cursory reference in the SANDIGAN Master plan.

NO TRAINING FOR WOMEN OFFICERS MANNING WOMEN'S AND CHILDREN'S DESK

4.2.24 In interviews with local police station officers, what was confirmed was that there no special training given to the officers manning the Women's and Children's Desk.

[89] Implementing Rules and Regulations for RA 8505, Section 7(h).

While this training is supposed to be provided by the Police Community Relations Group, police officers noted that no such training was given, except for occasional sessions conducted by NGO's. This omission amount to a violation of law and regulation, which requires immediate correction by the PNP.

WOMEN'S AND CHILDREN'S DESK NOT ALWAYS MANNED BY A WOMAN

4.2.25 Contrary to the requirements of law, in actual practice, Women's and Children's Desk are not always manned by female police officers. The consultants observed during unplanned visits to random police stations that the Women's and Children's Desk was, are manned by men in the evenings

4.2.26 The manning of the desk by a woman is at the heart of the creation of a Women's and Children's Desk. Because of the sensitive nature of cases referred to the desk – which would include cases of rape, battered women and children, domestic violence incidents – the victims are already severely traumatized by male violence. Numerous studies have confirmed that the opportunity to obtain the necessary information to successfully prosecute these cases is enhanced if a female police officer processes the case at the first instance, because a woman victim would find it less embarrassing and traumatic to relate her ordeal to another woman.

4.2.27 Police officers interviewed, noted, however, that the desk is manned by a female police officer whenever one is available. However, the PNP plantilla clearly bears out the fact that men far outnumber female officers in the organization.

4.2.28 Nonetheless, in failing to meet this irreducible minimum requirement of the law, the PNP has failed to substantially implement the same.

NO ACTUAL PHYSICAL AREA IS SET ASIDE FOR A WOMEN'S AND CHILDREN'S DESK

4.2.29 One rationale for the establishment of the Women's and Children's Desk is the recognition of the sensitive and delicate nature of cases referred. The cases demand and require a measure of privacy; an investigative environment that allows for the difficult processing of rape cases, domestic violence, and similar crimes.

4.2.30 During interviews and visits to police stations, it was noted that some stations do not even have a designated area for the Women's and Children's Desk; hence no needed privacy or concern for the type of cases handled.

4.2.31 Interviewees attributed this inadequacy to the general problems related to resources; many police stations are already cramped to begin with, and to dedicate an area for a Women's and Children's Desk would prejudice other police operations and needs. While recognizing this legitimate concern, creative steps could be taken within these constraints to comply with the requisite of the law.

PROBLEMS IN COORDINATION WITH THE DSWD EXIST.

4.2.32 The Implementing Rules and Regulations of RA 8505 require the handling police officer to immediately refer a covered case to the Women's and Children's Desk, or to refer the matter to the DSWD.[90] Police officers interviewed during regional visits reported, however, that the coordination and referral to the DSWD was possible only in the day time, since DSWD offices operate only from 8am to 5pm. Unfortunately, a substantial number of violence against women and children cases occur at night – when DSWD offices are closed, and there is no female officer manning the Women's and Children's Desk.

4.2.33 This concern, as well as others relative to the poor implementation of a national policy upholding women's and children's rights, warrant prompt resolution by initiative of the PNP leadership to put in place the necessary internal mechanisms at the police station level and coordinated with the DSWD leadership for the provision of corresponding DSWD services at the same access level.

THERE ARE CONFLICTS AND IRRITANTS WITH THE INQUEST PROSECUTORS; AND COMPLAINTS RAISED AGAINST INQUEST PROSECUTORS.

4.2.34 Article 125 of the Revised Penal Code requires the delivery of detained persons to the courts within specified hours, depending on the type of offense. Legal processes precisely provide for inquest proceedings to ensure the prompt processing of persons detained without a warrant of arrest. Police officers, however, voiced several complaints, not about the inquest process, but about the prosecutors themselves. In particular:

a) Police officers in the Quezon City police station and in the Laguna provincial office commented that while, as a rule, prosecutors are easy to work with; others impose unreasonable requirements in processing of arrested persons. For example, cases are rejected by prosecutors because of minor, sometimes grammatical errors, and persons arrested are released.

b) Often there are no inquest prosecutors available, particularly at night, and this causes the delay in the processing of detained persons. Other times the delay is caused by the failure of the presiding judge to issue the necessary commitment order, hence police officers are vulnerable to suit for violation of Art 125 of the Revised Penal Code.

WHILE POLICEMEN COMPLAIN ABOUT PROSECUTORS, PROSECUTORS ALSO COMPLAIN AGAINST ARRESTING OFFICERS.

4.2.35 Prosecutors interviewed, in turn, narrated their own frustrations and impatience with local police officers. Specifically:

[90] *Ibid.*, Section 8 (a).

a) Police officers do not understand that the submission of an affidavit of arrest is a requirement for a proper inquest. Unless this is submitted, together with other sworn statements and evidence, the case would have to be dismissed, and the detained person released. Police officers are unwilling to execute the affidavit of arrest, because they are reluctant to appear in court to testify on said affidavit.

b) Sometimes, what arresting officers consider just a "grammatical error" substantially affects the case. In criminal prosecution, the elements of an offense must be established beyond reasonable doubt, and a case can be lost on errors in language, or in description. Police officers do not appreciate these considerations.

c) Detained persons are released because the sworn statements are insufficient to establish the offense, and the prosecutors have no choice but to refuse to bind the persons over for trial.

4.2.36 Without doubt, there is factual basis to the varied grievances. However, successful prosecution requires the smooth cooperation of both the PNP and prosecutorial services; hence there is critical need to initiate measures to resolve these conflicts and irritants.

THE ORDINARY POLICE OFFICER MAY LACK AN APPRECIATION FOR HIS ROLE AND PLACE IN THE CRIMINAL JUSTICE SYSTEM.

4.2.37 The problems expressed by both policemen and prosecutors reflect an even more serious issue: the ordinary local police officer does not appear to be overly concerned about the law enforcer's role and place in the criminal justice system.

THIS LACK OF ROLE APPRECIATION IS PARTICULARLY WORSENED BY THE APPARENT INADEQUATE MECHANISM FOR DEFINING JOB PERFORMANCE AND ETHICAL STANDARDS, FOR MONITORING THE PROFESSIONAL CONDUCT OF EACH POLICEMAN, AND FOR EXACTING CORRESPONDING ACCOUNTABILITY.

4.2.38 Current mechanisms allow policemen to systematically avoid witnessing. There are no mechanisms for monitoring compliance with statutory requirements in such areas as detention, or properly reading the rights of the accused at the moment of arrest or interrogation, and generally in monitoring compliance to prescribed professional conduct and behavior. Further, and as logical consequence of this, accountability mechanisms and disciplinary mechanisms do not capture the universe of offenses that escape public scrutiny.

TO THE POLICE OFFICER, A CASE IS SOLVED WHEN THE SUSPECT IS ARRESTED AND THE CASE FILED.

4.2.39 The observation of prosecutors that arresting officers hesitate to execute affidavits of arrest because they view court appearances as an annoyance clearly highlights the police officer's perception of his role in the criminal justice system. His job and function is to arrest the violators; successful prosecution is not his concern, but that of the prosecutor, or the courts. Thus, the policeman grumbles that prosecutors can

be unreasonable in their demands for evidence and sworn statements; he has, after all, accomplished his task.

4.2.40 The PNP system may unwittingly support this perception that the policeman's task ends with arrest, and this can be discerned from the measures of performance set by the PNP leadership. Note, for example, that in the "Criteria for Performance Evaluation of PRO's Effective 3rd Quarter CY 2004" furnished by the Directorate for Intelligence, the allocated performance points are based on number of arrests; not number of successful prosecutions.

4.2.41 Indeed, in an interview with field officers in Metro Manila, they confirmed that they considered a case solved once the arrest is made and the person charged. Their role ends with the inquest process.

4.2.42 Ironically, the Handbook of Operational Procedures is clear: under Rule 15, Section 6, a police officer is required to monitor cases even after they have been filed with the prosecutor's office; indeed, the investigator is required to monitor the case up to its final resolution, when they have been filed, recognizing that a police officer's functions do not end with arrests. As already discussed, however, very few officers appear to have read these operational rules.

THERE IS LITTLE APPRECIATION OF THE IMPORTANCE OF WARRANTS OF ARREST.

4.2.43 Moreover, policemen's complaints about service of warrants of arrests – an unnecessary, cumbersome task, they claim – displays either a lack of appreciation for, or ignorance of, the importance of a warrant of arrest.

4.2.44 Pursuant to settled law and jurisprudence, a court acquires jurisdiction over the person of the accused upon valid service of a warrant of arrest.[91] It is the court process that both symbolically and actually brings the accused before the court to be informed of the charges against him, and to answer the same.

4.2.45 Without service of a warrant of arrest, or with an invalid or defective service, the prosecution of a case will fail for want of jurisdiction. No matter how strong the case may be, regardless of the volume of evidence against the accused, there is no case unless the court acquires jurisdiction over the person of the accused. This is the writ considered by police officers as an irritating, unnecessary, tedious inconvenience.

4.2.46 Through training and information, arresting officers must be made aware of the nuances of court processes, and the possible disastrous effects of inefficient or defective service.

4.2.47 On a broader scale, there is need to emphasize to police officers that their role in the criminal justice system is not isolated nor independent from the other pillars of the system. If criminals are to be convicted, concerted efforts are required throughout the process; a policeman's role does not end with arrest. This, again, may be an item that reforms in basic or continuing training can address.

[91] People v. Meris, 329 SCRA 33, 45 (March 2000)

THE EXCUSES FOR CORRUPTION

4.2.48 That corruption exists in the PNP is hardly a scandalous revelation. A review by the PNP leadership or any other entity of confidential case files on complaints against erring or corrupt police officers may bring to light the particulars offenses, as well as the manner by which the PNP resolves these incidents.

4.2.49 This section is included here merely to relate the excuses which police officers have given to explain the corruption which admittedly exists among the ranks of police officers.

4.2.50 Some officers interviewed at the precinct level noted that corruption seemed to be prevalent in relation to traffic enforcement, which was not under the jurisdiction of local police unit/s, but is under the functional jurisdiction of the Traffic Management Group.

4.2.51 Commenting on corruption committed by operatives, one police officer defended their acts as necessary, considering that they were often vulnerable to suit for efficiently performing their duties. According to this officer, when operatives apprehend rich and influential criminals, these persons retaliate by suing the police operatives. Because the PNP does not provide legal aid for personnel sued in the performance of their duties, these operatives are constrained to use their own funds to hire lawyers, and defend themselves in these cases. Thus, explained the interviewee: "*Kaya naging corrupt, kasi kailangang magbayad ng abogado*" ("He became corrupt because he needs to pay his lawyers.").

4.2.52 The fact that excuses are given indicates that the public condemnation of police corruption is not shared by the policemen themselves; they are either not bothered by it (i.e. it is TMG's problem), or they can defend it.

4.2.53 This is disturbing considering that corruption is, first and foremost, a question of values. Even minimizing corruption requires a shift in beliefs; a moral belief that corruption is wrong, and a moral desire to do what is right. Unless policemen themselves recognize that corruption is inherently wrong and cannot be excused, no movement to reverse corruption will succeed.

TAMPERED CRIME SCENES IN SCENE-OF-THE-CRIME OPERATIONS.

4.2.54 In criminal cases, the preservation of the evidence, and in particular the crime scene, is essential for successful investigation and prosecution. A well processed crime scene is invaluable in ferreting out the nature and cause of the crime, and the perpetrators thereof, and prosecution, in turn, is dependent on efficient and thorough investigation.

4.2.55 Prosecutors interviewed, however, reported that very often, the prosecution of a case is prejudiced by crime scenes that have already been tampered with, thus diminishing the evidentiary weight of any physical evidence gathered and obtained. This applies whether the crime scene is processed by a SOCO team in very serious and heinous crimes, or by the local investigators in other offenses.

4.2.56 That crime scenes are often already tainted and tampered with prior to processing was confirmed by interviewees from the Crime Laboratory, who candidly remarked that about 99% of crime scenes have been tampered with prior to the arrival of the SOCO team. Police officers gave various reasons for the tampering of the crime scenes, among them:

a) The first officials on the scene are usually well-meaning barangay officials who are not aware of the need to preserve the crime scene. Thus, by the time the police investigator arrives, the scene has already been altered, cleaned, stepped over, and unintentionally tampered by the initial responding local officials.

b) There are very few PNP Crime Laboratory Offices, and therefore very few SOCO teams all over the country authorized to process crime scenes. Because of this limitation, SOCO teams often arrive at the scene late, generally about two (2) hours late, according to one officer. Because of the lapse of time, crime scenes get tampered with prior to the arrival of the SOCO team.

c) The lapse of time would not have been a factor if the initial responding police officers cordon off the area, as required under Rule 13, Section 3 of the Handbook. However, police officers admitted that they are unable to even cordon off the are because they are not equipped with the materials needed for this purpose: no police tapes/lines, no ropes. The first responder then has to wait for the SOCO team before the area is cordoned off, and this inevitably results in the tampering of the crime scene.

4.2.57 Because preservation of a crime scene is vital to prosecution and conviction, the current problems with respect to this matter will have to be resolved. Moreover, the ability of case investigators to efficiently perform their functions is heavily dependent on the reliability of physical evidence obtained from a smoothly processed crime scene.

PROBLEMS IN CAMPAIGN AGAINST ILLEGAL DRUGS PERSIST.

4.2.58 The war against illegal drug offenders remains a priority mission of the PNP as stated in their SANG-BANAT master plan. With the passage of R.A 9165, however, the Philippine Drug Enforcement Agency (PDEA) was established, tasked with enforcing all laws relative to the campaign against illegal drugs. The effect of this law on actual PNP operations is that PNP personnel would have to be deputized by PDEA to conduct operations relative to the illegal drug activities. It was reported by some officers, however, that PDEA likewise has the power to revoke this deputization, thus limiting their capacity to act.

4.2.59 Some reconciliation of the functions of the PNP and that of PDEA is in order, if the illegal drugs' campaign is to progress.

5 IMPLICATIONS FOR REFORM

5.1.1 This report provided an assessment of the policies, rules and procedures on police operations and juxtaposes the application of these in the actual operations at the field level. An assessment of the institutional framework affecting operations is contained in another chapter on institutional framework and internal PNP structure. However, the findings in this chapter point to a wide range of issues – institutional, policy, cultural, human resources management as well as resources and external operational linkages, which in a composite function define the character of the country's police system and in particular the PNP.

5.1.2 The findings of the study can be summarized as issues in the areas of organization, policies, rules and procedures, human resources development management and resources/resource management that are determinant of the quality of the performance of the PNP and its policemen. These issues therefore have profound reform implications.

NEED TO FORMULATE AND IMPLEMENT A "BACK TO BASICS" POLICY

5.1.3 One pervasive weakness underlying the PNP's policy framework, written operational procedures, and actual operations appears to be the policy of focusing efforts, programs, and resources on highly specific operations; thus task forces are created and funded to address high profile issues that draw national media coverage, such as terrorism, or organized crime, or kidnap-for-ransom cases.

5.1.4 The propriety of the PNP's response or reaction to public calls is merely a secondary issue in this study; the primary issue being whether or not the "task force-ing response" prejudices the PNP's other operations, in particular its basic, ordinary, daily functions of crime prevention and suppression, and maintenance of peace and order, particularly at the community level.

5.1.5 Resources are always limited, and prioritizing one plan, program or activity will inevitably mean that another activity or operation is adversely affected. From the foregoing review, the conclusion must be drawn that it is basic and regular police operations that suffer, and are given far less priority and attention, than high profile special operations.

5.1.6 Since ordinary police operations merit the same – or even more – attention and resources as specialized operations, the PNP may want to consider a "back to basics" policy; the formulation of plans, programs and operations designed to focus on the needs, concerns and activities of the ordinary police officer in the local police unit and more importantly on the need of each community to feel safe and protected.

5.1.7 The strategy may not necessarily involve a choice of where resources must go – to specialized high profile issues or to basic and fundamental police operations; but rather on how the performance of basic and fundamental police operations can be used to support the solution of high profile specialized cases. These strategies involve smarter organization and use of limited resources rather than creating and shifting substantive resources to new structures and operations that will considerably duplicate regular structures and field level operations.

NEED TO INTEGRATE PLANS INTO ONE COHERENT MASTER PLAN THAT SHOULD BE UPDATED AND WHICH WILL GUIDE ALL POLICE OPERATIONS

5.1.8 PNP's six (6) master plans cover a variety of priority areas of concern, from anti-criminality to security procedures during holidays. It appears, however, that some of these master plans may no longer be relevant, while others merely duplicate the SANDIGAN master plan on anti-criminality.

5.1.9 It may be timely and appropriate not just to review the master plans, but to merge the varied concerns into one broad comprehensive master plan to cover all PNP activities and functions. Such a master plan could detail both primary and support functions of the PNP, and provide the strategic and operational concepts for basic operations and specialized operations.

5.1.10 The master plan could provide the guidelines and conditions for the establishment of task forces, and clarify the relationship between task forces and the local police unit.

5.1.11 If the PNP believes in the primacy of the local police unit over support units and task forces, this belief should be operationalized in the master plan. It can, for example, be stated as a matter of policy that resources shall be allocated primarily to the local police units, and funding should be concentrated towards improving functions and operations at the local level.

THE NEED TO PROVIDE PROPER, ADEQUATE, IMPROVED AND READILY APPLICABLE RULES TO GUIDE THE CONDUCT OF ALL POLICE OPERATIONS.

5.1.12 The Handbook needs to be redrafted. The review of the Handbook indicates several areas of improvement, the most obvious being that there are actually no procedures to cover the most basic operations. The Handbook is currently written in formal technical English, often in legal jargon, and hence not readily understood without legal training.

5.1.13 The Handbook needs to be redrafted and the existing rules should be integrated and codified.

5.1.14 As discussed above, there are guidelines for the writing of clear, concise police procedures, and a redrafting of the Handbook would benefit from using those guidelines. A redrafted handbook should clearly distinguish general from specialized operations, and even further categorize the types of specialized operations performed. The scope of patrol operations should be covered, and the old Police Manual may be a useful reference for this purpose.

THE HANDBOOK AND ALL RULES AND PROCEDURES THAT WILL BE USED BY THE POLICEMEN IN THE FIELD SHOULD BE TRANSLATED INTO MAJOR DIALECTS

5.1.15 The Handbook's audience is every police officer, and these operational procedures become the basis for their activities and operations. Not only must each police officer have a copy of this operations bible, it must be easily understood by him, in a

language or dialect he is comfortable with. A project to translate the Handbook and other relevant rules and procedures into the major Philippine dialects should be considered.

NEED TO INTEGRATE OPERATIONAL RULES AND PROCEDURES AS CORE COMPONENTS OF THE PNP TRAINING AND EDUCATION PROGRAMS AND TO ENSURE THAT EACH POLICEMAN HAS COMPLETE AND UPDATED COPIES OF ALL OPERATIONAL RULES AND PROCEDURES

5.1.16 The education and training program for the police should strengthen the job knowledge and competency development components. A separate review of the training and education program is presented in another chapter of this report. But this assessment point to policeman competency issues that are related to deficiencies in the training and education system for the police.

5.1.17 One of the primary outputs of each training program is the established core knowledge of the operational procedures and tested competency in their applications.

5.1.18 The lack of continuing training on the core functions of the police should also be addressed. Training on every new or modified rule and procedure should be mandatory both on the side of the PNP management to provide training to all policemen and on the side of each policeman to successfully complete the required continuing training program.

5.1.19 Another issue related to continuing training is the need to formulate and implement a continuing training program on the core functions of the police. Each policemen should, at scheduled, stages in his career, be required to undertake continuing training programs that will imbue new values, learning and competencies useful in improving job performance.

5.1.20 A well-written Handbook is useless if left in the library for scholars to pour over. What was evident in interviews was that there was no systematic dissemination of the manual, and officers generally rely on their old handwritten notes to guide them in operations. This must be addressed. A system must be put in place for the dissemination of new rules to every police officer, who should be given the opportunity not only to read, but to clarify rules he finds ambiguous. If a process of mandatory continuing training is instituted, this may be the appropriate forum for dissemination of operational rules and procedures.

NEED TO RESOLVE OVERLAPS AND LEGAL INFIRMITIES IN PROCEDURES

5.1.21 This study has indicated several areas where procedures between and among different units overlap and conflict: scene-of-the-crime investigations, civil disturbance management, bomb threat/incident operations. Conflicts and ambiguity in rules, particularly in fluid, volatile situations such as civil disturbances, can lead to serious adverse consequences.

5.1.22 The redrafting of the general Handbook of Operational Procedures will certainly result in resolving overlaps in functions and roles. Nonetheless, any new operation

not covered in the general manual should clearly delineate the functions of various units involved, and identify the lead unit, and the process of coordination with other involved units.

NEED FOR STRENGTHENED PERFORMANCE STANDARDS, MONITORING AND ACCOUNTABILITY MECHANISM TO ENSURE THE JUDICIOUS PERFORMANCE BY POLICEMEN OF THEIR RESPONSIBILITIES

5.1.23 The assessment pointed to policemen being reluctant to perform certain basic duties such as patrolling, or witnessing in courts. Graft and corruption in the police force are imbedded in the vulnerabilities in the PNP's organization structure and operational policies, systems and procedures and internal control mechanisms. The lack of clear performance standards that gauge the performance of each policeman in relation to his functions, required conduct and behavior, values, outputs and activities weakens the operation and accountability mechanisms in the PNP in the sense that there are no clear parameters of holding each policemen accountable for and unclearly defined parameters of performance.

5.1.24 While formal institutional mechanisms for performance management need to measure, monitor and evaluate performance and on this basis exact the corresponding accountability mechanisms as well as the necessary incentives, rewards and discipline, the necessary policies and processes as well as standards and measurement mechanisms should be put in place and communicated properly. Therefore a holistic approach to improving performance management, and strengthening accountability is required.

NEED TO HAVE AN ADMINISTRATIVE MANUAL FOR THE DIFFERENT PNP OFFICERS

5.1.25 Because PNP officers who are tasked to head/man divisions or offices are rotated so often, there is need to specify not only the functions of each office but also to indicate the different procedures in each office but also to indicate the different procedures in each office which should be contained in an administrative manual

NEED FOR PROPER AND WIDER OPERATIONALIZATION OF THE WOMEN'S AND CHILDREN'S DESK

5.1.26 There has been no substantial compliance with the requirement to create a Women's and Children's Desk in every precinct. This deficiency should be cured. The PNP leadership must take the necessary steps to ensure that:

a) The Women's and Children's Desk is manned on a 24-hour basis by a woman police officer

b) There is a designated area that ensures a measure of privacy to victim's of violence against women and children

c) That training on gender sensitivity, gender sensitive counseling, human rights and women and children rights be mandatory for all officers manning the desk.

(d) Enabling mechanisms are established for the cooperation and collaboration with local government, NGOs and the community in the protection of the rights of women, children and youth.

(e) A manual for the handling of WCCD cases on child abuse, juveniles in conflict with the law, rape, trafficking and violence against women and children is developed.

(f) The Directorate for Women and Children to handle problems and matters regarding women and children within and outside the PNP is carefully studied.

5.1.27 The realization of this mandate, however, would depend considerably on improvements in the efficiency of resource management and /or the generation of the necessary resources needed to properly establish the required physical arrangements at the police station level and the recruitment and training of the women staff.

6

HUMAN RESOURCE MANAGEMENT

SECTION 1
Conceptual Approach and System Overview

1 INTRODUCTION

1.1.1 Investments in police personnel is substantial, the PNP consuming almost 90% of its regular budget for salaries, retirement, pension, and other benefits, not to mention the cost for training and equipage. An effective human resource management system for the police and the manner police personnel are recruited, selected, trained and managed is thus significant not only to achieve financial resource optimization, but to ensure that the best quality of police services are provided to the people.

1.1.2 This study on PNP's human resource management system discusses the issues that affect personnel administration and career development programs and services. Training and education is a major component of HRM. While not within the TOR of the study, the rapid and high level review of the institutional framework for education and training of the police force, and the assessment of the quality, relevance and performance of the police education program in supporting the core competency and continuing competency development requirements of the police force was undertaken in order to enable a holistic approach to the assessment and reform identification.

1.2 Objectives of the Study

1.2.1 This diagnostic study has the following objectives:

- To assess the effectiveness of the institutional framework of the PNP's HRM system
- To review the extent of system politicization and its impact on organizational performance and stability
- To identify and analyze HRM system issues that impede the professionalization of the police system
- To review the implications to the integrity of the police force of the remuneration and related systems, including discipline
- To identify directions to institutionalize mechanisms to achieve competency development and behavioral change of the police force

2 THE POLICE OFFICER IN CONTEMPORARY POLICING

2.1 Policing and the role of the policeman

2.1.1. Studies indicate that police organizations in most democratic countries in the world are getting from the traditional and old-fashioned militaristic approach to policing. Contemporary policing creates a strong link between the police and the community and enhances the ability of law enforcement agencies to identify, analyze and effectively address community problems.

2.1.2. As several research studies point out, community policing strengthens the accountability of the police force, and serves as effective mechanisms in raising the level of citizens' satisfaction, and in achieving improvements in the quality of community life. Under community policing, command is no longer centralized. Many of the decisions come from the bottom and not from the top [1] Police officers who are closely working with the community can successfully address local problems because they understand the geographical and social issues which are unique to the area. Likewise, under community policing, citizens play a major role by taking more initiatives in preventing crimes and by improving their relationship with the police.

2.1.3. The ability of the police to provide high-quality services to the public and to effectively address operational issues will significantly be determined by the quality of the police personnel. The types of individuals who are hired for police work, the manner in which they are managed, directly contribute to operational efficiency and effectiveness. Thus, people who are involved in policing must be properly selected, trained, organized and given clearly defined roles and accountabilities.

As crimes become more complex and people's expectations from the police rise the PNP needs to rethink the role of the police force and examine the adequacy of current response mechanisms..

2.1.4 Current and emerging forms of crime such as money laundering, cyber crime, and terrorism point to the growing complexity of peace and order issues confronting the police force. The growing complexity and sophistication of crimes require that the police rethink its role and redefines its capacities.

2.1.5 A role comprises of the rights, duties and responsibilities associated with a particular position in the society.[2] Relatedly, a role expectation refers to the behavior and actions that people expect from a person in a particular role.[3] Basically, the role of a police officer is that of a crime buster -- deterring and preventing the occurrence of crime. He does intelligence and investigation work to detect the commission of unscrupulous and criminal acts; controls crime by enforcing the law; and carries out special assignments in detectives, training, traffic, and organized crimes like narcotics and drugs.[4]

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1 Bureau of Justice Assistance, U.S. Department of Justice, "Understanding Community Policing, A Framework For Action", Monograph, August 1994, Washington D.C., USA

2 Robert M. Bohm and Keith N. Haley, 'Introduction to Criminal Justice", Chapter 6, p. 189, McGraw Hill, New York, New York, 1997

3 Ibid.

4 Ibid.

2.1.6 A police officer is also a community organizer against crime. He reassures safety in the community and aggressively maintains order in the area for example through crime prevention activities, by directing traffic and investigating minor accidents, among others. To be effective, however, the police must not just be doing his job well, he must also be seen as doing his job well..[5]

2.1.7 Classical theories on policing indicate that there are three styles and patterns of behavior that a police officer generally demonstrates in his work. These are the: (a) legalistic type of policing; (b) watchman style of policing; and (c) service style of policing.[6] A legalistic police officer judges on the basis of whether a law is followed or violated. The watchman type of police officer on the other hand is inclined to issue more warnings than make arrests, the circumstances within the community dictating and/or refraining him from strictly enforcing the law. The service style of policing is a combination of the legalistic and watchman types, the police officer basing his/her judgment on the merit of a situation with community welfare as the utmost concern.[7]

2.1.8 In legalistic policing, crime rates may increase because of many arrests, while in watchman type of policing, crime rates may be lower because of fewer arrests. However, the public is not inclined to report crime to the police when they feel that the police are incompetent or more concerned with writing tickets than investigating crimes and apprehending suspects. The service type of policing has therefore been considered as a better form for police-community relations because while there may be less arrest, the conviction rates may be higher and the types of crimes solved are more serious in nature. When the police make visible efforts to cooperate with the public by using a service style of policing, the public becomes more cooperative. As a result, wise use of police discretion can enhance the police image and provide better police-community relations. [8]

2.2 A Well-Functioning Police Officer

2.2.1 What is a well- functioning police officer? Given the complex role of the police, a police officer must be of good character. Certain qualities in a police officer appear to be of paramount importance, including intelligence, integrity, and interaction skills. Police officers must also be intellectually, physically and emotionally capable to complete rigorous police training. He should be able to resist temptations to commit graft and corruption. He must moreover have the ability to communicate clearly and get along with people of diverse backgrounds[9].

2.2.2 The list below comprises the traits which could be considered as most important for the public to see in a police officer[10]:

- *Honesty*. A police is sincere in his job and strictly adheres to the truth.
- *Fairness*. A police officer is impartial and sensitive in dealing with the public.

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5 Ibid.
6 Wilson, O.W. and R.C. McLaren (1977), "Police Administration", 4th edition, New York, as cited by Miller, L. and M. Baswell in "Human Relations and Police Work", Illinois: Waveland Press Inc., 1993
7 Ibid.
8 Ibid.
9 O'Conner, T., 199, http:///www.faculty/ncwu/oconner.html
10 Ibid.

- *Strong personal courage and self-discipline.* A police officer exercises restraint when faced with difficult situations and under pressure.
- *Courteousness.* A police officer is polite and respectful to all members of the society he serves.
- *Openness and approachability.* A police officer has the ability to explain reasonably his duties, decisions and actions, listen sympathetically to people's concerns, and react constructively and intelligently to criticism.
- *Sensitivity.* A police officer is constantly in touch with the community and is sensitive to individuals' the differing needs and views.
- *Sense of Rectitude.* A police officer has a strong sense of righteousness and integrity. He is not involved in graft nor can he be corrupted.
- *Good judgment, quick decision-making skills, reliability and initiative.* A police officer goes beyond his call of duty.

2.2.3 PNP demands that its officers possess the same character traits described above. It has put in place a Code of Professional Conduct and Ethical Standards[11] that defines the police's ethical responsibilities. The Code seeks to foster "...individual efficiency, behavioral discipline and organizational effectiveness, as well as respect for constitutional and human rights of citizens, democratic principles and ideals and the supremacy of civilian authority over military".

3 CONCEPTUAL FRAMEWORK

3.1 HRM System Concept

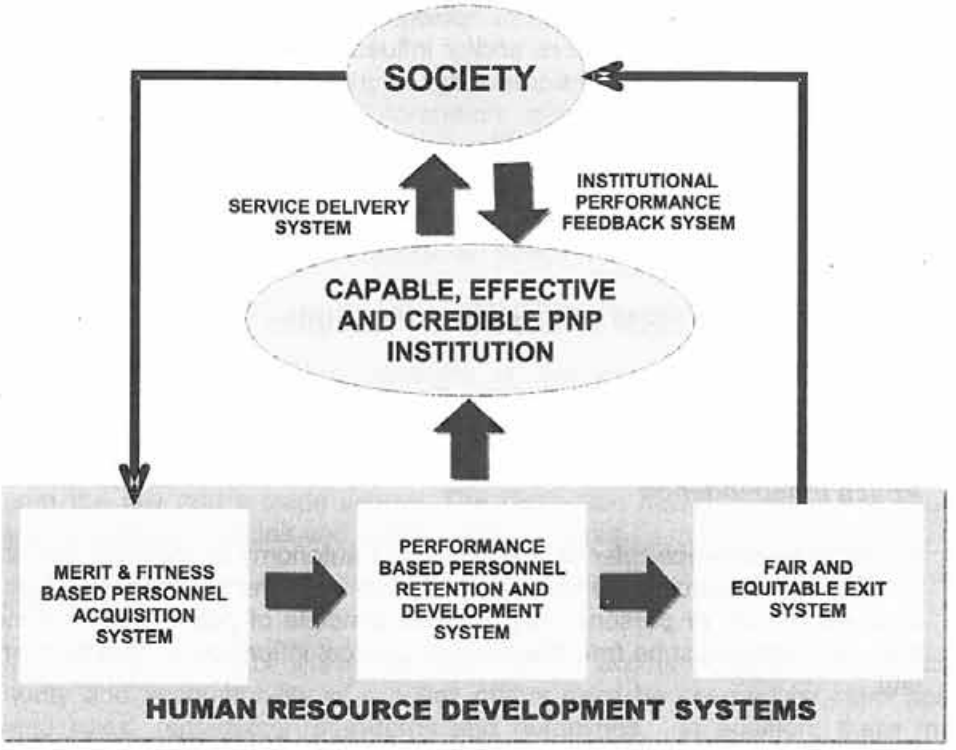
3.1.1 The human resource management (HRM) system consists of a set of policies, procedures and institutional arrangements that promote the recruitment, and maintenance of quality uniformed and non-uniformed PNP personnel.. The overall purpose of the police HRM system is to put the right people on the right job and to implement mechanisms for maintaining a well compensated, well-motivated, well – performing and continuously learning and improving police force.

3.1.2 This study on the HRM system of the PNP follows a conceptual framework shown in Figure B5.1. The framework identifies the components that make up a well-functioning HRM system.

a) Recruitment and selection process, which comprise of institutional structures and resources, policies, processes and selection tools for the entry of individuals into the police force.

[11]

Figure 6.1
PNP HRM CONCEPTUAL FRAMEWORK



b) Retention and maintenance system which consists of policies, processes, activities and measures on promotion or upward mobility of employees in the career ladder, as well as the continuing improvement of employees through training, motivation, wage and salary administration, and benefits and rewards, based on performance. The job performance evaluation system an integral part of retention and maintenance.

c) Exit system, addresses the needs of personnel who have served the organization throughout their productive years and involves development and implementation of equitable policies and programs for retirement and separation.

3.2 HRM Basic Philosophy and Principles

3.2.1 The above HRM framework has been derived and designed, depicting the basic principles that guide the HRM study of the PNP, which include the following:

a) *Personnel acquisition based on fitness.* This involves a clear definition of what are the personal traits, competencies and other qualifications of a good candidate to a specific position in the PNP staffing pattern and a selection and testing process that will enable the proper determination of the fit and unfit.

b) *Performance- based personnel retention and development.* Promotion based on merit is essential to build commitment toward providing quality public service. It can serve as incentive for performance. Politicized or personalized promotion usually results in having personnel focus more on doing personal favors for their superiors and/or influential politicians. Their abilities are thus channeled to activities that may be inconsistent with the objectives of their organization.[12]

c) *Fair and equitable exit of personnel.* Retirement policies and programs must fully benefit employees by providing them the means to maintain their quality of life after retirement. Moreover, programs/measures on personnel attrition, reduction or separation must be reasonable and are applicable to everyone.

3.3 Other Relevant HRM Polices and Principles in the Police

3.3.1 The study of the human resource management system of the PNP is likewise guided by other relevant polices and principles, are as follows

Police Independence

3.3.2 Police independence refer to the decisional autonomy of the PNP and its individual policemen in enforcing the law without undue interference and regardless of who the involved person or persons may be. The principle of police independence requires that the police must be free from undue political influence or control in enforcing the law.

3.3.3 The principle of independence applies both at the institutional and individual levels. At the institutional level, the police as an institution should not be influenced by the politically powerful in making decisions or in changing its actions on a crime. At the individual level, each policeman should not be influenced by any person inside or outside of the PNP to refrain from taking proper action on a criminal act under his jurisdiction or watch or influenced to tamper evidence or refrain from providing evidence in court due to instruction from his bosses or politically powerful people.

Continuing learning capacity

3.3.4 Continuing learning capacities are essential in enabling the individual policemen and the PNP institution as a whole to deal with new forms of crime and discover new ways of addressing crime issues. Continuing learning capacities should be built by providing human resources development policies, training and operating systems environment that allow continuing generation, application, improvement and discovery of new knowledge.

Equal pay for equal work

3.3.5 The principle of equal pay for equal work requires that a job must be paid on the basis of the difficulty in executing it, the importance of the job in attaining the organization's objectives, the competency requirements, and the results/impact that it

[12] J. Edgardo Campos and Sanjay Pradhan, "Building Blocks Toward a More Effective Public Sector", The International bank for Reconstruction and Development/The World bank, 1998

generates when performed. Employees who are essentially doing the same work must receive the same pay.

Command responsibility and authority

3.3.6 Command responsibility/authority emanates from the institutional process of chain of command. It is the flow of information, decisions and orders within the rank hierarchy of individual police officers. Chain of command is the authority and responsibility that links the police chief to the lowest level of the police force and back. It helps commissioned officers or police supervisors determine within their commands and address problems accordingly. The effectiveness of chain of command thus depends on the movement of information up and down the chain of authority, and on the skill, competence, and diligence of police commanders.

3.3.7 Command responsibility and authority is not inconsistent with independence. Command responsibility and authority pertains to administrative and operational management decisions. Independence pertains to the freedom of each policeman to do and act on a crime case specific situation in accordance with what is required to enforce the law and provide justice. The distinction between these two should be clearly specified in policies and operating procedures.

Accountability

3.3.8 Police officers must act within the law and be accountable for his actions. The authority and accountability of a police officer must be covered by clear and well-defined rules, regulations, standards and guidelines. In addition, there must be effective and transparent mechanism in making a police officer answerable for his actions.

3.3.9 An effective accountability system requires that the public must have full knowledge and understanding of the roles and responsibilities of the police. They must also understand their own roles in assisting the police in ensuring public safety. A transparent and independent means of investigating complaints against the police must be present, and so are clear and effective mechanisms through which the community can bring their concerns and requirements to police's attention.

Predictability

3.3.10 The HRM system for the police must include clear and meaningful policies, processes and programs on career development of individual police officers which emphasizes advancement of qualified police personnel to positions of increased responsibilities. This in turn requires development and implementation of a career planning program and periodic evaluation of performance of individual employees. The career development program includes the placement of police officers in high-risk, strategic, mission-critical positions and job situations to make substantial contributions to the crime prevention and community policing objectives.

4 POLICY AND INSTITUTIONAL FRAMEWORK

4.1 Police HRM Policies

4.1.1 Policies on the development of the police are contained in separate issuances and pronouncements. The Medium Term Philippine Development Plan (MTPDP) 2001-2004 specifically calls for the acceleration of the development of the PNP into a competent, well-motivated and professional police force.

4.1.2 The PNP Medium-Term Development Plan (MTDP) 2001-2004 provides for seven key result areas to enable the PNP to move forward as a professional, dynamic, highly motivated and well-equipped organization with full support from the community. The Plan envisions that the PNP shall "acquire an organization culture which is result-oriented, people-centered and transparent in transactions, graft-free, excellence driven, and insulated from political pressures." The Plan includes challenges and strategies to improve individual police skills in information and communication technology, investigation, traffic management, crime solution and detection.

4.1.3 The PNP MTDP requires strict adherence to the Code of Professional Conduct and Ethical Standards for police officers to achieve true professionalization. The systematic programming of manpower needs and optimum utilization of manpower services through periodic rotation among police officers, particularly those who occupy sensitive positions and are vulnerable to corruption is stressed under the Plan. The Plan also calls for immediate dispensation of disciplinary actions, as well as the application of the doctrine of command responsibility as an important aspect of good leadership. This means that PNP commanders who are aware of the irregularities committed by their subordinates, but did not take action on such irregularities, are held accountable for neglect of duty.

4.1.4 The PNP MTDP prioritizes the development, modernization and upliftment of the values of the PNP staff. It directs the enforcement with speed, certainty and consistency of disciplinary actions, provision of adequate welfare programs for PNP personnel including those who have retired from the police service, strengthening and operationalization of an equitable attrition program for police officers, and provision of legal and financial assistance to PNP members who are on trial for service-connected cases.

4.1.5 The challenges and strategies provided under the PNP MTDP were translated into specific programs, projects and activities and contained in "Police 2000" under the then leadership of Police Director General Leandro Mendoza, "ONE PNP" during the leadership of General Hermogenes Ebdane, and "CARE" under the current administration of PNP Chief Edgardo Aglipay. The strategies, projects and activities contained in these program thrusts comprise among others organizational, institutional and operational improvements and continuing implementation of police training, education and value formation programs.

4.2 Organization for Police HRM

SIXTEEN AGENCIES OUTSIDE OF THE PNP ARE MANDATED BY LAW TO PERFORM PERSONNEL ADMINISTRATION FUNCTIONS OF PNP

4.2.1 Table 6.1 below shows the personnel administration functions performed by external agencies over the PNP.

4.2.2 The functions of these agencies duplicate and overlap with that of the PNP in several ways. The National Police Commission (NAPOLCOM) is given authority under RA 6975 to exercise "administrative control and operational supervision" over the PNP. Accordingly, NAPOLCOM develops policies and criteria for manpower allocation, distribution and employment, recruitment, selection, promotion, retirement, and the conduct of qualifying entrance and promotional examinations for uniformed members. It also approves or modifies plans and programs on training and education, and exercises appellate jurisdiction over administrative cases against policemen and over decisions on claims for police benefits. Therefore the NAPOLCOM according to the law is the primary HRM arm of the PNP and yet it is an external agency.

4.2.3 Local government units exercise authority over recruitment and selection, deployment, transfer, promotion and discipline of the police. The President appoints practically all the management positions within the PNP.

4.2.4 The implications of this extremely fragmented and dysfunctional setup are profound:

a) The police force is extremely politicized and appointments are seen as debts of gratitude

b) Selection, appointments and deployment processes are distorted since considerations outside of merit and fitness underlie the considerations of authorities that are not accountable for PNP performance

c) Discipline is also extremely vulnerable to politicization since politically considered HRM decisions imply implicit political interests

d) Where command responsibility and authority of the Chief PNP is eroded due to other external administrative decision makers, his authority to exact compliance with rules and performance standards is correspondingly weakened.

4.2.5 The proliferation of offices and agencies involved in police HRM has resulted in certain institutional dysfunctions and integrity issues which will be tackled in succeeding discussions under the pertinent HRM topic areas.

WITHIN THE PNP HRM DECISION-MAKING AUTHORITY AND OPERATIONS ARE HIGHLY CENTRALIZED DESPITE THE DECENTRALIZED FORMAL ADMINISTRATIVE STRUCTURE

4.2.6 Within the PNP HRM decision-making and operations are highly centralized despite the formal decentralization of structures and functions. For example, processing of requests and documents on personnel administration and career development are

assigned to two separate directorial staffs - the Directorate for Personnel and Records Management (DPRM) and the Directorate for Human Resource Doctrine Development (DHRDD).

4.2.7 DPRM specifically advises the Chief, PNP on all HRM related matters, including the management and maintenance of personnel records of both uniform and non-uniformed personnel. DHRDD on the other hand advises the PNP Chief on education and training requirements of PNP members. It formulates training programs and directives necessary to attain professionalism of PNP personnel, reviews the PNP scholarship programs, and allocates training slots on foreign and local scholarships. DHRDD also formulates plans, policies and directives for the conduct, supervision administration and monitoring of police training in public and private schools.

4.2.8 The Regional Directors, Provincial Directors and the line commanders who perform direct supervision of police personnel are responsible for the implementation of HRM polices and programs and specifically assigned with authority to decide on breach of internal discipline, among other delegated responsibilities.

4.2.9 Aside from the nine formally organized internal offices which are involved with HRM functions in PNP, there are inter-office boards and committees which serve specific purposes on HRM. These include different selection and promotion boards, screening committees for new police recruits, grievance committee, and other inter-office special task units being convened periodically where necessary.

Table 6.1
ORGANIZATIONS INVOLVED IN POLICE HRM FUNCTIONS

INTERNAL TO PNP		EXTERNAL TO PNP	
OFFICE/PNP KEY OFFICIAL	FUNCTIONS	AGENCY/KEY OFFICIAL	FUNCTIONS
1) Director General (Chief, PNP)	Recommend to the President the appointment of Police Senior Superintendent to Deputy Director General Appoint Police Inspector to Police Superintendent, as attested by the Civil Service Commission Appoint Police Officer 1 to Senior Police Officer 4 for the national headquarters personnel, as attested by the Civil Service Commission Impose any of the following administrative punishments, provided that in all cases the period will not exceed 180 days: • Dismissal from service • Forfeiture of salary	1) President of the Philippines	Appoint the Chief, PNP from among the senior officers down to the rank of Chief Superintendent, for confirmation by the Commission on Appointments Appoint Police Senior Superintendent to Deputy Director General, upon recommendation by the Police Director General (Chief, PNP)
		2) Congress of the Philippines	Review and authorize budgetary provisions for PNP positions Confirm the appointment of Police Director General (Chief, PNP), as endorsed by the President of the Philippines to the (Commission on Appointments)[13]

INTERNAL TO PNP		EXTERNAL TO PNP	
OFFICE/PNP KEY OFFICIAL	FUNCTIONS	AGENCY/KEY OFFICIAL	FUNCTIONS
	• Suspension • Any combination of the foregoing Place police personnel under restrictive custody during the pendency of a grave administrative case filed against him, or after the filing of a criminal complaint, grave in nature, against such police personnel	3) Civil Service Commission (CSC)	Attest appointment of police officers and non-uniformed personnel Administer the third-level eligibility examination for police officers Approves qualification standards of police officer positions
2) Police Regional Director	Appoint Police Officer 1 to Senior Police Officer 4 for regional personnel, as attested by the Civil Service Commission Impose upon any PNP member the disciplinary punishment of dismissal from the service Impose any of the following administrative punishments, provided that in all cases the period will not exceed 60 days: • Admonition or reprimand • Restrictive custody • Withholding of privileges • Forfeiture of salary • Suspension • Demotion • Any combination of the foregoing	4) National Police Commission (NAPOLCOM)	Provide and prescribe policies, rules, regulation, guidelines and standards for efficient organization, administration and operation of the PNP, including recruitment, selection, promotion and retirement of PNP personnel. Approve or modify plans and programs on education and training of the police Conduct pre-charge investigation on complaints and cases filed against police officers Provide additional benefits to police officers in the form of reimbursement of hospitalization expenses and scholarship grant to children of police officers
3) Police Provincial Director	Impose any of the following administrative punishments, provided that in all cases the period will not exceed 30 days: • Admonition or reprimand • Restrictive custody • Withholding of privileges • Forfeiture of salary • Suspension • Any combination of the foregoing	5) National Appellate Board (NAB)	Review and decide cases on appeal from decisions rendered by the Chief, PNP involving demotion in rank or dismissal from service
		6) Regional Appellate Board (RAB)	Review and decide cases on appeal from decisions rendered by the PNP Regional Directors and equivalent police supervisors involving demotion or dismissal from service, as well as appeal from the decisions of the City/Municipal Mayors and the People's Law Enforcement Board
		7) People's Law Enforcement Board (PLEB)[14]	Hear and decide citizen's complaints or cases filed before the PNP erring officers

[13] The appointments of Police Senior Superintendent to Deputy Director General are confirmed by CA. This was confirmed by DPRM.

[14] Section 43 of RA 6975 requires for the creation by the Sangguniang Panlungsod/Bayan of a People's Law Enforcement Board (PLEB) in every city and municipality as may be necessary. NAPOLCOM has reported in its annual report that there were 1,554 PLEBs nationwide as of December 31, 2003.

INTERNAL TO PNP		EXTERNAL TO PNP	
OFFICE/PNP KEY OFFICIAL	FUNCTIONS	AGENCY/KEY OFFICIAL	FUNCTIONS
4) Chief of Police	Impose any of the following administrative punishments, provided that in all cases the period will not exceed 15 days: • Admonition or reprimand • Restriction to specified limits • Withholding of privileges • Forfeiture of salary • Suspension • Any combination of the foregoing	8) City and Municipal Mayors	Choose the Chief of Police from a list of five eligibles recommended by the PNP Provincial Director Recommend from list of eligibles previously screened by the Peace and Order Council the appointment of new PNP members to be assigned to their respective cities/municipalities Recommend disciplinary action against police officers through the City/Municipal Mayor as POC Chairman Recommend to PNP Provincial Director the transfer, reassignment or detail of PNP members outside of their respective city/town residences
5) Directorate for Personnel and Records Management (DPRM)	Process all personnel administration matters	9) Provincial Governor	Choose the Provincial Police Director from a list of three eligibles as recommended by the PNP Regional Director
		10) City and Municipal Peace and Order Council (POC)	Screen eligibles for appointment as new members of PNP Recommend, through the Mayor as chairman of the POC, the recall or reassignment of Chief of Police
6) Directorate for Resource and Doctrine Development (DHRDD)	Attend to training program development and coordination and doctrine development	11) Department of Budget and Management (DBM)	Review and approve the staffing pattern of police Approve classification and compensation of police uniformed positions
7) Directorate for Investigation and Intelligence and Management (DIDM)	Undertake pre-charge investigation on administrative cases filed against police officers	12) Office of the Ombudsman (OMB)	Investigate and act on graft and corruption complaints or cases filed against police officers Issue the following Ombudsman Clearances: • Clearance for retirement • Clearance for reinstatement for service • Clearance for promotion/confirmation for promotion • Clearance for travel/mission abroad • Renewal of clearance

INTERNAL TO PNP		EXTERNAL TO PNP	
OFFICE/PNP KEY OFFICIAL	FUNCTIONS	AGENCY/KEY OFFICIAL	FUNCTIONS
8) Internal Affairs Service (IAS)	Conduct personnel and operations audits Investigate complaints and gather evidence in support of an open investigation on police misconduct File appropriate criminal cases against police members and assist in the prosecution of the case Assist the Office of the Ombudsman in cases involving PNP personnel	13) Commission on Human Rights (CHR)	Conduct independent and collaborative fact-finding missions and investigate cases involving violations civil and political rights by police officers Issue clearance to police officers as to violations of civil and political rights for purposes of promotion Issue certificate of training programs attended by police officers on human rights
9) Directorate for Comptrollership/ Finance Service	Process necessary payments for benefits and rewards of police officers concerned Ensure that funds are made available for HRM-related programs and activities	14) National Prosecution Office (NPS), Department of Justice (DOJ)	Prosecute cases of PNP members Provide legal assistance and services to police officers
		15) Sandiganbayan[15]	Hear and adjudicate civil and criminal cases involving graft and corruption practices filed against police officers
		16) Regular courts	Hear criminal cases of other offenses and felonies committed by PNP members in relation to their office where the penalty prescribed by law is higher than prison correctional or imprisonment of 6 years or a fine of P6,000 [16]

4.3 PNP Manpower

4.3.1 The PNP HRM system provides support and advice to all the directorates, support units, field offices and all its other organizational units, which are currently manned by 10,439 Police Commissioned Officers (PCOs), 103,301 Police Non-Commissioned Officers (PNCOs), and 5,290 regular non-uniformed personnel (NUP)[17]. These 119,030 warm bodies comprise of about 95% of the total PNP authorized positions of 125,772, the remaining 5% or 6,742 positions being vacant.

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[15] The Sandiganbayan has jurisdiction over members of the PNP specifically with respect to (a) violations of RA 3019, as amended, RA 1379, and Chapter II, Section 2, Title VII of the Revised Penal Code, and (b) other offenses or felonies committed by them in relation to their office where the penalty prescribed by law is higher than prison correctional or imprisonment of six years, or a fine of P6, 000. All offense committed by them are cognizable by the appropriate courts within the judicial system such as the Regional Trial Courts, Metropolitan Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts. (From: "The Constitution, A Commentary" by Fr. Joaquin Bernas, S.J. Vol.II, P.212).

[16] Pursuant to Presidential Decree 1606, as amended by Presidential Decree 1861

[17] Warm bodies as of June 1004

4.3.2 Of the total authorized number of positions for 2004 in the PNP staffing pattern, 10% or 12,785 are PCOs, 85% or 107,108 are PNCOs, and 5% or 5,879 are NUP positions. The total number of positions for 2004 is the same as that of the 2003 level.

Table 6.2
PROFILE OF POSITIONS IN PNP
As of 30 June 2004

POSITION CATEGORY	FILLED		VACANT		TOTAL	
	NUMBER	% TO GRAND TOTAL	NUMBER	% TO GRAND TOTAL	NUMBER	% TO GRAND TOTAL
Police Commissioned Officers	10,439	9	2,346	35	12,785	10
Police Non-Commissioned Officers	103,301	87	3,807	56	107,108	85
Non-Uniformed Positions	5,290	4	589	9	5,879	5
Grand Total	119,030	100	6,742	100	125,772	100

Source: DPRM, PNP

4.3.3 About 11% of the 119,983 unformed positions in 2004 are police commissioned officers while about 89% are non-commissioned officers (Table 6.3).

Table 6.3
BREAKDOWN OF UNIFORMED POSITIONS BY RANK
As of June 2004

POLICE COMMISSIONED OFFICERS		POLICE NON-COMMISSIONED OFFICERS	
RANK	NUMBER	RANK	NUMBER
Director General	1	Senior Police Officer IV	10,831
Deputy Director-General	3	Senior Police officer III	12,271
Director	11	Senior Police Officer II	13,288
Chief Superintendent	69	Senior Police Officer I	14,404
Senior Superintendent	613	Police Officer III	14,946
Superintendent	1,965	Police Officer II	16,246
Chief Inspector	2,251	Police Officer I	25,122
Senior Inspector	3,450	-	-
Inspector	4,422	-	-
Total	12,785	Total	107,108
% to Total 19,983 positions	11	% to Total 119,983 positions	89

Source: DPRM, PNP

4.3.4 The total staffing complement for uniformed positions did not increase significantly over the past six years (1998-2004). There was only about an average of 2.5% increase within those periods, which occurred in 2002 and 2003 where additional 2,000 and 6,150 uniformed personnel positions, respectively, were created and funded under the budget. As of this time, about 97% of the total uniformed positions are filled (Table 6.4).

Table 6.4
MANPOWER PROFILE, UNIFORMED PERSONNEL
1998-2003

YEAR	POLICE COMMISSIONED OFFICERS			POLICE NON-COMMISSIONED PERSONNEL			TOTAL UNIFORMED POSITIONS			
	FILLED	UNFILLED	TOTAL	FILLED	UNFILLED	TOTAL	FILLED	UNFILLED	TOTAL	GROWTH RATE (%)
1998	8,147	3,548	11,695	99,257	291	99,548	107,404	3,839	111,243	-
1999	8,935	2,813	11,748	98,884	1,111	99,995	107,814	3,929	111,743	0.4
2000	9,456	2,292	11,748	99,821	174	99,995	109,277	2,466	111,743	0
2001	9,499	3,268	12,767	99,405	429	99,834	108,904	2,839	111,743	0
2002	10,558	2,209	12,767	102,386	1,410	103,796	112,944	799	113,743	2
2003	10,451	2,334	12,785	102,057	5,051	107,108	112,508	7,385	119,893	5
Total	57,046	16,464	73,510	601,810	8,466	610,276	658,851	21,257	680,108	-
Ave	9,508	2,744	12,252	100,302	1,411	101,713	109,808	3,543	113,351	2.5
% to Total	78	22	100	99	1	100	97	3	100	-

Source: DPRM, PNP

4.3.5 RA 6975 (Section 27) provides that the general basis for determining the manning level of the police manpower will be the police-population ratio of 1:500. If current police staffing is bench marked against this ratio some 45,300 additional new police positions will be needed. But considering resource constraints, actual requirements should be based on state of peace and order situation, population density and actual demands for police services in the areas.

4.4 Police Rank Structure and Equivalence

4.4.1 The PNP's 16-level staffing structure or rank hierarchy[18] consists of the police commissioned officer (PCO) positions with 9 levels and the police non-commissioned officer (PNCO) positions with 7 levels. The PCOs belong to the supervisory levels in the police staffing hierarchy, while the PNCOs comprise the rank-and-file level.

4.4.2 That PCOs are "ladderized" two levels more than the PNCOs suggests that police supervisors have more upward mobility opportunities than the rank-and-file police officers. Moreover, considering that only 11% of the total police staffing pattern are PCOs positions, in terms of number, only few of the PNCOs could make it to the supervisory levels. The tendency is for these officers to remain as PNCOs throughout their careers in the police especially in the absence of a specialization or horizontal career pathing framework for uniformed personnel.

[18] Rank classifications and position levels in the police are provided under Section 28 of RA 6975. The PNP staffing patterned was approved by DBM in 1997, indicating the authorized positions. The corresponding police rank of each of the authorized positions is likewise indicated and approved. A detailed discussion on the PNP staffing pattern, police officer ranks and the issues in implementing them are tackled in Section 4 of this report.

4.4.3 A military position structure is strictly hierarchical, a characteristic that the police have conveniently adopted. A tall staffing structure for a police organization is a feature not only of the PNP's staffing structure, but also those of Australia and other countries in Asia. Table 6.5 compares the rank structure of the Philippine police force with those of other countries with ten or more levels of positions in their respective police organizations.

Table 6.5
POSITION HIERARCHY IN THE PHILIPPINES AND SELECTED COUNTRIES

PHILIPPINES (16 LEVELS)	JAPAN (15 LEVELS)	AUSTRALIA (11 LEVELS)	SRI-LANKA (10 LEVELS)
Director General	Commissioner	Commissioner	Inspector General
Deputy Director-General	Deputy Commissioner	Deputy Commissioner	Sr. Dep. Insp. General
Director	Sr. Asst. Commissioner	Asst. Commissioner	Dep. Inspector General
Chief Superintendent	Asst. Commissioner	Chief Superintendent	Sr. Superintendent
Senior Superintendent	Deputy Asst. Comm.	Superintendent	Superintendent
Superintendent	Superintendent	Chief Inspector	Asst. Superintendent
Chief Inspector	Dep. Superintendent	Inspector	Inspector
Senior Inspector	Asst Superintendent	Senior Sergeant	Sub-Inspector
Inspector	Inspector	Sergeant	Police Sergeant
Senior Police Officer IV	Station Inspector	Senior Constable	Police Constable
Senior Police officer III	Sr. Staff Sergeant	Constable	
Senior Police Officer II	Staff Sergeant		
Senior Police Officer I	Sergeant		
Police Officer III	Corporal		
Police Officer II	Constable		
Police Officer I			

4.4.4 Military influence in the Philippine police organization is reflected in, among others, its application of star ranks starting with the position of Police Chief Superintendent up to the Director General or Chief, PNP.

Table 6.6
POLICE "STAR" RANKS

POLICE STAR RANK	NUMBER	EQUIVALENCE UNDER CLASSIFICATION STANDARDS FOR CIVILIAN POSITIONS	
		POSITION TITLE	SALARY GRADE
Police Director General	1	Undersecretary	30
Police Deputy Director General	3	Assistant Secretary	29
Police Director	11	Director IV (Bureau Director)	28
Police Chief Superintendent	69	Director III (Assistant Bureau Director	27
Total	84	-	-

4.4.5 Star ranks are an internal arrangement that is used as a means of benchmarking the police approved civilianized ranks with their counterpart positions in the military. Hence, the Police Chief Superintendent is accorded a one-star rank (equivalent to Brigadier General in the military), the Police Director with two-star rank (Lieutenant General), the Police Deputy Director General with three-star rank (Major General), and the Police Director General with four-star rank (General). This is one of the reasons why a Police Director and a Police Superintendent are also called "Generals" despite the absence of said nomenclature in their authorized position titles. One other obvious reason is the carry-over of the traditional military titles under the old PC set-up to the new PNP organization. However, if civilianization of the police has to be complete and fully effected as envisioned under the law, they must objectively shed their military semblance, appropriately using the police position titles.

4.4.6 The number of star ranks in PNP is pegged at 84 in all[19]. The table below shows the distribution of such ranks as well as their position equivalence pursuant to the government's classification of civilian positions. The star ranks comprise .075% of the police strength of 111,743 in 2002. In 2003 and 2004, the number of star ranks was only about .070% of uniformed personnel. The star ranks are among the key positions in PNP which are mandated to perform supervisory responsibilities over major command units.

4.4.7 Key positions are assigned supervisory responsibilities and authority over major command units in the PNP. These include the star ranks which comprise the top-level key positions. The list of all key positions is shown in Table 6.7.[20] The PNP key positions start with those of City and Municipal Chiefs of Police up to the position of the Chief, PNP as the highest-ranking key item in the police staffing hierarchy.

Table 6.7
KEY POSITIONS IN PNP

TITLE/RANK	
1. Chief, Philippine National Police	7. Regional Directors, Police Regional Offices
2. Deputy Chief for Administration	8. District Directors, NCRPO
3. Deputy Chief for Operations	9. Provincial Directors
4. Chief of the Directorial Staff	10. City Directors
5. Directors of the Directorial Staff	11. City and Municipal Chiefs of Police
6. Directors of the National Support Units	

4.4.8 The corresponding ranks of police officers assigned to the above key positions depend upon their appointments or designation. In the national headquarters, for example, the heads of the Directorial Staff generally have the rank of Police Director, while the heads of the National Support Units are with the rank of Police Chief Superintendent. Likewise, Police Regional Directors are with the rank of Police Chief Superintendent. Police commissioned officers with the rank of Chief Inspector up to Superintendent are generally designated to key positions of Chief of Police to Provincial Directors and District Directors of the National Capital Region.

[19] NAPOLCOM Resolution No. 2003-013
[20] NAPOLCOM Memorandum Circular 2000-008 dated 15 June 2000.

THE COMPETENCY REQUIREMENTS OF EACH UNIFORMED POSITION OF THE PNP ARE NOT CLEARLY DEFINED. THE APPROPRIATE DUTIES AND RESPONSIBILITIES OF ONE POLICE OFFICER BASED ON HIS RANK OR POSITION, AS COMPARED TO ANOTHER ARE NOT CLEARLY DELINEATED. ACTUAL DUTIES AND RESPONSIBILITIES OF POLICE OFFICERS VARY, DEPENDING ON ASSIGNED TASKS.

4.4.9 The PNP adopts a "designation-to-the-position" scheme for uniformed personnel. An officer who is designated to a position assumes the intended roles and responsibilities of such position, which are most often greater than those of his original position, without corresponding adjustment in salary and rank. Only when an officer is appointed to the position does he/she get the adjustment in both salary and rank.

4.4.10 As shown in Table 6.8 the responsibility of a Chief of Police in city or municipality, which under RA 6975 should be assumed by a Police Chief Inspector, is actually carried out by other officers who have been appointed or designated as Chief of Police. In certain cities in Metro Manila, except for Manila and Quezon City, the Chief of Police is either a Police Senior Superintendent or Police Superintendent. In component cities, a Chief of Police is a Police Superintendent. These are Director-equivalent positions.

Table 6.8
RANKS, EQUIVALENCE AND OPERATIONAL ROLES OF POLICE OFFICERS

SALARY GRADE [21]	RANK	POSITION TITLE[22]	OPERATIONAL ROLES		STANDARD EQUIVALENCE[23]
			PER RA 6975[24]	EXISTING /ACTUAL	
30	Director General	Chief of the PNP	Head of PNP	• Chief, PNP	Department Undersecretary
29	Deputy Director-General	Deputy Chief of the PNP	•Deputy Chief for Administration •Deputy Chief for Operations •Directorial Staff Chief	• Deputy Chief for Administration • Deputy Chief for Operations • Directorial Staff Chief	Department Assistant Secretary
28	Director	Director	Heads of various divisions in the Directorial Staff Head of NCR	• Director of the NHQ Directorial Staff • Director of the NCRPO • Inspector General • Director of the administrative and operational support units	Director IV (Bureau Director)
27	Chief Superintendent	Director in NHQ	Heads of the administrative and operational support divisions	• Director of the NHQ Directorial Staff • Director of the administrative and operational support units • Deputy Director of the Directorial Staff	Director III (Assistant Bureau Director)
		Inspector General	Head of Inspectorate Division	-	

[21] Pursuant to authorized staffing pattern
[22] As provided under RA 6975
[23] Pursuant to RA 6758, Salary Standardization Law of 1997 and the index of positions in the government prepared and adopted by the Department of Budget and Management for position classification and compensation actions
[24] Pursuant to Section 29 of RA 6975

SALARY GRADE [21]	RANK	POSITION TITLE[22]	OPERATIONAL ROLES		STANDARD EQUIVALENCE[23]
			PER RA 6975[24]	EXISTING /ACTUAL	
		Regional Director	Head of regional offices	• Regional Director (other than NCRPO) • Chief, District Directorial Staff in NCR District Offices	
		District Director	Head of NCR District Offices	• District Director of NCR District Offices	
26	Senior Superintendent	Provincial Director	Head of provincial offices	• Provincial Director (Type A and B) • Regional Division Chief in NCRPO • Deputy District Director in NCR District Offices • Deputy Director, Regional Office • Division Chief of regional offices Chief, District Directorial Staff, NCR District Offices • Chief of Police, NCR cities, except Manila and Quezon City • Executive Officer of the NHQ Directorial Staff • Director/ /Deputy Director/Division Chief of Administrative Support Units • Group Chief/Deputy Director/Division Chief of Operational Support Units	Director II
25	Superintendent	District Director	Head of district offices	• Provincial Director (Type C province) or Deputy Provincial Director Type A and B) • City Director (Type B and C) or Deputy City Director (Type (A) • Chief of Police of component city (Type A, B, C) • Chief of Police of municipal station (Type A) • Chief of Police of NCR police station • Assistant Division Chief of NHQ Directorial Staff • Senior Executive Assistant in Command Group Offices (Offices of the Deputy Chiefs) • Deputy Public Information Officer, Office of the Chief, PNP • Assistant Director in National Support Units (NSUs) • Chief, Regional Directorial Staff or Division Chief, or Assistant Division Chief in police regional office (PRO) • Executive Officer of the NHQ Directorial Staff	Director I
24	Chief Inspector	Chief of Police	Head of municipality and city offices	• Chief of Police/station commander • Deputy City Director in class B municipalities and cities • Deputy Division Chief in NHQ Directorial Staff Offices • Deputy Provincial Director in Class C provinces • Unit commander in special operations	Chief of Division
23	Senior Inspector	Senior Inspector	-	• Team leader in small unit operations • Patrol supervisor • Police community precinct commander	Assistant Chief of Division

SALARY GRADE [21]	RANK	POSITION TITLE[22]	OPERATIONAL ROLES		STANDARD EQUIVALENCE[23]
			PER RA 6975[24]	EXISTING /ACTUAL	
22	Inspector	Inspector	-	▪ Section chief of various police offices ▪ Aide de Camp to star rank officers ▪ Police commanders in class C municipalities ▪ Assault commander in special operations	Assistant Chief of Division
19	Senior Police Officer IV	Senior Police Officer IV	-	▪ Supervise POs1 to POs 3 ▪ Assistant Team Leader during combat operations ▪ Supervise informants during intelligence operations ▪ Jail guard ▪ Assistant instructor during training ▪ Clerk in police offices ▪ Radio operator ▪ Desk officer ▪ Mobile patrol team leader ▪ VIP security ▪ Assist the Unit Finance Officer ▪ Assist the Unit Logistics Officer ▪ Assist the Unit Intelligence Officer Assist the Unit Operations Officer ▪ Assist the Unit Administrative Officer ▪ Assist the Chief Police Community Relations Officer	Middle and Senior Specialists
18	Senior Police officer III	Senior Police Officer III	-		
17	Senior Police Officer II	Senior Police Office II	-		
16	Senior Police Officer I	Senior Police Officer I	-		
14	Police Officer III	Police Officer III	-	▪ Preventive patrol in the streets ▪ Special urban operation ▪ Report occurrence of crime within area of responsibility ▪ Enforce laws and ordinances ▪ Direct and supervise the flow of traffic ▪ Provide assistance during disaster and emergencies ▪ Gather essential criminal information/intelligence within patrol beat coverage ▪ Report deficiencies observed during police beat ▪ Response to all occurrence of crime brought to their attention ▪ Member of civil disturbance management (CDM) unit ▪ Protect the crime scene ▪ Make arrests ▪ Deal with juvenile and vagrants	Entrance and journeyman's levels
12	Police Officer II	Police Officer II	-		
10	Police Officer I	Police Officer I			

Table 6.9
POLICE OFFICERS ASSIGNED/DESIGNATED AS CHIEFS OF POLICE
BY RANK AND REGIONAL ASSIGNMENT
As of June 2004

PRO	POLICE OFFICER RANK												TOTAL
	SSUPT	SUPT	CINSP	SINSP	INSP	SPO4	SPO3	SPO2	SPO1	PO3	PO2	PO1	
NCRPO	10	20	1	0	0	0	0	0	0	0	0	0	31
PRO1	1	13	18	18	23	0	0	0	0	0	0	0	73
PRO2	0	3	15	20	7	0	0	0	0	0	0	0	45
PRO3	0	16	18	12	4	0	0	0	0	0	0	0	50
PRO4 A	1	11	8	12	4	0	0	0	0	0	0	0	36
PRO4 B	0	1	0	9	11	2	0	0	0	0	0	0	23
PRO5	0	5	7	19	14	0	0	0	0	0	0	0	45
PRO6	0	5	9	13	32	1	0	0	0	0	0	0	60
PRO7	0	5	2	10	21	2	1	0	0	0	0	0	41
PRO8	0	1	6	16	11	1	0	0	0	0	0	0	35
PRO9	0	4	2	12	23	1	1	0	0	0	0	0	43
PRO10	0	2	3	17	20	0	0	0	1	0	0	0	43
PRO11	0	3	5	5	8	0	0	0	0	0	0	0	21
PRO12	0	3	8	14	20	0	0	0	0	0	0	0	45
CAR	0	1	3	12	20	0	0	0	0	0	0	0	36
CARAGA	0	3	2	4	14	0	1	2	0	0	0	0	26
ARMM	0	0	5	9	26	10	12	7	3	2	5	1	80
Total	12	96	112	202	258	17	15	9	4	2	5	1	733

Source: DPRM, PNP

4.4.11 Of the existing 733 Chiefs of Police all over the country, 258 and 202 have the ranks of Police Inspector and Police Senior Inspector, respectively. This indicates that more than half (63%) of the number of existing Chiefs of Police are not even of the rank of Police Chief Inspector as required under RA 6975. The Police Chief Inspectors who are assigned as Chiefs of Police (112) comprise of only 15% of the total. In the Autonomous Region in Muslim Mindanao on the other hand, even non-commissioned officers are designated Chief of Police. As presented in the table, 40 of the 80 Chiefs of Police hold the ranks of SPO4 down to PO1.

4.4.12 Inconsistencies between the position and the actual responsibilities of incumbents because of designation without promotion and appointment to the position have profound morale implications. Also there is a need to integrate ranks and position titles into just position titles. There is no apparent rationale for the designation of ranks, other than this is basically adopted from military practice.

4.4.13 Clear delineation of responsibilities of each rank and position will avoid confusion and this can be achieved by having a competency framework that will be the basis for work description and specifications, as well as the required competency mix for each police officer position.

5 GENERAL ISSUES ON POLICE HRM

5.1 Police Image

THE LACK OF PUBLIC TRUST AND CONFIDENCE IN THE INTEGRITY AND COMPETENCY OF THE POLICE FORCE WILL CONTINUE TO HINDER POLICE-COMMUNITY COLLABORATION IN COMBATING AND REDUCING CRIMINALITY.

5.1.1 Media reports all over the country are replete of police stories. News items abound on good cops - the brave, dedicated, decent, hardworking, conscientious and honest cops, and bad cops – the rouge, extortionist cops and those implicated in all sorts of misconduct, malpractices and crimes, including kidnapping, carnapping, protection of drug syndicates, drug trafficking, using prohibited drugs, and illegal gambling. Police officers have been hurled with accusations for unethical actions in solving crime or in bringing the law breakers to justice (like police abuse, violation of human rights, harassment, etc.), for missing, tampering or planting evidence, for not appropriately disposing confiscated properties (like car napped luxury vehicles), for committing perjury to gain convictions, etc.

5.1.2 The situation has created a mixture of reactions among the public and in the police force itself. It is a fact that the police have gained respect and appreciation from some sectors of the society and members of community for their vigorous efforts to curb and prevent crimes. It is also a reality that the public has generally perceived that the police are grossly inept in their basic role of maintaining peace and order, and that they are corrupt allies of politicians. Police's dubious and unscrupulous activities as exposed by the media have promoted fear, mistrust and cynicism among the public.

5.1.3 On the other hand, the police have been sensitive and cautious in their dealings with the media, premised by a notion that media reporting magnifies and sensationalizes police inefficiency and poor performance, but downplays and simply does not give importance to good and commendable actions. Public opinions and perceptions are primarily shaped by what the media projects, and the "Fourth State" has been a astute critic of the police. PNP's disappointment for its sagging credibility is compounded by the situation where more victims trust the media than the police in solving crime.

5.1.4 The PNP's Public Information Office (PIO) is responsible for media relations and public information. In addition to the regular functions and activities of the PIO, the PNP medium-tem plan calls for the services of a private Press Relations Consultant to provide appropriate public information services and assist in the "marketing" of the PNP to improve its public image.

5.1.5 Good press relations work and continuing collaboration with the media would help achieve balance and fairness in the presentation of news and reports on the police. PNP's strategy to strengthen its working relationship with the Kapisanan Ng Mga Broadcasters ng Pilipinas (KBP), the Philippine Press Institute (PPI) and similar organizations is practicable.

5.1.6 However, there is no substitute for good work, integrity and quality performance that can be seen and appreciated by the public. Police actions speak for themselves, and while all types of media are a potent tool for projecting and providing timely information on the actual performance and positive aspects of the policing work, there is still a need for the PNP to aggressively check on the behavior and eliminate the nefarious activities of certain police officers who primarily contribute to the tarnished image of the police and the source of growing suspicion of the people on police activities. In the United States, a report of the US Department of Justice[25] tells about the development and adoption by certain law enforcement agencies there of data-based personnel management systems (called "early warning systems") to identify problem behavior and allow early interventions to correct that behavior. A component personnel information management system provides police supervisors and managers with both statistical and descriptive information for individual officers, including information on shootings, uses of force, searches and seizures, citizen complaints, citizen commendations, criminal charges, civil suits, misconduct and disciplinary actions, etc. The report says that the system is not generally punitive, the interventions being carried out include peer review, counseling and additional training, but not formal discipline. How this scheme can be useful to and work for the PNP may be explored and perhaps considered in reforming the police HRM system.

5.2 Police Corruption

THE PUBLIC PERCEPTION AND REALITY OF CORRUPTION IN THE POLICE FORCE CONTINUES TO UNDERMINE PUBLIC TRUST AND CONFIDENCE, AS WELL AS ORGANIZATIONAL EFFICIENCY AND EFFECTIVENESS.

5.2.1 Integrity standards of the police are enunciated in several instruments. The PNP's Code of Professional Conduct and Ethical Standards comprehensively covers the prerequisites of an ideal policing work. The police pledge is spelled out in the Code that contains an officer's commitments to God, country and the people.[26]

5.2.2 The Code emphasizes the prerequisites for all members of the PNP to: (a) conduct themselves in a manner that must not place the PNP in bad light, but live in accordance with the PNP core values and possess the virtues of honor, integrity, valor, justice, honesty, humility, charity and loyalty to the service; (b) formulate a stringent policy and strictly to professionalize the human resources development system which is characterized by equitable distribution of personnel, fair promotion, rationalized approach in personnel assignment, skills development, immediate grant of reward and awards, and provision of assistance to employees for decent living upon retirement; (c) enhance managerial capabilities and leadership; (d) provide judicious and equitable opportunities to all; (e) have moral courage to sacrifice self-interest in consonance with the principles of honor, integrity and delicadeza; (f) promote a lifestyle that is acceptable and respectable to the public and that sets as a good example to subordinates; (g) inhibit themselves from soliciting political

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25 US Department of Justice, "Principles for Promoting Integrity", January 2001, p. 10

26 The Police Officer's Pledge is as follows:
"I will love and serve God, my country and people;
I will uphold the Constitution and obey legal orders of the duly constituted authorities;
I will oblige myself to maintain a high standard of morality and professionalism;
I will respect the customs and traditions of the police service; and
I will live a decent and virtuous life to serve as an example to others".

patronage on matters pertaining to assignment, awards, training and promotion; and (h) respect and protect human rights and dignity.

5.2.3 To some police officers, however, it appears that these have remained only aspirational goals rather than part of daily work. Mediocre performance, prevalence of police corruption indicated by luxurious life style, blatant misconduct or even criminal behavior are indications that such requirements have not been deeply "internalized" and taken seriously by some members of the police.

5.2.4 To cite recent incidents on police's involvement in corruption controversies, Metro Manila newspapers' banner items some few days back reported on the existence of payroll racket in PNP, with some unscrupulous police officers allegedly pocketing hefty sums out of budget allocations for pay and allowances. The report said that a police commander could claim in behalf of his men their uncollected combat pay, specialist pay and other allowances and keep the money for himself, telling his men instead that they would not receive such allowances for lack of funds.[27] Similarly, large-scale corruption, involving the conversion into cash of funds specifically allocated for supplies and official activities, as well as encashment of the salaries of dismissed, suspended and deceased policemen, has been going on inside Camp Crame for years.[28]

5.2.5 It may be asserted that even a well-placed corruption prevention system would not stop an individual from committing a crime if he/she has a bent for it. Hence, it is extremely crucial for police supervisors to be able to recognize and detect officers' misconduct and accordingly correct them. Similarly, the implementation of stringent selection and promotion procedures of police personnel, institutional and systems streamlining and improvements eliminating areas which are conducive to police corruption, elimination of opportunities for the commission of police misconduct and criminal behavior, and enhancement of monitoring by the public of police actions are some important measures that may be studied in details to address police corruption.

5.2.6 The current PNP leadership can be commended for instituting explicit and bold policies to cleanse its ranks of corruption. PNP has already started a lifestyle check on all police generals and senior superintendents to make them accountable, even involving the Office of the Ombudsman in the process to avoid suspicion and whitewash. Initially, the Chief, PNP ordered all PNP regional directors to submit their statement of assets and liabilities (SAL) as bases for the lifestyle checks; those who could not explain discrepancies in their financial records and SAL would be relieved and charged in court. The Commission on Appointments also reported that it will from now on scrutinize the SAL of officers whose promotions are up for confirmation[29].

5.2.7 As a concomitant measure to reduce corruption problems, police accountability must be strengthened. It is an incumbent duty of the police to institute accountability mechanisms to make the public know and understand what the police are doing. This however goes beyond reporting on the increase and decrease in crime rate.

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[27] Philippine Daily Inquirer, as bylined by Christian V. Esguerra and Gil C. Cabacungan Jr., "Official Denounces PNP Payroll Racket", October 18, 2004.

[28] The Philippine Star, as bylined by Marvin Sy, "Palace Welcomes Lifestyle Checks", October 18, 2004.

[29] Philippine Daily Inquirer, as bylined by Christian V. Esguerra and Gil C. Cabacungan Jr., "PNP Starts Probe on Corruption Raps", November 2, 2004.

The adoption of good and quality performance indicators and criteria that could adequately assess the performance of the police in maintaining public order in the community is more relevant to the people.

5.3 Politics and Police Independence

POLITICS STILL INFLUENCES CERTAIN ASPECTS OF POLICE HRM THAT RESULTS IN LACK OF MEANINGFUL INDEPENDENCE OF THE POLICE AND DESTROYS THE MERIT SYSTEM ON SELECTION AND PROMOTION IN THE RANKS.

5.3.1 The police can be effective if it is independent from political influences of certain high level government officials and certain agencies including local government units. Independence means that there exist clear mechanisms where the police are insulated from any form of institutional and individual intimidation and harassment from the people with high authority in the government. Police officers, for example should not lose their jobs because they enforced the law against erring high government executives and politicians.

5.3.2 Current HRM mechanisms are however vulnerable to politics that adversely affects police independence. Specifically, the President exercises appointing authority over five position levels within the hierarchy of the police, from Police Senior Superintendent up to Director General. Furthermore, appointments to these positions are still to be confirmed by the Commission on Appointments of Congress. The political nature of the appointment process undermines the mandated professional character of the police force, where police officers serve as the pleasure of the President and are indebted to the appointing members of Congress.

5.3.3 A deeper problem of this politicized process is its consequence in the actual authority structure of the bureaucracy and the accountability of the agency heads. Whoever hires and fires has the authority that employees follow. But the direct Presidential appointment and promotion of practically all managers that an agency head commands effectively weakens managerial authority.

5.3.4 Local executives have substantial roles in police HRM. They are designated by law as deputized representatives of NAPOLCOM to choose the Police Provincial Director and Chiefs of Police (by the Governors and Mayors, respectively). They exercise power of "operational supervision and control" [30] over police units, and have participation in appointments to police positions. The city and municipal mayors are

[30] "Operational supervision and control" is defined under Section 51 (b)(1) of RA 6075 as the power to direct, superintend, oversee and inspect the police units and forces. It includes the power to employ and deploy units or elements of the PNP through the station commander, to ensure public safety and effective maintenance of peace and order within the locality. Under the same Section, the word "employ" is defined as the utilization of units or elements of the PNP for purposes of protection of lives and properties, enforcement of laws, maintenance of peace and order, prevention of crimes, arrest of criminal offenders and bringing the offenders to justice, and ensuring public safety, particularly in the suppression of disorders, riots, lawless violence, rebellious seditious conspiracy, insurgency, subversion and other related activities. "Deploy" on the other hand is defined as the orderly organized physical movement of elements or units of the PNP within the province, city or municipality for purposes of employment. Reference to the Supreme Court decision on the matter may be made in the Case of Carpio vs. Executive Secretary (G.R> No. 96409, 14 February 1992). The Supreme Court ruled that the authority of local executives over the police units in their jurisdiction is merely "operational control" and not full control as full control remains with NAPOLCOM. "There is no usurpation of the power of control of NAPOLCOM under Section 51 because under this very same provisions, it is clear that the local executives are only acting as representatives of the NAPOLCOM . . . As such deputies, they are answerable to the NAPOLCOM for their actions in the exercise of their functions under that section. Thus, unless countermanded by the NAPOLCOM, their acts are valid and binding as acts of the NAPOLCOM". (Based on the the views of the Solicitor General, Rollo, p.26).

moreover provided with disciplinary powers over PNP members through the People's Law Enforcement Boards (PLEBs)[31].

5.3.5 Specifically, the Provincial Governor chooses the PNP Provincial Director from a list of three eligibles as recommended by the PNP Regional Director. The City and Municipal Mayors on the other hand have also been authorized certain powers and functions on police HRM (Table 6.10).

Table 6.10
POWERS AND FUNCTIONS OF CITY MUNICIPAL MAYORS
RELATIVE TO POLICE HRM

AUTHORITY	DESCRIPTION	LEGAL BASIS
Disciplined PNP uniformed personnel	Impose after due notice and summary hearings disciplinary penalties for minor offenses committed by members of the PNP Have jurisdiction over citizen's complaint when the offense is punishable by withholding of privileges, restriction to specified limits, suspension or forfeiture of salary, or any combination of these penalties, for a period not less than 16 days but not more than 30n days Refer to PLEB a citizen's complaint filed with the office of the city/municipal mayor when the offense is punishable by a penalty higher than 30 days forfeiture of salary or suspension File with appropriate PNP disciplinary authority a complaint against any PNP member in the city/municipality for breach of internal discipline	Section 51 (b) (3), RA 6975 Section 52, RA 8551
Choose the Chief of Police	Choose the Chief of Police from a list of five (5) eligibles as recommended by the provincial police director, preferably from the same province, city or municipality Ensure that no police officer-in-charge shall be designated for more than 30 days	Section 63 (4) (i), RA 8551
Recall or reassign the Chief of Police	Recommend (as chairman of the Peace and Order Council) the recall or reassignment of the chief of police when in his perception the latter has been ineffective in combating crime or maintaining peace and order in the city or municipality	Section 63 (4) (l), RA 8551
Recommend the appointment of new PNP members	Recommend from a list of eligibles previously screened by the Peace and Order Council the appointment of new members of the PNP to be assigned to their respective cities or municipalities	Section 63 (4) (iii), RA 8551
Recommend the transfer, reassignment or detail of PNP members	Recommend to the PNP Provincial Director the transfer, reassignment or assignment on detail of PNP members outside of their respective city or town residences	Section 63 (4) (ii), RA 8551
Conduct inspection and audit	• As deputized agents of the NAPOLCOM, inspect local police forces and units, conduct audit, and exercise other functions as may be duly authorized by the NAPOLCOM	Section 64, RA 8551
Sponsor periodic seminars for PNP members	• Sponsor periodic seminar for members of PNP assigned or detailed in the city or municipality in order to update them regarding local ordinances and legislations	Section 51 (b) (2) Paragraph 2, RA 6975

[31] However, local executives are not authorized to perform "operational supervision and control over PNP units and elements in their respective jurisdiction 30-day period immediately preceding and 30 days following any national, local and barangay elections, during which the local police forces are under the supervision of the Commission on Elections

5.3.6 These powers and functions exercised by local executives effectively politicize the recruitment process and undermine the authority of the Chief PNP. Anecdotal stories point to situations where a Chief of Police had been transferred or recalled because the Mayor did not personally like him. In some areas, candidates to police officer positions resort to lobbying with the mayors for inclusion of their names in the list of personnel to be endorsed for appointment to new positions. Some candidates endorsed by local executives were not even in the list of eligibles. Support from local executives is likewise necessary for one officer to get a promotion. The almost complete overhaul in the commandship of police stations following a local election and change in local leadership is another indication how politics mingles with police HR policies and practices.

5.3.7 There was even a story covered by a newspaper recently about a certain city mayor in south Metro Manila who withdrew the 8 motorcycles that the local government donated to the police in the area. This stemmed from a representation made by the police there, questioning the qualifications of the Mayor's choice and endorsement of a policeman for promotion to SPO4. This demonstrates that the "padrino" system is still active in the police. If that could happen in Metro Manila where strict compliance of policies and rules could be monitored and imposed, how much more in far cities and municipalities where politics is part of the day-to-day routine of government operations.

5.4 Police Professionalism

5.4.1 Policing is a unique and specialized profession that requires the application of rigid training, education, standards of practice, competency and skills. The aim of instilling integrity and professionalism among police officers is emphasized in the PNP Code of Conduct and Professional Standards, which specifically calls for all PNP members "...to perform their duties with excellence, competence, integrity, intelligence and expertise in the application of specialized skills and technical knowledge".

5.4.2 The professional standards required from police officers adequately cover all the policing ideals - commitment to democracy and public interest, non-partisanship, physical fitness and health, discipline, social awareness, non-solicitation of patronage, proper care and utilization of property, respect for human rights, devotion to duty, conservation of natural resources, loyalty, obedience to superiors, and command responsibility. The PNP Code spells out the specific requirements under each of these areas.

5.4.3 Education and training are some effective strategies to achieve professionalism. The police must be updated on the best practices elsewhere, and their skills constantly honed to deliver high-standard of services. Mandatory continuing education packages for all police must thus be developed and sustained.

5.5 Synthesis

5.5.1 Police HRM issues focus on police image, corruption and professionalism issues. An assessment of these issues point to the institutional framework of the police HRM as the major sources of HR problems in the police force. These external agencies are allowed by law to exercise administrative powers and decision-making authority with respect to the recruitment, appointment, promotion, deployment and discipline of the police force. This setup institutionalizes the politicization of the HRM system and renders policemen extremely vulnerable to corruption, and manipulation by local executives for use to achieve personal and political ends.

5.5.2 To depoliticize the HRM system and strengthen accountability within the PNP with respect to police behavior and performance, all HRM authority should be reintegrated to the PNP.

SECTION 2
Enhancing Police Competency

1 INTRODUCTION

1.1.1 "Competencies" are areas of an employee's personal capability that enable him/her to successfully perform assigned duties and responsibilities. Core competencies are a set of measurable and observable knowledge, skills, abilities, behaviors and other attributes that employees require for effective job performance. These are essential bases in defining the standards of performance and behavior required in a particular role, and enable organizations to identify the requirements of different roles more accurately and match people with them. Competencies provide the basis for screening tools for assessing the capability and potential of individuals, for identifying employees' development needs and for meeting them through targeted training and development. Competencies also help the police know what are expected of them and what they need to do to improve their performance. Lack of clarity on what is expected of the police undermines police performance.

1.1.2 The adoption of an HRM system based on competencies enables identification of current and future skill needs of the organization, establishment of benchmarks and targets for mapping HRM change processes, implementation of better training and effective manpower planning, helping staff align themselves with the mission of the agency. These are expected to facilitate positive changes within the organization, and help the organization improve performance.

1.1.3 This requires the establishment of an appropriate competency framework which within the context of an effective community policing strategy and a new role definition for the police. Along with a competency framework, are the fundamental components of well-functioning police HRM: preparation of a police HRM plan, integration of HRM with planning and budgeting, and improving the linkages among the different HRM systems and decentralization of decision-making.

1.1.4 Using the above as a guide this Section reviews pertinent policies, systems and processes of HRM functions and components and identifies their implications for reforms.

2 POLICE HRM PLANNING SYSTEM

2.1.1 Plans on the development of the police force are contained in the PNP Medium-Term Development Plan (MTDP), 2001-2004. Among the key features of the HR components of the plan is to meet the 1:500 police-population standard. This has been translated into an annual recruitment of at least 10,000 policemen until 2004. This is also expected to cost the PNP about Php14 billion or 50% of current annual PNP budget.

2.1.2 The manpower expansion plan was prepared in 2001 and since the recruitment targets were not reached by end of the plan period of 2004, a revised schedule was prepared targeting an annual increase of 2.2% from the 2004 level (Table 6.1) This schedule considered on historical data and limited government funds and estimates that it will take seven years (until 2010) more to meet the ideal ratio of 1:500. By that time, police manpower strength would be about 190,000, while total country population is expected to reach 94 million.

Table 6.11
RECRUITMENT TARGETS, 2004-2010

YEAR	PROJECTIONS					
	ANNUAL INCREASE IN POSITIONS	TOTAL PNP STRENGTH	POPULATION LEVEL*	NEEDS BASED ON 1:500 RATIO	VARIANCE	POLICE TO POPULATION RATIO
2004	-	137,564	82,663,457	165,327	27,763	1:601
2005	2,560	148,524	84,241,341	168,483	22,519	1:577
2006	2,723	157,087	86,094,651	172,189	17,825	1:558
2007	2,379	165,143	87,988,733	175,977	13,213	1:541
2008	2,756	173,920	89,924485	179,849	8,685	1:525
2009	2,902	182,465	91,902,824	183,806	4,242	1:512
2010	2,899	190,748	93,924,686	187,849	0	1:500

Annual population growth rate is 2.20%; Source: DPRM, PNP

2.1.3 The PNP medium-term plan also emphasizes police training and education to be the major interventions to effect attitudinal changes, develop team-building skills, and promote correct values among police officers. The enhancement of skills on investigation, communication, human relations and information technology would likewise be achieved through training. But the processes that identify specific progressive measures that will achieve these are not clear.

2.1.4 At present there is no systematic integration of human resources related plans into one integrated human resources development plan. As a consequence, human resources development activities are not synchronized. For example manpower expansion plans do not have training budget and operations budget considerations. There are clear constraints to developing an integrated PNP human resources development plan:

a) PNP has no control over personnel budgets and has no approval authority on creation of positions since these are all subject to final determination and approval by DBM.

b) Police training and education are not functions of the PNP but are distributed between the NAPOLCOM (with respect to policy and training needs identification) and the PPSC (with respect to education and training delivery). The training functions of the PNP are de facto and not mandated functions.

c) There are no established integrated human resources development planning process and tools.

2.1.5 A police HRM planning system must be established, ensuring alignment of personnel policies and programs with the strategic objectives and targets and resource availabilities and financing strategies. The HRM planning system must be linked at policy and process levels with strategic planning, budgeting, and performance management systems of the PNP.

3 BRINGING HRM RESPONSIBILITY AND AUTHORITY DOWN THE FIELD LEVEL

THE DECENTRALIZATION OF HUMAN RESOURCE FUNCTIONS WILL ACHIEVE EFFICIENCY, EFFECTIVENESS, AND ACCOUNTABILITY IN PERSONNEL ADMINISTRATION AND SUPPORT IMPROVED MATCHING OF JOBS AND PEOPLE.

3.1.1 Despite the interventions of LGUs and other outside agencies in police personnel administration, the police HRM system is generally centralized, except for selected actions on recruitment, selection and imposition of disciplinary measures on certain levels of positions which are assigned to Regional Directors, Provincial Directors and Chiefs of Police. However, final action and decisions still rest on the Chief, PNP or pertinent entities outside PNP.

3.1.2 Police Regional Offices, Provincial Offices and City/Municipal police stations recruit and select new police officers and screen those to be promoted to ranks in the field units. But the appointment of these officers is subject to endorsement by LGU executives, approval of PNP Chief and endorsement to other pertinent agencies like the NAPOLCOM as required under the law.

3.1.3 The DPRM performs almost all personnel administration functions, including the administration of personnel benefits, incentives and awards, payroll preparation, and personnel records maintenance and management.

3.1.4 There are obvious components such as payroll administration and administration of personnel benefits such as vacation leaves, sick leaves and other authorized leaves. These functions can be delegated to the lowest level of decision-making authority. The determination of all other personnel matters that could be delegated to the field offices must be identified and effected to achieve efficiency in the provision of support services to the police line units and personnel. The HRM decentralization should be guided only by clear and concrete policies, standards and guidelines from the national headquarters.

4 POLICE COMPETENCY FRAMEWORK

4.1 The role of a PNP competency framework

4.1.1 A police competency framework basically consists of a description of the required behavior that will contribute to the desired performance of a police officer (e.g., leadership potential, team work, achieving results, etc.) and a profile of the roles of each rank that contains a description of the duties and responsibilities and the

underpinning knowledge and skills of each position level. The roles may be structured along the core responsibility areas of the police (e.g. investigation, traffic management, intelligence, community relations, etc.). Each role must have qualitative statements that define the professional standards required for effective performance.

4.1.2 The competency framework is needed in all aspects of HRM : a) recruitment, and selection, where competency requirements are matched with applicant competencies; b) training planning and design where learning objectives and training content should develop the desired competencies as stipulated in the competency requirement of each position; c) performance evaluation where performance standards are based on competency requirements of each position; and d) in other relevant components of HRM.

4.1.3 Adequate professional competency is the fundamental tool with which each police officer can efficiently and effectively perform his assigned functions. It is the foundation upon which he gains confidence and independence in the exercise of his profession. Professional competency therefore is essential in achieving true individual professional independence of police officers and serves as the inner force that insulates them from harassment and bribery. These requirements are not however achieved in PNP for it lacks an effective competency framework.

4.1.4 The DPRM has stressed that in the development of a police competency framework, the specific types of functions and specialization of the units concerned and overall police work must be considered. Moreover, basic police competency must include knowledge on the following:

- Conduct of police patrol
- Investigation
- Intervention techniques like how to arrest, shoot, fill up investigation/complaint forms, etc
- Communication
- Report writing, supervision of work and people, preparation of work plans

4.2 Job Description and Classification System

4.2.1 The job description and classification system is the most important tool of the competency development framework. Position classification is logical organization of organization tasks into specific typologies. Job description is the process of defining the work content of each position identified in each position class. The position description also defines the competency requirements of the position, the vertical and horizontal position relationships of the position and the value of the task and competencies translated into the position's compensation and benefit package.

4.2.2 In the absence of a competency framework, there is a confusing scheme of matching people with positions. Also, police officers are assigned to particular duties and responsibilities with less consideration of their rank or position. Even non-commissioned officers are given responsibilities as police managers. For example, a

Police Chief Inspector is basically assigned the duties of a Chief of Police based on staffing pattern. The actual deployment of list of officers as provided by PNP indicates that a Chief of Police could be a Police Senior Superintendent down to PO 1 in the case of police stations in ARMM. The DPRM has moreover informed that there are technical units in the Central Luzon where PO1 to P/Supt. are performing functions of forensic examiners.[32] Further, there are no clear distinctions as to the responsibilities among POs 1,2 and 3. The same holds true for SPOs 1 to 4. The nature of work, degree of responsibilities, and skills requirements which must be defined in a job description and job classification for each position or rank are not available in the PNP.

4.2.3 The DPRM also mentioned in relation to gender concerns that policewomen are relegated to clerical duties and those considered "women" jobs. In fact, there are only 14 female PCOs (2% of total) who are designated Chiefs of Police.

Table 6.12
POLICE OFFICERS DESIGNATED CHIEFS OF POLICE
As of June 2004

RANK	NUMBER		
	MALE	FEMALE	TOTAL
Police Commissioned Officers			
Director General	0	0	0
Deputy Director-General	0	0	0
Director	0	0	0
Chief Superintendent	0	0	0
Senior Superintendent	12	0	12
Superintendent	96	0	96
Chief Inspector	111	1	112
Senior Inspector	194	8	202
Inspector	253	5	258
	666	14	680
Police Non-Commissioned Officers			
Senior Police Officer IV	17	0	17
Senior Police officer III	15	0	15
Senior Police Officer II	9	0	9
Senior Police Officer I	4	0	4
Police Officer III	2	0	2
Police Officer II	5	0	5
Police Officer I	1	0	1
	53	**0**	**53**
Grand Total	**719**	**14**	**733**

Source: PNP

4.2.4 Descriptions of the jobs and tasks assigned to each position and a judicious application thereof will correct this problem of confusion in the roles and duties of police officers. It is thus necessary to differentiate and distinguish the varying degrees of ability and responsibility of each level of positions, giving emphasis on "what" a person must know and providing a transparent basis for rewarding good performance and setting consequences for poor and bad performance.

4.2.5 The hierarchy of positions in the police comprises of 16 position and salary levels, with each class or group of similar positions divided into two or more levels. For example, the PO positions have three levels, the SPO positions have four, and the police commissioned officer positions below the Director have three in each group (i.e., Inspector, Senior Inspector, and Chief Inspector; and Superintendent, Senior Superintendent, and Chief Superintendent). The job classification plan of the police must be able to tailor the jobs of each position more precisely to each level. In principle, a better performing SPO is placed in upper level and a less-capable SPO in lower levels. It goes without saying that a SPO of higher level is not only given higher salary and more status but also more responsible assignments.

4.2.6 A narrow classification system such as that of the PNP has advantage because it permits more extensive use of promotion as an incentive. More levels mean more possibilities for moving up the ladder. What it takes is but a carefully designed and demarcated classification for each job. However, tall and highly scaled classification system imposes inflexibility. It is difficult to change the nature of work assigned to an individual employee under this type of classification plan inasmuch as a new assignment may require a change in grade level. Problems may arise especially when employees would not want to carry out assignments outside of the statement of duties and responsibilities of their positions.

4.2.7 A broad classification system is more fitted to a situation where rotation of personnel from one job to another is needed to meet objectives. A broad banding scheme for related tasks could be adopted to streamline staffing and optimize utilization of employee time. This is carried out by clustering jobs into wide bands of jobs for purposes of managing employee career growth and administering pay. The system provides career development moves with reduced constraints on ranks and grades. In PNP, a broad banded classification system may require compressing the position levels or ranks. A more in-depth study should be undertaken to determine what broad classification scheme will best fit the PNP.

4.3 Career Path

THE CAREER DEVELOPMENT SYSTEM IN THE POLICE PROVIDES A ONE-TRACK CAREER PROGRESSION TO MANAGEMENT POSITIONS. THIS CAREER PATHING SYSTEM SIGNIFICANTLY LIMITS CAREER DEVELOPMENT OPPORTUNITIES TO ONLY ONE COMPETENCY DEVELOPMENT TRACK AND STIFFLES THE DEVELOPMENT OF THE OTHER IMPORTANT COMPETENCY COMPONENT OF THE POLICE – THE SPCIALIST AND SCIENTIFIC TRACK.

4.3.1 In PNP the only criterion for career development is promotion in rank and to managerial positions which are very few. On the other hand, the nature of police work requires the development of more sophisticated skills in thematic areas such as

crime scene investigation, forensics, intelligence, and in such specialized areas as terrorism, money laundering, drugs, syndicates, and other crime areas requiring specialized training. But the current career development system does not provide incentives for scientific and specialization pursuits since the current position classification and staffing structure do not provide progression along the specialist /scientific track. The lack of high-level police specialists is one of the clear consequences of the limited career pathing system.

4.3.2 An alternative career path for the police must be adopted to address the above HRM dysfunction. A dual career path system allows police officers with managerial and leadership potentials to take the managerial professional track, while others can choose to develop along the specialization or non-managerial professional track.[33] Training and education programs must be developed and implemented along these two-track career pathing scheme and be built into the police HRM system.

4.4 Planning for Police Officers' Career

4.4.1 A well functioning police HRM system must include wide opportunities for members to grow and promote their careers in the police. The PNP must adopt a complete system for police career planning, identify and address skill gaps, develop new skills, and chart the course of individual officer's career in the organization.

4.4.2 As part of the career development program for personnel, manpower planning calls for the design of a complete program and processes that will provide all employees opportunities for advancement, chart their career path, and serve as basis for staffing modifications, competency mix identification, and structuring of positions or development of staffing pattern.

4.4.3 In the police, the career path of each officer must be reconciled with among others the maximum tenure of PNP members. The development of police competencies require significant investments in training and education and their expertise ought to be used optimally for as long as their productive years. However, provisions of law limiting maximum tenure for certain PNP members undermine this process. Top management personnel are compulsorily retired if they reached the maximum stay in position.[34] The rationale behind tenure limitations supports the notion of police politicization since fixing tenure ignores the principle of fitness and the concept of professionalization and organizational continuity.

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[33] Charles D. Hale, "Fundamentals of Police Administration". Chapter 7, p.240, Holbrook Press, Inc., USA, 1977.
[34] Section 25 of RA 8551

Table 6.13
MAXIMUM TENURE OF POLICE OFFICERS ASSIGNED IN KEY POSITIONS

KEY POSITION	MAXIMUM TENURE
Chief, PNP	Four (4) years
Deputy Chief	Four (4) years
Director of the Staff Services	Four (4) years
Police Regional Director	Six (6) years
Police Provincial Director	Nine (9) years
Police City Director	Nine (9) years
Other positions higher than Police Provincial Director	Six (6) years

Source: Section 25, RA 8551

4.4.4 The limitation of the retirement age to 56 is based on a limited perspective where policemen are considered no longer physically fit by that age. This concept completely misses the point that policing jobs are not all about making arrests. There are more important intellectual and expertise based jobs in the police force that will require long-term ripening process of competency.

5 POLICE RECRUITMENT, SELECTION AND APPOINTMENT

5.1 Policy

5.1.1 PNP recruits about 3,000 policemen and policewomen every year. The recruitment and selection system involves the identification of police personnel requirements and setting quotas for the different police offices, attracting applicants to fill posts and ranks and determining the applicants' qualifications and fitness for the position. The recruitment and selection process is intended to hire or procure for the police the most qualified person to perform police work.

THE POLICIES, REQUIREMENTS, PROCEDURES AND MECHANISMS FOR RECRUITING, SELECTING AND APPOINTING POLICE COMMISSIONED AND NON-COMMISSIONED OFFICERS ARE ADEQUATELY DEFINED UNDER THE LAW AND SPECIFIC GUIDELINES PROVIDED BY NAPOLCOM.

5.1.2 System for recruitment, selection and appointment is guided by directives and issuances from NAPOLCOM by virtue of its power to, among others, "Develop policies and promulgate a police manual prescribing rules and regulations for efficient organization, administration and operation, including criteria for manpower allocation, distribution and deployment, recruitment, selection, promotion, and retirement of personnel and the conduct of qualifying entrance and promotional examinations for uniformed members". [35] On the basis of this mandate, NAPOLCOM issues guidelines on the recruitment, selection and appointment police officers positions.

[35] Section 5 of RA 8551, amending Section 14 of RA 6975 on powers and functions of NAPOLCOM

5.1.3 As a matter of policy, the recruitment of Police Officer 1 is based on merit and fitness without discrimination on account of gender, religion, ethnic origin or political affiliation. Recruitment at all levels (national, regional, district, city and municipal) is based on an annual quota approved by NAPOLCOM.[36] The application of quota at the city and municipal level is based on the following factors: (a) police to population ratio; (b) peace and order condition in the locality; (c) actual demands for the police service; and (d) class of city or municipality. The quota for the National Support Units (NSUs) or the operations support units and administrative support units in the national police headquarters is based on their respective actual requirements as proposed by the respective office heads.

5.2 Recruitment Process

5.2.1 A Screening Committee is created at each level to be responsible for the widest dissemination of vacancies in their respective areas, the evaluation of applicants' qualifications and the selection of the most qualified to be recommended for appointment. It is also a policy in PNP that more than 50% of the allocated quota may be allowed for initial screening.[37]

5.2.2 The law prescribes the qualification and eligibility requirement for Police Officer 1.[38] Preference is given to applicants who are residents of the city/municipality where the quota is allocated. The age, height, weight and educational requirements for initial appointment in the PNP may be waived only when the number of qualified applicants falls below the minimum annual quota. On the other hand, applications for height waiver of members of indigenous groups are automatically processed irrespective of quota requirements.

5.2.3 Age, height, weight or educational waiver is granted by NAPOLCOM en banc, while height waiver to indigenous people is granted by NAPOLCOM Regional Directors. NAPOLCOM also confirms first the list of proposed appointees before appointments can be issued by PNP. All appointments are submitted to the Civil Service Commission within 30 days from the date of issuance for attestation purposes. Only after the taking of the Oath of Office and assumption of duty can an appointee be entitled to payment of salary.

5.2.4 The DPRM prepares and submits to the Chief, PNP an annual recruitment quota upon receipt from the Department of Budget and Management of an advice on the number of new positions for uniformed personnel, as authorized and funded under

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[36] NAPOLCOM Memorandum Circular 2003-009 , further amending NAPOLCOM Memorandum Circular 92-015, entitled " Prescribing a Standard Procedure for the Recruitment, Selection and appointment of PNP Uniformed Personnel dated November 26, 1992 and Other Related Issuances".

[37] Ibid.

[38] No person shall be appointed as Police Officer 1 unless he/she possesses the following qualifications: A citizen of the Philippines; (a) A person of good moral character; Must have passed the psychiatric or psychological, drug and physical tests to be administered by the PNP or by any government hospital accredited by the NAPIOLCOM for the purpose of determining the appointee's physical and mental health; (b) Must possess a formal baccalaureate degree from a recognized learning institution; (c) Must be eligible in accordance with the standards set by the NAPOLCOM; (d) Must not have been dishonorably discharged from military employment or dismissed for cause from any civilian position in the government; (e) Must not have been convicted by final judgment of an offense or crime involving moral turpitude; (f) Must be at least one meter and 62 centimeters (1.62m) in height for male, and one meter and 57 centimeters (1.57m) for female.; (g) Must weight not more or less than 5 kg from the standard weight corresponding to his/her height, age and sex; (h) Must not be less than 21 nor more than 30 years of age. (An applicant shall be considered 21 years of age on his/her 21st birth date, and is considered more than 30 years of age on his 31st birth date). A candidate for PO1 must also possess the following eligibilities: PNP Entrance Examination, CSC PO1/PO Second Level Eligibility – 1998 onwards, RA 1080 (Board Examinations), PD 907 (Granting Civil Service Eligibility to College Honor Graduates)

the General Appropriations Act. The Chief, PNP will submit to NAPOLCOM the recruitment quota for approval.

5.2.5 NAPOLCOM acts on same and returns the approved recruitment quota to the Chief, PNP, copy furnished the NAPOLCOM Regional Directors.

5.2.6 DPRM disseminates copies of the approved recruitment quota to all PNP Regional Directors who, in turn, provide the Police Provincial Directors with their respective copy. The Police Provincial Directors will give the City/Municipal Mayors of a copy of the recruitment quota through the Chiefs of Police. The NAPOLCOM Regional Directors check whether or not the Mayors were given their respective copies from the Chiefs of Police.

5.2.7 DPRM publishes in at least 3 national newspapers the number of POs1 to be recruited in each region/province/district/city/municipality, including the qualification, eligibility and document requirements, and place of filing.[39]

5.2.8 Police Regional Offices, Police Provincial Offices and City and Municipal Police Stations, as well as the City/Municipal Mayors are required to undertake various strategies to attract the most number of qualified applicants to the position. These strategies include information drives in school and campuses, barangays, and subdivisions, distribution of posters and leaflets, posting of recruitment quotas in conspicuous places, dissemination through media, and other recruitment information campaigns.

5.2.9 Specifically for cities and municipalities, upon receipt of their recruitment quota, a Notice of Recruitment is posted at the City/Municipal Hall and in two (2) other conspicuous places. The Notice of Recruitment includes the (a) quota for the city/municipal police station; (b) general qualifications and eligibilities required; (c) documents for submission; (d) where to submit the application papers and documents; (e) deadline for submission; and (f) schedules for screening/evaluation.

5.3 Selection at the City/Municipal Level

5.3.1 Police applicants submit their application papers at the Office of the City/Municipal Mayor. In case applications for police appointment are filed with any of the PNP Offices, the applicants are advised to submit their papers at the Office of the Mayor.[40] The Office of the Mayor may accept as many applicants as there are interested provided that they meet the minimum qualifications and eligibility requirements.

5.3.2 Upon receipt of the application papers, the Office of the Mayor refers applicants to the local Peace and Order Council (POC) which will inform them of the screening schedules. The POC, which serves as the Screening Committee at the city/municipal level, conducts initial screening and preliminary interview of individual applicant to establish/determine if the following have been met:

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[39] RA 7041 (Publication Law).

[40] An applicant is required to submit: (a) Duly accomplished CSC Form 212; (b) Personal history statement; (c) Birth certificate as certified by NSO; (d) Medical certificate declaring among others that the applicant is fit to engage in physical exercises; (e) Authenticated Report of Rating of Eligibility (NAPOLCOM, PRC, etc.); (f) Two (2) copies of passport-size black and white picture indicating applicant's name; (g) Transcript of Scholastic Records and Diploma; (h) Certificate of Good Moral Character from two (2) disinterested persons; and (i) Clearance of non-pending case from hometown Police Station, Provincial Prosecutor and NBI.

- Age, height, weight, education and eligibility requirements
- Authenticity of documents submitted
- Mental and physical fitness of applicants based on the results of his/her psychological and psychiatric, drug and physical tests
- Whether or not applicant had been convicted by final judgment of an offense or crime involving moral turpitude, dishonorably discharged from the military or dismissed for cause from any public employment
- Appropriate personal appearance and conversational ability

5.3.3. In case the number of qualified applicants from the locality is less than the quota, applicants from other localities may be considered according to the following priority:

▪ First Priority	-	Those coming from adjacent municipality
▪ Second Priority	-	Those coming from other cities/municipalities within the province/district
▪ Third Priority	-	Those coming from any part of the region
▪ Fourth Priority	-	Those coming from other regions

5.3.4 The CPOC/MPOC endorses to the Mayor the names of evaluated applicants, ranked according to degree of qualifications and competence. The Mayor submits to the PNP Provincial/District Director the recommended applicants.

5.4 Selection at the Provincial Level

5.4.1 The Provincial Director endorses for deliberation the list of recommended applicants to the PNP Provincial Screening Committee which conducts background investigation on applicants, ascertains completeness and authenticity of documents, and conducts individual interviews of applicants.[41]

5.4.2 The Provincial Screening Committee submits to the PNP Regional Director/Provincial Director the list of those who are qualified for final evaluation.

5.5 Final Selection at the Regional Level

5.5.1 The PNP Regional Director endorses to the PNP Regional Screening Committee the list of qualified applicants from the receipt thereof. The final evaluation to be conducted by the PNP Regional Screening Committee includes: (a) a written examination to test general knowledge and communications skills ability; (b) physical agility test; (c) neuro-psychiatric and psychological examination; (d) complete medical and physical examination; and (e) final interview.

5.5.2 The PNP Regional Screening Committee through the PNP Regional Director submits to the NAPOLCOM Regional Director for certification of their qualifications and eligibility the list of candidates and their respective folders. The NAPOLCOM Regional Director reviews and returns the certified list of proposed appointees to the PNP Regional Director.

[41] The following percentage-rating is applied: (a) maturity of judgment – 30%; (b) general appearance – 20%; (c) knowledge of general information – 20%; (d) ability to present ideas – 15%; and (e) manner of speaking – 15%.

5.6 Preparation and Issuance of Appointment

5.6.1 The PNP Regional Director directs the Regional Personnel and Human Resource Development Division (RDHRDD) to prepare the appointments of the applicants assessed to be the most qualified and certified by the NAPOLCOM Regional Director.[42] The PNP Regional Director then approves and signs the appointment and submits it to the Regional CSC for attestation.

5.6.2 Upon issuance of the appointment by appointing authority, the appointee takes his Oath of Office (Panunumpa sa Katungkulan) and assumes the duties of the position as preconditions for entitlement to receipt of salary. The appointment is not to be effected without the appointee taking said oath.

5.6.3 The CSC Field/Regional Office acts on the appointments submitted and return the same to the appointing authority at the earliest. If the appointment submitted to CSC is disapproved, the PNP Regional Director may either file and appeal to the next higher CSC Office within 15 days from receipt thereof, or terminate the employment and direct the discontinuance of the grant of salary.

5.6.4 The PNP Regional Director informs the Mayor of the appointment of his recommendees and furnishes a copy of the list of appointees to the NAPOLCOM Regional Director, PNP Provincial Director or the Chief of Police concerned and the PPSC Regional Training School concerned.

5.6.5 Before assuming their duties, the newly appointed police officers pay courtesy call to the Mayor.

5.7 Issues in Recruitment, Selection and Appointment

NAPOLCOM PRESCRIBED PROCESSING TIME STANDARDS INDICATES EXTREMELY LONG DELAYS (9 MONTHS) IN THE RECRUITMENT, SELECTION AND APPOINTMENT OF RECRUITS TO PO 1 POSITIONS

5.7.1 It takes almost 9 months for PNP to complete the recruitment, selection and processing of appointment of new recruits for PO1 positions. This duration is based on time standards prescribed under the appropriate NAPOLCOM guidelines to carry out the recruitment, selection and appointment procedures (Table 6.16). This period excludes yet the time spent in securing the required police eligibility through the NAPOLCOM-administered qualifying examination which covers a separate process flow. This may even be a conservative estimate, actual processing time normally extending beyond what is required under pertinent issuances.

[42] KSS Porma Bldg. 33 is used and prepared in 5 copies to be distributed as follows: Original – Appointee; Duplicate – RPHRDD; Triplicate – CSC; Quadruplicate – Appointee (initial copy); and Quadruplicate – RMD, DPRM.

Table 6.14
NUMBER OF WORKING DAYS FOR RECRUITING, SELECTING AND APPOINTING QUALIFIED APPLICANTS TO PO1 POSITION

STEP	PROCESS	PERIOD[43] (WORKING DAYS)
A. RECRUITMENT		
1	DPRM prepares an annual recruitment quota for approval of Chief, PNP	5 days
2	Chief, PNP endorses to NAPOLCOM the recruitment quota	2 days
3	NAPOLCOM acts on recruitment quota and returns to PNP	5 days
4	DPRM disseminates approved recruitment quota to PNP Regional Directors	5 days
5	PNP Regional Directors disseminate recruitment quota to PNP Provincial Directors	2 days
6	PNP Provincial Directors disseminate recruitment quota to City and Municipal mayors through the Chiefs of Police	5 days
7	DPRM publishes recruitment quota in at least 3 leading newspapers	10 days (simultaneous with Steps 4, 5, and 6)
8	Police Regional Offices, Provincial Offices and City and Municipal Police Stations to conduct activities to attract applicants	30 days
	Period for Recruitment	**54 days (2.45 calendar months)[44]**
B. SELECTION AT THE CITY/MUNICIPAL LEVEL		
1	POC as Screening Committee at city/municipal level conducts initial screening and preliminary interview	15 days
2	CPOC/MPOC endorses to the Mayor names of evaluated applicants	2 days
3	Mayor reviews and submits to PNP Provincial/District Director names of recommendees	5 days
	Period for Selection at City/Municipal Level	**22 days (1 calendar month)**
C. SELECTION AT THE PROVINCIAL LEVEL		
1	PNP Provincial Director endorses to the PNP Screening Committee names of evaluated applicants	3 days
2	PNP Provincial/District Screening Committee conducts background investigation, ascertains completeness and authenticity of documents, and conducts individual interviews	10 days
3	PNP Provincial/District Screening Committee submits to PNP Regional/Provincial Director list of qualified applicants	3 days
	Period for Selection at City/Municipal Level	**16 days (.73 calendar months)**
D. FINAL SELECTION AT THE REGIONAL LEVEL		
1	PNP Regional Director endorses to PNP Regional Screening Committee list of qualified applicants	3 days
2	PNP Regional Screening Committee evaluates applicants based on tests previously conducted], as follows:	

[43] Prescribed under NAPOLCOM Memorandum Circular 2003-009, further amending NAPOLCOM Memorandum Circular 92-015, entitled "Prescribing a Standard Procedure for the Recruitment, Selection and appointment of PNP Uniformed Personnel dated November 26, 1992 and Other Related Issuances".

[44] There are approximately 22 working days in a month. One working day is equivalent to 1.36 calendar days (30 calendar days divided by 22 working days).

STEP	PROCESS	PERIOD[43] (WORKING DAYS)
	• Physical Agility Test - 5 days (estimate)[45] • Medical and physical examination - 5 days • Psychological test - 5 days • Drug test - 5 days • Character background and investigation - 30 days	37 days[46]
3	PNP Regional Screening Committee submits results to PNP Regional Director	3 days
4	PNP Regional Screening Committee through the PNP Regional Director submits for certification to the NAPOLCOM Regional Director applicants' qualifications and eligibility as well as their respective folders	10 days
5	NAPOLCOM Regional Director reviews and returns certified list of proposed appointees to PNP Regional Director	3 days
	Period for Final Selection at Regional Level	**56 days (2.54 calendar months)**
E. PREPARATION AND ISSUANCE OF APPOINTMENT		
1	Regional Personnel and Human Resource Development Division prepares appointment of qualified applicants and submits to Regional Director for approval/signing and submission to CSC Regional Office for attestation (within 30 calendar days)	22 days
2	CSC Regional Office attests appointments	15 days [47]
3	PNP Regional Director informs Mayor of appointment of new police officers, also furnishes copy of appointment to PNP Regional and Provincial Offices, City/Municipal Police Stations, and PPSC Regional Training School concerned.	5 days
4	Courtesy call with the Mayor	5 days [48]
	Period for Processing of Appointments	**47 (2.13 calendar months)**
	TOTAL CALENDAR MONTHS/DAYS TO COMPLETE PROCESS	**195 days (8.84 Calendar Months)**

5.7.2 A very long waiting time can lead to negative consequences like losing the best and brightest to other government agencies and the private sector. The cost of recruitment is another factor that must be reckoned with. PNP estimated that for 2004 about P20, 000 would be spent per unit involved for screening new PO 1 applicants and P7, 000 for every 500 recruits. For the 3,817 recruits in 2004, funding requirement was P553,438. But this represents only the miscellaneous expenses for undertaking the activities. Cost implications for time lost and efforts/official services provided by officials and support staff concerned both in the PNP and other agencies have not even been factored in.

5.7.3 There are other negative implications that could be expected. The tedious recruitment, selection and appointment processes create an opportunity for

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[45] An estimated period based on activity duration pattern has been supplied, NAPOLCOM guidelines on the conduct of agility test having no indication on the time required to complete the activity

[46] Calendar days were used in NAPOLCOM guidelines for completion of various tests; hence the conversion to working days for consistency of information.

[47] Estimated number of working days for CSC to act on appointments, considering details to be validated and number of documents to review.

[48] Estimated number of working days for the courtesy call to be arranged with the Mayors, considering his/her busy schedule for local functions.

corruption, specifically where bribe/grease money is passed from one hand to another for immediate processing and release of appointment papers of those who can pay a good price.[49] To some aspiring policemen, making themselves available for odd services (e.g., running errands for station officers and staff) while waiting for their appointment is allegedly one possible alternative to get immediately employed.

5.7.4 Compliance with all documentation requirements is already a laborious process insofar as applicants are concerned, not to mention the amount they spent for reproduction of several types of documents and clearances, the fees paid for certification and verification of each document, and the transportation cost to and from different offices and agencies where these requirements are secured or submitted. These agencies include the local police stations, Supreme Court, National Bureau of Investigation, National Bureau of Investigation, and Commission on Human Rights, National Census Office, Civil Service Commission, and the Mayor's Office.

THE MORE NUMEROUS THE INTERVENING ORGANIZATIONS IN THE RECRUITMENT, SELECTION AND APPOINTMENT PROCESS THE MORE PAPERWORK ARE NEEDED, THE MORE EFFORTS, TIME AND RESOURCES ARE SPENT, AND THE MORE DELAYS AND PROCRASTINATIONS OCCUR, NOT TO MENTION THE POLITICAL INFLUENCES WHICH ARE WEAVED IN THE SYSTEM.

5.7.5 Within PNP, there are at least five levels of action points on recruitment, selection and hiring of police officers (POs 1) through the regular hiring process until appointment is made: the PNP screening committees at different levels, PNP Provincial Director, PNP Regional Director, and the Chief, PNP. There are at least six agencies outside the PNP which are likewise involved, including the NAPOLCOM Regional Offices, NAPOLCOM en Banc, the Provincial Governors, Mayors, and the Civil Service Commission. Table 6.17 reflects the mechanisms or institutions involved in regular recruitment, lateral entry, as well as promotional appointment of police officers pursuant to NAPOLCOM Memorandum Circular 2001-005 issued on 22 May 2001. The Office of the President is moreover a part of the appointment mechanism for key police officials. The appointments of police officers to the ranks of Senior Superintendent up to Deputy Director General are approved by the President, as endorsed by the Chief, PNP, NAPOLCOM and CSC. The President also appoints the Police Director General (Chief, PNP).[50]

5.7.6 With so many agencies and officials having to dip their fingers in the recruitment, selection and appointment process and with dozens of their respective prerequisites and regulations that need to be met, plus the political "flavorings" that go with these, there may be bases for one's common expression of dismay: "*hindi ka pa nagsisimula sa pagka pulis, harass ka na*! (I have not started my job yet as a policeman, but the efforts I have to put in complying with all the initial requirements are such that I already feel harassed!).

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[49] Anecdotal incidences of police bribery on new recruits are said to be costing an applicant as much as Php 20,000.

[50] The DPRM, during the validation workshop on the draft report held on 12 April 2005, and as indicated in its comments dated 02 May 2005 had informed that while RA 6975 provided for the confirmation by the Commission on Appointments the appointment of P/SSupt to P/DGen, the 1987 Constitution, which provides for those who will be confirmed by CA, does not include the PNP. Hence, the appointments of aforesaid police officers are no longer being confirmed by CA. Moreover, in Sistoza case, the CA confirmation provision of P/SSupt to P/DGen was declared unconstitutional by the Supreme Court .

Table 6.15
MECHANISMS FOR RECRUITMENT, SELECTION
AND APPOINTMENT (INCLUDING PROMOTIONAL APPOINTMENT) OF POLICE OFFICERS

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
PNP Screening Committee in each provincial, district and regional offices	Disseminate vacancies in their areas[51] Determine the merit and fitness of police applicants for initial appointment to PO 1 to SPO 4 positions Prepare list of projected appointees to be submitted to the PNP Regional Director
PNP National Screening Committee	Determine merit and fitness of applicants for initial appointment to Police Inspector to Deputy Director positions
PNP Provincial Director	Submit, through the PNP Regional Director, to NAPOLCOM Regional Director for review and confirmation within 5 days, a list of 5 eligibles for assignment/designation to Chief of Police of municipalities and component cities
PNP Regional Director	Prepare and submit to the NAPOLCOM for review and approval through the Chief, PNP, a list of 3 qualified eligibles to be designated as PNP Provincial Director Prepare and submit to the NAPOLCOM for review and approval through the Chief, PNP a list of 5 qualified eligibles to be designated Chief of Police of highly urbanized cities Transmit the approved list of qualified eligibles to the Provincial Governor/City Mayor for selection of the Provincial Director/Chief of Police Issue the order of assignment of the selected Provincial Director/Chief of Police
Chief, PNP	Submit annual recruitment and promotional quota to the NAPOLCOM for approval Submit the list of appointees and promotables at the national headquarters, as prepared by the PNP National Screening Committee to the NAPOLCOM for deliberation and approval Issue the appointments of those to be appointed to the rank of Police Inspector to Police Superintendent Endorse the appointment papers to the national office of the CSC for attestation Endorse to the President for approval the appointment papers of those to be promoted to the ranks of Senior Superintendent, Directors and Deputy Directors General
NAPOLCOM Regional Director	Approve the projected list of appointee submitted by the PNP Screening Committee Recommend to the President the best qualified for appointment to the rank of Director General Confirm the assignment/designation for Chief of Police of municipalities and component cities Decide conflict between the PNP Regional Director and the Provincial Governor with regard to the designation of the PNP Provincial Director/Chief of Police in highly urbanized cities
City/Municipal Mayor	Select the Chief of Police of the locality from the PNP recommendees, as confirmed by NAPOLCOM
Provincial Governor	Signify in writing to the PNP Regional Director his/her choice for PNP Provincial Director
NAPOLCOM En Banc	Decide on appeal on the decision of the NAPOLCOM Regional Director on the designation of Chief of Police of municipalities and component cities Decide on appeal on the decision of the NAPOLCOM Regional Director on the designation of PNP provincial Director and Chief of Police of highly urbanized cities

[51] NAPOLCOM Memorandum 2001-005

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
	Confirm the assignment of police officers with the rank of Chief Inspector to Superintendents to division chief of higher positions at the national headquarters Recommend/approve the assignment, assignment or transfer of al PNP officers with the rank of Senior Superintendent and higher
Civil Service Commission (CSC)	Attest the following appointments: • Original appointment for initial entry into the police service • Renewal of temporary appointment for police personnel who still lack the minimum qualification standards • Change of status from temporary to permanent appointment for police officers who have already met/satisfied the qualification requirements for the rank
President of the Philippines	Approve the appointment of Police Senior Superintendent to Police Deputy Director General Appoint the Police Director General

THE PROCESSING PERIOD FOR THE RECRUITMENT, SELECTION AND APPOINTMENT TO ENTRY LEVEL POLICE OFFICER POSITIONS (PO 1) IN THE NATIONAL HEADQUARTERS OR NSUS IS ALSO TIME CONSUMING, INVOLVING 23 GENERAL STEPS AND AT LEAST 9 MONTHS BEFORE NEW RECRUITS TAKE THEIR OATHS AND REPORT FOR DUTY.

5.7.7 Table 6.18 enumerates the steps involved in the recruitment, selection and appointment of applicants to police officer positions in the national headquarters or the National Support Units (NSUs). Even if the part of the local government executives has been eliminated in the process, an applicant would still have to wait at least three quarters of a year to finally receive his/her appointment. Again, this is a conservative estimate, actual situations indicate a much longer waiting time.

Table 6.16
NUMBER OF WORKING DAYS FOR RECRUITING, SELECTING
AND APPOINTING QUALIFIED APPLICANTS TO POSITIONS OF PO1
IN THE NATIONAL HEADQUARTERS OF THE NATIONAL SUPPORT UNITS

STEP	PROCESSES	PERIOD[52] (WORKING DAYS)
1	DPRM allocates recruitment quota based on actual needs for manpower, subject to approval by NAPOLCOM	5 days[53]
2	Upon approval by NAPOLCOM, DPRM and NSUs concerned disseminate the recruitment quota, including specific requirements for compliance	2 days
3	Posting of recruitment notice in bulletin boards located in at least three conspicuous places	10 days
4	Applicants submit their application and documents to the recruiting NSU or DPRM	30 days
5	National Screening Committee[54] conducts initial interviews of applicants to determine minimum qualifications and eligibility	10 days

[52] Prescribed under NAPOLCOM Memorandum Circular 2003-009, further amending NAPOLCOM Memorandum Circular 92-015, entitled " Prescribing a Standard Procedure for the Recruitment, Selection and appointment of PNP Uniformed Personnel dated November 26, 1992 and Other Related Issuances".

[53] Estimated days, together with days required for Steps 2, 3 and 4, based on recruitment guidelines for police field offices

[54] The National Screening Committee is composed of the Deputy Director of the NSU concerned or of DPRM, as Chairman; a NAPOLCOM Senior Official, as Co-Chairman; and a private citizen of known probity and integrity to be designated by the Secretary

STEP	PROCESSES	PERIOD[52] (WORKING DAYS)
6	National Screening Committee administers written qualifying examinations for applicants who pass initial interviews	5 days
7	Applicants undertake Physical Agility Test (PAT)	5 days
8	Applicants undertake Medical and Physical Examination (MPE)	15 days
9	Applicants undergo a drug test to be conducted by the PNP Crime Laboratory (Crime Lab)	15 days
10	Applicants undergo a character and background investigation conducted by the Directorate for Investigation and Detective Management (DIDM)	30 days
11	National Screening Committee undertakes final interview of applicants	5 days
12	Secretariat prepares a summary report of the results of examinations and interviews	3 days
13	PNP submits to NAPOLCOM a list of qualified applicants who past tests and interviews	3 days
14	NAPOLCOM certifies applicants' qualifications and eligibility	2 days
15	DPRM prepares the Individual Appointment (KSS Porma Blg 33) of qualified applicants to police officer positions[55]	15 days
16	Appointing authority approves and signs the Individual Appointment	3 days
17	DPRM forwards appointments to CSC for attestation	5 days
18	CSC Field Office acts on appointments and returns to DPRM	15 days [56]
19	DPRM forwards to NSU concerned original copy of attested appointments	2 days
20	NSU gives appointee his copy of appointment	3 days
21	Mass oath-taking ceremony to be conducted for appointees	10 days
22	DPRM issues a Special Order authorizing appointee to report to his place of assignment	2 days
23	Copy of list of appointees to be provided to PPSC for scheduling of the conduct of the Public Safety Basic Recruit Course	2 days
	Total Number of Days Covered	197 days (8.93 calendar months)

THE PARTICIPATION OF CITIZENS IN RECRUITMENT AND SELECTION PROCESS THROUGH THEIR MEMBERSHIP IN THE PNP SCREENING COMMITTEES IS RELEVANT AND SIGNIFICANT TO THE ACHIEVEMENT OF COMMUNITY POLICING OBJECTIVES. WOMEN'S REPRESENTATION IS ALSO MADE POSSIBLE THROUGH THE PARTICIPATION OF A POLICEWOMAN IN COMMITTEE DELIBERATIONS.

5.7.8 The composition of each of the PNP Regional Screening Committee and the Provincial/District Screening Committee is reflected below. The participation of the Peace and Order Council, People's Law Enforcement Board, and representatives of private citizens and policewomen is in order. It would ensure that the concerns of these sectors are being considered in the recruitment and selection process.

General of the National Peace and Order Council (NPOC), a representative of the NPOC, and a policewomen's representative, as members. An Administrative Officer of PNP provides secretariat services.

[55] The Individual appointments are prepared in five copies to be distributed as follows: original – appointee; duplicate – RPHRDD; triplicate – CSC; quadruplicate – appointee (initial copy); and quintuplicate – RMD, DPRM.

[56] Estimated days; no indication of period in the guidelines

Table 6.17
PNP REGIONAL SCREENING COMMITTEE

COMPOSITION	REPRESENTATION
Chairman	Deputy Regional Director for Administration
Co-Chairman	NAPOLCOM Assistant Regional Director (ARD) or the Chief, Administrative Division in case the regional office has no ARD
Member	Representative of the Regional Peace and Order Council (RPOC) to be designated by the RPOC Chairman
Member	Policewomen's Representative
Member	Private citizen of known probity and integrity to be designated by the RPOC
Secretariat	RPHRDD

Table 6.18
PNP PROVINCIAL/DISTRICT SCREENING COMMITTEE

COMPOSITION	REPRESENTATION
Chairman	Assistant Police Provincial Director
Co-Chairman	NAPOLCOM Provincial Officer of Senior Official designated by the Regional Director
Member	Provincial Peace and Order Council Representative from the private sector as designated by the POC Chairman
Member	Policewomen's Representative
Member	PLEB Chairman of the Provincial Capital
Secretariat	Regional Personnel and Human Resource Development Division (RPHRDD)

THE IMPOSITION OF CIVIL SERVICE AND CAREER SERVICE EXECUTIVE ELIGIBITLITY IN POLICE RECRUITMENT AND SELECTION SHOULD BE REVIEWED IN RELATION TO ITS RELEVANCE TO THE COMPETENCY REQUIREMENTS OF THE POLICE.

5.7.9 PNP is implementing a set of qualification standards approved by the Civil Service Commission that requires completion of a college degree and civil service eligibility for candidates to police officer positions, consistent with the provisions of RAs 6975 and 8551. It likewise implements a career service executive eligibility for third-level positions, consistent with civil service rules and regulations. This is a positive step towards the professionalization of the police.

5.7.10 The revised CSC-authorized qualification standards for police uniformed personnel have been implemented in 2002.[57] CSC second level eligibility is required for the positions of PO 1 to Police Superintendent, while the career service executive eligibility (CSEE) or the career eligibility service (CES) is a prerequisite for third level positions of Police Senior Superintendent to Director General.

[57] CSC Resolution No. 98-0010 dated January 13, 1998, as amended under CSC issued Resolution 021288 dated October 8, 2002.

5.7.11 The relevance of these standards must however be ascertained in relation to the competency framework which PNP must developed for a more realistic and effective police HRM system that considers the shift in policing perspectives and strategies toward community-oriented policing. A PNP eligibility system can be considered in order to establish a pool of police eligibles to relevant positions in the police force. This way eligibility pertains to competencies directly related to police work rather than to the general requirements of the government bureaucracy.

Table 6.19
REVISED QUALIFICATION STANDARDS FOR POLICE OFFICER POSITIONS

RANK	LEVEL	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
Director General	3	Master in Public Safety Admin/Relevant masteral degree	Chief Superintendent	Officer Senior Executive Course/ General Staff Course	Career Service Executive Eligibility (CSEE)/Career Executive Service (CES)
Deputy Director General	3	Master in Public Safety Admin/Relevant masteral degree	Chief Superintendent	Officer Senior Executive Course/ General Staff Course	Career Service Executive Eligibility (CSEE)/Career Executive Service (CES)
Director	3	Master in Public Safety Admin/Relevant masteral degree	Chief Superintendent	Officer Senior Executive Course/ General Staff Course	Career Service Executive Eligibility (CSEE)/Career Executive Service (CES)
Chief Superintendent	3	Master in Public Safety Admin/Relevant masteral degree	2 years as Senior Superintendent	Officer Senior Executive Course/ General Staff Course	Career Service Executive Eligibility (CSEE)/Career Executive Service (CES)
Senior Superintendent	3	Master in Public Safety Admin/Relevant masteral degree	3 years as Superintendent	Officer Senior Executive Course/ General Staff Course	Career Service Executive Eligibility (CSEE)/Career Executive Service (CES)
Superintendent	2	Bachelor's degree, preferably with masteral degree	3 years as Chief Inspector	Officer Advance Course or its equivalent	Police Officer First Class/Police Superintendent RA 1080 (second level) PD907 CSC Second Level Eligibility (CSC Professional/Police Officer 1/Police Officer)
Chief Inspector	2	Bachelor's degree, preferably with masteral degree	3 years Senior Inspector	Officer Advance Course or its equivalent	Police Officer First Class/Police Chief Inspector RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional /Police Officer 1/Police Officer)
Senior Inspector	2	Bachelor's degree	3 years as Inspector	Officer Basic Course or its equivalent	Police Officer Second Class/ Police Senior Inspector Police Inspector RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional /Police Officer 1/Police Officer)
Inspector	2	Bachelor's degree	3 years as Senior Police Officer IV	PNP/AFP Officer Candidate Course or its equivalent	Police Officer Second Class/ Police Inspector RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional/Police Officer 1/Police Officer
Senior Police Officer IV	2	Bachelor's degree	2 years as Senior Police Officer III	Public Safety Senior Leadership Course or its equivalent	Senior Police Officer RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional/Police Officer 1/Police Officer
Senior Police Office III	2	Bachelor's degree	2 years as Senior Police Officer II	Public Safety Senior Leadership Course or its equivalent	Senior Police Officer RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional/Police Officer 1/Police Officer
Senior Police Officer II	2	Bachelor's degree	2 years as Senior Police Officer I	Public Safety Junior Leadership Course or its equivalent	Senior Police Officer RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional/Police Officer 1/Police Officer
Senior Police Officer I	2	Bachelor's degree	3 years as Police Officer III	Public Safety Basic Recruit Course (PSBRC) or its equivalent	Senior Police Officer RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional/Police Officer 1/Police Officer

RANK	LEVEL	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
Police Officer III	2	Bachelor's degree	2 years as Police Officer II	Public Safety Basic Recruit Course (PSBRC) or its equivalent	Police Officer RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Professional/Police Officer 1/Police Officer)
Police Officer II	2	Bachelor's degree	2 years as Police Officer I	Public Safety Basic Recruit Course (PSBRC) or its equivalent	Police Officer RA 1080 (second level) PD 907 CSC Second Level Eligibility (CSC Profess/Police Officer 1/Police Officer)
Police Officer I	2	Bachelor's degree	Not required	Public Safety Basic Recruit Course (PSBRC) or its equivalent	PNP Entrance RA 1080 (second level) PD 907 CSC Second Level Eligibility (Police Officer 1/Police Officer)

Source: PNP

5.7.12 New recruits to PO1 positions undergo a probationary period of one year during which they have to complete a four-month Public Safety Basic Recruit Course (PSBRC) provided by the Philippine Public Safety College (PPSC) and a field training program. They are issued a temporary appointment for one year and assigned for three years to the mobile groups. A probation period for new police recruits is a universal practice. In other countries they have their respective cadetship program. PNP implements a field training program and series of in service training on various aspects of policing work. (The issues on training and education are covered by the appropriate section of this PNP study).

PRESENT APPLICANT SCREENING AND TESTING METHODOLOGIES ARE NOT ABLE TO WEED OUT THE MORALLY AND PSYCHOLOGICALLY UNFIT FROM JOINING THE POLICE FORCE.

5.7.13 Police candidates must be with the highest moral and ethical standards. They must have a high sense of rectitude and sense of duty. The character traits of a good police man are very well defined in current literature. But the present screening and testing methodologies of the PNP will be unable to match these character traits against examination results. There is a need to design a custom testing tool in order to elicit better quality test information on the character and competency fitness of applicants.

ALTERNATIVES FOR IMPROVING THE EFFICIENCY, QUALITY AND INTEGRITY OF THE RECRUITMENT AND SELECTION PROCESS FOR PO1 POSITIONS SHOULD BE EXPLORED.

5.7.14 One of the best practices in police HRM in other countries is the use of private assessment centers to carry out valid and accurate tests that are capable of determining the appropriate personnel for policing jobs. As private organizations, these centers are far less subjective, non-discriminatory, and less susceptible to challenge.[58] The most important aspect that goes with the system is the conduct of job analysis, thus, the skills required by each type of job within the policing work are identified explicitly. This scheme is extensively used in the United States.

[58] "Recruitment and Selection for Community Policing", downloaded internet material, Rec-sel2

5.7.15 The study would include institutional reforms among all agencies concerned both internal and external to the PNP. A cost benefit analysis would be important, as well as determining the availability of private expertise in the country for the purpose.

5.7.16 The DPRM has opined that the approach may be considered, otherwise the recruitment and selection process of the police must be strengthened. DPRM commented that psychological and neurological/psychiatric findings are not optimized. They are not being used to determine the potentials, character, traits and aptitude of applicants as such information is not contained in the report of the Health Service (HS).

LATERAL ENTRY A SOURCE OF DEMORALIZATION AMONG PNCO RANKS

5.7.17 Lateral entry has become a source of demoralization especially among non-commissioned officers. Generally, police officers look forward to go up the rank structure. As number of positions gets relatively lesser as one goes up the rank hierarchy, a police officer has to wait for one to die or leave the police to assume a promotion. To some officers, lateral entry attacks their job security because it makes promotion from within become even more limited.

5.7.18 An outsider can join and enter the police through any of two main entry points: (a) the regular channel as PO1 through qualifying eligibility, examinations and interviews, or (b) through lateral entry to fill supervisory-level or commissioned officer positions of Inspector and Senior Inspector considering certain requirements. A PNCO who is already in the service may be considered in a police commissioned officer position through lateral entry, provided he has highly technical qualifications and expertise needed by the PNP. Specifically, lateral entry is allowed for the following:

Table 6.20
PROFESSIONALS CONSIDERED FOR LATERAL ENTRY

ACADEMIC/EDUCATIONAL PREPARATION	RANK ASSIGNMENT
Graduates of BSPS from PNPA	Inspector
Graduates of a baccalaureate degree in Criminology from other colleges and universities (Licensed Criminologist)	Inspector
Technical Services Practitioners (e.g. dentists, optometrists, nurses, engineers, graduates of forensic sciences)	Inspector
Doctors of Medicine	Senior Inspector
Members of the Bar	Senior Inspector
Chaplains/Priests	Senior Inspector

5.7.19 The lateral entry profile in PNP from 1998 to 2003 in Table 6.23 indicates that a substantial number of the lateral entrants (43%) are assigned in the Technical Services of the PNP, especially in the Health Service, Engineering Service, crime laboratory, Computer Service, and Legal Service. PNPA graduates on the average make up of about 35% of the total, while licensed criminologists who are assigned in line units comprise about 22%. Both PNPA graduates and criminologists are

assigned police commissioned officer rank of Inspector. Lateral entrants to technical services units are given a police commissioned officer rank of Senior Inspector.

Table 6.21
LATERAL ENTRY PROFILE, 1998-2003

SOURCE	1998	1999	2000	2001	2002	2003	GRAND TOTAL	AVE-RAGE	% TO GRAND TOTAL
Philippine National Police Academy (PNPA)	311	204	187	146	203	147	1,198	200	35
Entrants for various PNP Technical Services	136	196	113	250	484	304	1,483	247	43
Line Officers	0	0	0	109	0	630	739	123	22
Total	447	400	300	505	687	1,081	3,420	570	100

Sourced: NAPOLCOM Accomplishment Report

5.7.20 As matter of PNP general policy, the PNPA is the main source of the officer corps. Except for graduates of the PNPA, lateral entry into the PNP is by individual application. Graduation from military schools such as the Philippine Military Academy (PMA) and the United States Military Academy is not considered a qualification or entitlement for lateral entry into the PNP.[59] It is also a PNP policy that doctors, nurses, engineers, priests, accountants and other officers occupying technical services positions be exempted from the mandatory training course requirement for promotion.[60]

5.7.21 Lateral entry is one thorny issue in the PNP HRM system. Some PNCOs are discouraged with the way special treatment and accommodations are applied in the recruitment for police commissioned positions. It curbs promotional opportunities and motivation for those who are already serving the police. Another argument is that the PNP has far less chance to study "outsiders" than it has done to its own personnel such that there is no assurance that these outsiders can ever be good police managers, a very important skill which is called for in a police commissioned officer. It has been argued that education does not automatically make one a good supervisor, and there is no way of telling when he/she can show good supervisory skills if ever such skills are at all present.

5.7.22 The other view on lateral entry is that it is a good alternative strategy to acquire highly qualified personnel for the police.

5.7.23 Lateral entry is a common practice by many police organizations worldwide because of its merits. The police needs personnel to undertake technical services like medical, dental, forensic, engineering and legal, but there are usually less takers for these types of positions in government agencies in the Philippines because of low pay. The private sector and foreign employment give them better career

[59] Paragraph g, Section IV, PNP Circular 2002-002 dated February 8, 2002, re: Amended Guidelines and Procedures Implementing Section 33 of RA 697, in relation to Section 30 of same Act. It may be noted that prior to the issuance of this guidelines, the PMA was the biggest source of "commissionship" through lateral entry in the PNP.

[60] Paragraph 2, NAPOLCOM Memorandum Circular No. 94-019

opportunities and competitive compensation package. Lateral entry enables the police to take advantage of specialized talents and knowledge and attracts personnel with technical skills since they are appointed to higher level positions that provide commensurate remuneration and benefits.

5.7.24 One other advantage of lateral entry as proffered by DIDM is that it is a means of hiring more lawyers/legal officers who will extend necessary legal services to PNP members before the Prosecutor's Office, the courts, or any competent body for charges arising from any incident related to the performance of their duties, especially to police officers who are merely facing harassment case.

5.7.25 Lateral entry in PNP is not actually applicable only to outsiders. "Lateral" promotion from within allows any PNCO to be appointed to commissioned officer position of Inspector or Senior Inspector provided that he/she has earned a degree along the technical and specialized areas. PNCOs must be thus encouraged to pursue further education and avail themselves the opportunity to be appointed to higher level positions.

5.7.26 The effectiveness of applying lateral entry even for PNCO positions where qualified candidates can be recruited not necessary as PO1 but as PO3 already, or even to fill any of the SPO levels, can be studied in depth. In other countries like the United States where there are separate police organizations at all levels - federal, state, city, municipal and county, lateral transfers from police organization to another are encouraged. The police find those who are already experienced on the job as best recruits and are thus given higher positions and compensation.

EQUAL OPPORTUNITY FOR WOMEN AND MEMBERS OF CULTURAL MINORITIES IS PART OF CURRENT RECRUITMENT POLICY.

5.7.27 Equal employment opportunity means "that no person should be denied the opportunity for employment because of discrimination based on race, color, religion, sex, national origin, or physical disability"[61]. This principle emphasizes that the PNP not only recruits, selects and advances employees on the basis of their relative abilities, but also calls for a workforce that is representative of all people.

5.7.28 The provision of equal opportunities for members of cultural communities and women is part of the current recruitment policy for the police, although the existing number of policewomen is still relatively small at 7% of the total police force (Table 6.22).

[61] Ralph C. Chandler and Jack C. Plano, "The Public Administration Dictionary", as quoted by George Berkley and John Rouse, "The Craft of Public Administration", seventh edition, McGraw-Hill Companies, Inc., U.S.A., 1977

Table 6.22
POLICEWOMEN, BY RANK
As of August 2004

POLICE COMMISSIONED OFFICERS		POLICE NON-COMMISSIONED OFFICERS	
Rank	Number	Rank	Number
Director General	0	Senior Police Officer IV	516
Deputy Director-General	0	Senior Police officer III	230
Director	0	Senior Police Officer II	193
Chief Superintendent	0	Senior Police Officer I	181
Senior Superintendent	7	Police Officer III	458
Superintendent	89	Police Officer II	1,078
Chief Inspector	163	Police Officer I	4,512
Senior Inspector	365	-	-
Inspector	484	-	-
Total	1,108	Total	7,168
% to Total 10,439 Filled PCO Positions	11	% to Total 103,301 Filled PNCO Positions	7

Source: DPRM, PNP

5.7.29 Pursuant to the provisions of the Constitution, RA 8551 and RA 7192 (Women in Development and Nation Building Act), the PNP has established GAD mechanisms to ensure that GAD concerns of PNP personnel are addressed, especially in the development of annual PNP plan.[62]

5.7.30 NAPOLCOM has prescribed the guidelines for the grant of cultural minority preference (CMP) in recruitment of police officers.[63] Bonafide members of cultural minorities or indigenous tribes are entitled to additional 5 points should they fail NAPOLCOM administered examinations. They are also allowed to avail of CMP privilege up to two years from the time they took NAPOLCOM-administered examinations.

ISSUE ON PREFENTIAL CONSIDERATION FOR APPOINTMENT

5.7.31 The PNP grants preferential considerations for appointment to the widow, widower or any beneficiaries of PNP members who died or have incurred total and permanent disability while performing their duties.[64] This is intended to alleviate economic difficulties of surviving heirs.

5.7.32 The hiring of heirs or beneficiaries of police personnel to certain PNP positions is governed by certain conditions and subject to required qualifications. However, information from consultants' interviews indicates some issues on poor performance that neither inspire peers and co-workers nor impress supervisors. There is need to look into this matter, and while there is a certain degree of human consideration put in the process, the principle of merit and fitness must still be the overriding basis for their placement in particular positions in PNP.

[62] NAPOLCOM Memorandum Circular 2003-004.
[63] NAPOLCOM issued on August 27, 1999 MC 99-007 and NAPOLCOM Memorandum Circular 2002-001.
[64] NAPOLCOM Memorandum Circular 93-014

6 DEPLOYMENT AND TRANSFER

IN SPITE OF EXPLICIT GUIDELINES ON TRANSFER AND DEPLOYMENT, SOME POLICE OFFICERS CONSIDER THESE MOVEMENTS AS A MEANS TO METE OUT ADMINISTRATIVE PENALTIES, OR TO GET RID OF THOSE WHOM POLICE SUPERVISORS COULD NOT VERY WELL WORK WITH.

6.1.1 PNP explained that reassignment, transfer or relief of PNP personnel is not a disciplinary action, but "...merely a tactical/strategic movement, deployment, placement, or utilization by the PNP or any of its units and personnel, which can be effected by the commander concerned".[65]

6.1.2 The general requirements for deployment of newly appointed police officers are as follows:[66]

- Newly appointed line officers (PNPA graduates and Criminologists) are assigned to mobile groups of PNP Regional offices after completion of the orientation course and the field training program involving actual experience and assignment in patrol, traffic and investigation as requirements for their permanent appointment. They remain there for at least 3 years.
- Criminologists who were assigned to mobile groups before their commissionship will not be assigned to their former units but to mobile groups in another province/region.
- Line officers with 3 years assignment with the mobile groups may be assigned to municipal police stations in PNP Regional Offices but not to their former units before their appointment as line officers after completion of the orientation course and field training program.
- Newly appointed line officers are not assigned with the Command Group, D-Staff and National Support Units (NSUs).
- Newly appointed PCOs with highly technical qualifications, after undergoing orientation/familiarization training, are assigned exclusively to the technical service or to the allied service where they were recruited.
- The tour of duty of officers is a minimum of one (1) year and a maximum of three (3) years at any one time. Assignment as Aides-de-camp is allowed only after completion of the three (3) year minimum field assignment. Officers may however stay longer than three (3) years in field assignment only upon approval by unit commander concerned.
- Gaining units/offices must undertake training/seminar on their newly assigned officers for smooth turn-over of responsibilities before the officers scheduled for replacement are relieved.

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65 NAPOLCOM Memorandum 2002-007 clarifying the provisions of Section 2 of NAPOLCOM Memorandum 95-024.

66 NAPOLCOM Memorandum Circular 92-007 dated September 18, 1992 – PNP Officers Career management and Development Program; and NAPOLCOM Memorandum Circular 2003-010 dated October 14, 2003 – Prescribing the Guidelines and Procedures for Lateral Entry of Officers into the PNP

- Solicitation of any form of assistance or intercession from outside sources to influence the assignment, relief or retention of officers is strictly prohibited and dealt with strict disciplinary/administrative action.

6.1.3 It is a PNP policy that an officer will not be relieved or recalled from duty except for cause, in which case, appropriate administrative disciplinary measures are filed.

6.1.4 Transfer and reassignment may be allowed upon a written request accompanied by submission of required documents like availability of transfer, letter accommodation for transfer, personal data sheet, and various clearances on money/property accountabilities, certificate of non-pending administrative case, certification from the losing unit that subject applicant for transfer is neither a respondent nor a witness of a case undergoing trial or investigation with local courts and PLEB.[67]This latter requirement is necessary considering that transfers of uniformed personnel have been allowed even if they are respondents or witnesses of ongoing trials or hearings. Situations where cases have been dismissed in view of non-appearance of police officers in case trials were recorded.

6.1.5 There is a wide discretion on the part of the police commanders to decide on deployment and assignment of police officers under them. Unless personnel have a strong basis, the negative impression that transfer or reassignment initiated by commanders is a means of punishment may not run well with good police supervision. There is need for a clear set of criteria that is understood by everyone to address this problem.

7 PROMOTION

7.1 Policies and Processes

7.1.1 Promotion is the movement of an employee from one position to another usually to a higher level involving more difficult duties and greater responsibilities and carrying higher pay, higher status and/or offering better privileges. [68] Promotion is aimed to provide opportunities for career advancement and individual development; offer all personnel in organization equal and fair opportunities within their capabilities; identify and appoint suitable personnel in the right positions; and enhance effectiveness and efficiency in service delivery. Promotion and rank/grade progression must be undertaken within the context of human resource utilization, career pathing and manpower planning to support organizational objectives, priorities, strategies, programs, projects and activities.

7.1.2 Merit is still the best and most effective basis for determining who will be promoted. Seniority has its drawback of rewarding the incompetent along with the competent and offer little motivation for employees to upgrade their skills or exert best effort. A seniority system may make it harder for an organization to attract the best and the brightest and may make it even more difficult for it to retain them once they find that moving upward is merely a matter of biding one's time.

[67] PNP Circular N0. 99-016, re: Guidelines on the Transfer/Reassignment of PNP Personnel
[68] Perfecto S. Sison, "Personnel and Human Resources Management", p. 314, sixth edition, Rex Printing Co., Inc., Quezon City, 1991

THE MECHANISM FOR PROMOTION OF POLICE UNIFORMED PERSONNEL IS PRESENT. PROMOTION OF POLICE OFFICERS IS HOWEVER CONSTRAINED BY BUREAUCRATIC RULES, RIGIDITY AND EXCESSIVE ROUTINE.

7.1.3 A member of the PNP is not eligible for promotion to a higher position or rank unless he has successfully passed the corresponding promotional examination given by the NAPOLCOM[69], or the Bar or corresponding board examinations for technical services and other professions, and has satisfactorily completed an appropriate and accredited course in the PNPA or equivalent training institutions. In addition, no member of the PNP is eligible for promotion unless he has been cleared by the People's Law Enforcement Board (PLEB) of complaints (if any) filed against him.[70] Length of service (time-in-grade) is likewise a primary consideration. It is also mandatory under the law that, except for the Chief, PNP, no PNP member who has less than one (1) year of service before reaching the compulsory retirement age of 56 is promoted to a higher rank or appointed to any position.[71]

7.1.4 The prerequisites for promotion in the police are many. The process goes through separate review of inputs from at least eight organizations within and outside the PNP. The different PNP placement and promotion boards, DPRM and IAS are involved in promotion. Outside PNP, the NAPOLCOM, CSC, PLEB, OMBUDSMAN, and CHR play parts in the processing of promotion for uniformed personnel prior to the issuance of appointments. DPRM serves as overall coordinating unit for promotion activities. This extremely fragmented and tedious promotion process erodes the meaningful application of promotion that is purely based on performance and integrity and renders the system vulnerable to politicization since agencies that have no accountability for PNP performance are involved in making personnel decisions.

7.1.5 Similar to recruitment, the PNP applies a promotion quota for all PNP offices concerned which is pre-approved by NAPOLCOM. A written examination is administered by NAPOLCOM based on the standards it has set for the purpose. For technical services positions, passing of the Bar or Board is a requirement. The satisfactory completion of appropriate and accredited course in the PNPA and the required psychiatric, psychological and drug tests are also a pre-condition to promotion. Deliberations on promotion is not initiated unless complete documentation requirements have been completed, including necessary clearances from PLEB, IAS, NAPOLCOM (NAB/RAB), OMBUDSMAN and CHR. The appropriate promotion board initiates the deliberation on promotion. The action of the Chief, PNP is not final unless approved by the NAPOLCOM.

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[69] The passers profile of the NAPOLCOM promotional examination from 1998-2003 is shown in the table.

Category	1998 [69]	1999	2000[69]	2001	2002	2003	Total	Ave.	% to Total
Superintendent	50	65	51	61	105	185	517	86	2
Inspector	102	386	246	255	377	499	1,865	311	9
Senior Police Officer	130	697	232	510	2,396	3,166	7,131	1,188	34
Police Officer	931	1,123	740	1,882	3,601	3,396	11,673	1,946	55
Total	**1,213**	**2,271[69]**	**1,269**	**2,708**	**6,479**	**7,246**	**21,186**	**3,531**	**100**

Sourced: NAPOLCOM Accomplishment Report

[70] Section 38 (RA 6975)

[71] Section 25, RA 8551

Table 6.23
MECHANISM FOR PROMOTION OF POLICE OFFICERS (PRIOR TO ISSUANCE OF APPOINTMENT)

AUTHORIZED INSTITUTION/OFFICE	FUNCTIONAL JURISDICTION
DPRM, PNP	Prepare individual appointment as approved by the different promotion/selection boards for attestation by the CSC Disseminate to all PNP ROs, NSUs and other units concerned annual recruitment and promotional quota as approved by NAPOLCOM
Placement and Promotion Board (1)/Promotion Boards (2) [72]	Select and designate with the approval of the appointing authority police officers to appropriate ranks and positions
Internal Affairs Service (Office of the Chief, PNP)	Provide documents or recommendations on the promotion of the members of the PNP Recommend the assignment of PNP personnel to any key position
NAPOLCOM[73]	Conduct appropriate promotional examination Approve annual recruitment and promotional quota for PO1 to SPO4 as submitted by the Chief, PNP Approve annual recruitment and promotional quota for Police Inspector to Deputy Director-General as submitted by the Chief, PNP based on approved rank distribution and as supported by the PNP appropriation for the year Approve the composition of the police screening committees Approve the promotional line-up before issuance of appointment
Civil Service Commission (Civil Service Commission Field Office)	Attest the following promotion-related appointments of PNP personnel: • Regular promotion • Special/meritorious promotion • Rank adjustment [74]
People's Law Enforcement Board (PLEB)	Issue clearance on complaints proffered against a police officer
Commission on Human Rights (CHR)	Issue clearance to police officers as to violations of civil and political rights for purposes of promotion Issue certificate of training programs attended by police officers on human rights
Office of the Ombudsman	Investigate and act on graft and corruption complaints or cases filed against police officers Issue clearance for promotion/confirmation for promotion

7.1.6 The use of selection boards to initially screen candidates has its advantage in identifying high quality personnel suitable to serve on the police authority and to represent the interests of the community. It is very important however that the boards seek to identify from the candidates those who can truly represent broad concerns of the community. The selection boards will moreover be effective if they can eliminate discrimination and can promote equality of opportunity. The impartiality of all members of the selection boards is thus crucial which must be ensured in the deliberation of the promotion of police officers.

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[72] There is a Senior Officers Placement and Promotion Board (SOPPB) for third-level police officers positions and two promotion boards for the lower levels police officers positions. The NAPOLCOM is represented in these promotion boards.

[73] Functions and authority of the NAPOLCOM to approve annual recruitment/initial and promotional promotional appointments of police officers from the rank of PO1 to Deputy Director General are contained in its Memorandum Circular No. 2001-005 dated 22 May 2001.

[74] Rank adjustment has been suspended through a NAPOLCOM memorandum as it destroys position allocation for each organizational unit.

Table 6.24
PROCEDURES IN FILLING PROMOTIONAL VACANCY

STEP	PNP OFFICIALS INVOLVED	/RESPONSIBILITY /PROCESS
1	Director for Personnel /Regional Director for Personnel (DP/RDP)	Maintain a list of promotables based on the police officer's Seniority and Lineal List (SLL)
2	Director for Personnel /Regional Director for Personnel (DP/RDP)	Issue orders appointing the members of the Promotion Board for Officers
3	Director for Personnel and Records Management	Announce the number of vacancy to be filled May allocate quota for the regional offices and support units whose vacancies have to be filled
4	Appropriate Promotion Board	Deliberate promotion of recommended officers
5	Chief, PNP	Recommend to NAPOLCOM qualified personnel for promotion

Considerations

- The number of recommendees for promotion is twice the number of declared promotional vacancies for filling, as recommended by the Chief PNP and approved by NAPOLCOM
- The promotion board may or may not adopt the Third Vacancy Rule
- The primary zone of consideration encompasses all next-in-rank PNP officers/non-officers who meet all the mandatory minimum requirements for promotion. These include those who are next-in-rank with the required TIG but holding a temporary status
- The secondary zone of consideration includes those with more than the required TIG but deficient in some other criteria for promotion, and 5% of those with lesser TIG.

LENGTH OF STAY IN ONE POSITION IS A MAJOR PREREQUISITE IN POLICE PROMOTION. ON THE OTHER HAND, "OVER-STAYING" IN ONE'S POSITION EITHER BY EXCEEDING THE MAXIMUM TENURE OF POSITION OR BY NON-PROMOTION FOR A CONTINUOUS PERIOD OF TEN YEARS IS A GROUND FOR ATTRITION THROUGH EITHER SEPARATION OR RETIREMENT.

7.1.7 Promotion is based on education, eligibility for the rank, training, and experience or time in grade (TIG) for the rank. TIG is a military term equivalent to experience or length of service. In PNP, this includes services rendered by police officers on a temporary status.

Table 6.25
TIME-IN-GRADE REQUIREMENTS

COVERED RANK	TIG REQUIRED FOR PROMOTION[75]
Senior Superintendent to Chief Superintendent	2 years
Superintendent to Senior Superintendent	3 years
Chief Inspector to Superintendent	3 years
Senior Inspector to Chief Inspector	3 years[76]

[75] Revisions were made based on NAPOLCOM Resolution No 2002-034 dated 26 March 2002, prescribing the new qualification standards for police officer positions effective beginning January 2003

[76] There was already an earlier amendment to the TIG requirement for promotion for Police Senior Inspector to Police Chief Inspector to Police Inspector from 5 to 3 years under NAPOLCOM Resolution 2001-072 (November 9, 2001). As provided in said issuance, three years of uninterrupted active duty as Police Inspector is sufficient to acquire the necessary experience and competence needed for the next higher rank.

COVERED RANK	TIG REQUIRED FOR PROMOTION[75]
Inspector to Senior Inspector	3 years
Senior Police Officer 4 to Inspector	3 years
Senior Police Officer 3 to Senior Police Officer 4	2 years
Senior Police Officer 2 to Senior Police Officer 3	2 years
Senior Police Officer 1 to Senior Police Officer 2	2 years
Police Officer 3 to Senior Police Officer PO 1	3 years
Police Officer 2 to Police Officer 3	2 years
Police Officer 1 to Police Officer 2	2 years

Source: NAPOLCOM

7.1.8 The above information indicates that a police officer who is promoted through the ranks normally stays as PO for 7 years and as SPO for 9 years. He/she thus stays as PNCO for at least 16 years, and starts as a lower-level police supervisor (Inspector) by age 37 or 38 at the earliest. If he/she is qualified enough to rise to higher ranks, it takes 6 more years to become Chief Inspector or head of station as Chief of Police, at age 43 or 44 at the least. The age profile of police officers in Table 6.27 however shows that Chief Inspectors are primarily between the ages of 31-40 (639 of total 1,548 as of June 2004 or 41%) as compared to those between the ages 41-50 (568 of total or 37%). This indicates that promotion up to this position level is quite fast, most of which may be primarily due to special promotion.

7.1.9 Most importantly, promotion must be reconciled with the availability of positions in the authorized staffing pattern especially since the pyramidal position structure of the police provides for a fewer number of positions up the ladder. There is need to implement a horizontal career progression for police officers to address the issue of non-promotion in rank.

7.2 Temporary Promotional Appointment

PROMOTION WITHOUT FULL COMPLIANCE WITH ALL REQUIREMENTS CREATES DEMORALIZATION AND DESTROYS THE INTEGRITY OF THE PROCESS EVEN IF APPOINTMENT IS ONLY TEMPORARY IN NATURE AND WITH PRESCRIBED PERIOD OF COMPLETION FOR REQUIREMENTS.

7.2.1 Generally, police officers who are on temporary status will not be qualified for promotion. However, exceptions are allowed when the number of qualified applicants is less than the promotion quota, under the following situations:[77]

- Promotion to a temporary status may be allowed when a candidate has only one (1) deficiency, either in training or eligibility.
- Deficiency in training is satisfied within two (2) years while deficiency in eligibility must be completed within one (1) year from the effectivity of promotion. In no

[77] NAPOLCOM Resolution 99-043 dated March 16, 1999

case that those with deficiencies be given preference over those who satisfy all mandatory requirements.

- No competition of the requirement within the specified period is a ground for a recall of the promotion of subject personnel.

7.2.2. The intent of this policy may appear to be merely filling the promotion quota or it could simply be an issue of preference which is seen as at the expense of quality and lowering of standards. This must be discouraged totally. Strict compliance with all requirements which must be set, imposed and followed to preserve the integrity of the system. Temporary appointment must not be applied in promotion.

7.2.3. The recall of promotion which is tantamount to demotion has a demoralization effect on personnel concerned, especially when a police officer is temporarily promoted to a supervisory level position, but only for the authority to be taken back from him later on. Moreover, as demotion entails that the officer is placed back to his old position, corresponding salary and benefits are adjusted accordingly[78]

7.3 Special Promotion

SPECIAL PROMOTION, DESPITE ITS NOBLE INTENTIONS AND EXPLICIT IMPLEMENTING POLICIES, REMAINS VULNERABLE TO MISUSE, ABUSE AND ADVERSE ORGANIZATIONAL CONSEQUENCES.

7.3.1 A special promotion is extended to any member of the PNP after an appropriate deliberation and favorable recommendation by the PNP Board, based on the following:[79]

- For acts of conspicuous courage and gallantry at the risk of his/her life or beyond the call of duty
- Selection as an outstanding member in a nationwide search conducted by the PNP, Civil Service Commission or any of the accredited civil organization

7.3.2 The PNP adopts the following implementing guidelines on special promotion:

- All recommendations for special promotion to pass through proper channels of command
- Regional/NSUs Screening Board to undertake initial screening and evaluation and determine the deserving recommendees and thereafter forward recommendations to NHQ-PNP Special Promotion Board
- NHQ-PNP Special Promotion Board to determine if recommendees satisfy PNP Memorandum Circular 98-012 (September 15, 1998) of requirements and recommend deserving personnel for special promotion
- After operation/after battle report to be signed by Operating Officer

[78] Temporary appointment means only the status of appointment is not permanent; salary and remuneration benefits attached to the position to which an individual is appointed on a temporary status are given in full.
[79] Section 45 of RA 6975.

- Recommendation to be supported by Sworn Statements of two (2) witnesses who have personal knowledge of the specific deeds or acts
- Recommended accomplishment to be specific, detailed and timely (must be recommended within one year after accomplishment)
- Recommendees to present a sworn affidavit of direct participation on cited accomplishment
- Report to accompany a sketch when there is encounter

7.3.3 Indeed, many police officers who demonstrated heroism and extraordinary performance of police jobs have been recipients of special promotions. However, the system is not without application/implementation issues. For example, there are instances where undeserving police officers are included among those given special promotion. There are anecdotal stories that some officers who deserved to receive special promotion for heroic deeds were left out in favor of those who had less or no participation at all in addressing certain crime incidents (e.g. officers assigned to staff duties in the provincial and regional offices), but only because the latter had something to do with the processing of documents needed in the promotion, or they received first the information about such incidents as phoned in or radioed by officers who were actually part of the action in the field.

7.3.4 This is a blatant contradiction of the principles behind an incentive scheme that is suppose to encourage good performance, but which instead opened up opportunities for abuse and deception. On a whole-of-organization perspective, spot and special promotions may inadvertently lead to the appointment of police officers to positions which are not actually provided for in the PNP position structure and staffing pattern.

7.3.5 The following variant applications of special promotion maybe be explored, among others:

- An immediate monetary or non-monetary award
- Horizontal movement in terms of roles (e.g. from patrol to investigation, or staff to line assignments)
- Horizontal in-step movement with corresponding increment to salary

7.5 College Undergraduate Police Officers

7.5.1 The professionalization of the police calls for the uniformed personnel to be graduates of a baccalaureate degree. Aspiring policemen are eligible for promotion if they are college graduates. However, about 17,000 of police officers assigned in field offices as of August 2003[80] especially police officers absorbed from the old Integrated National Police, are not college graduates and therefore cannot be promoted.

[80] Based on DHRDD statistics

7.5.2 To address the problem, a joint arrangement between NAPOLCOM and the Commission on Higher Education (CHED) adopted the Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP), a scholarship education program specifically designed for PNP members who do not have the time and financial means to attend regular college or university courses. The program is ongoing. PNP members who are not baccalaureate degree holders are given until January 26 2009 to comply with the educational requirements.[81]

7.5.3 There are however sentiments from some police officers that this requirement delays their career progression. Some consider themselves old enough to make good in academic assignments and look for all possible reasons to delay their schooling. To some, the requirement does not induce them anymore to perform their jobs very well as promotion is not available to them anyway.

7.6 Career Service Executive Eligibility

7.6.1 The police being a civilian organization is covered by the career service executive eligibility (CSEE) requirement for third-level police commissioned officer positions. The CSEE is administered by the Civil Service Commission and consists of the written phase and the interview phase.

7.6.2 An examinee is given two chances to take the examination for two succeeding years. If he fails for the second time, he can apply for the CSEE only after two (2) years from the date of the second failed CSEE. Those who fail in the regular written CSEE for the fourth time can apply for after five (5) years from the date of the fourth failed CSEE. An examinee who passed the regular written CSEE should undergo the interview phase within one (1) year after the release of the results of the regular written CSEE, otherwise, he/she will again take the regular written CSEE. An examinee who fails in the CSEE interview phase for the second time can apply for the regular written CSEE only after two (2) years from the date of the last regular written CSEE taken.[82]

7.6.3 The CSC granted exemption to the PNP from the above limitations in taking the CSEE eligibility examination. A qualified police officer can now take the examination at scheduled date as many times as possible until he passes it.

7.6.4 The Master in Public Safety Administration being granted by the PPSC and the Master in National Security Administration of the NDCP can take the place of the initial CSEE or the MATB examination under the Career Executive Service eligibility program of the Career Executive Service Board (CESB). However, other requirements under the CSEE and CESB programs like assessments and interviews must be satisfactorily completed before applicants are conferred with a CES rank.

7.6.5 The police seem to find the CSEE not easy to hurdle. There were only 31 police commissioned officers who passed the exam administered in 2004, while there are still 120 posts of senior officers that must be filled by CSEE passers.[83] The CSC

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[81] Resolution 2001-107 (December 10, 2001)
[82] CSC Resolution No. 040472 dated April 27, 2004.
[83] The Philippine Star, "PNP Officers Flunking Civil Service Exams", bylined by Christina Mendez, 2004.

exemption on the frequency for taking the CSEE will help the PNP in addressing this issue and assist in facilitating the promotion of deserving senior police officers.

7.6.6 But the question of the applicability of this civil service eligibility to the PNP managerial positions arises. Do PNP managers require the same set of skills as their counterparts in the regular government bureaucracy? This will require a deeper study, taking into consideration the peculiar managerial skills required for example of a police station head. A customized eligibility system may be able to identify the appropriate police management skills which will provide the mechanism for properly selecting personnel for promotion to management posts.

8 INDIVIDUAL PERFORMANCE EVALUATION

8.1 Purpose

8.1.1 Employee's performance is evaluated considering the following reasons:[84]

- To assist managers make decisions on HRM matters (promotion, demotion, reward, discipline, training needs, salary, job assignment, retention, and termination)
- To assist supervisors provide feedback to subordinates, help employees in planning their career, and provide an important basis in improving employee motivation
- To validate selection, screening tests and training evaluations, and assess the effectiveness of interventions designed to improve individual performance
- To better explain expectations to personnel on their performance, and reinforce other means of organizational communication
- To record the problems and situations being addressed, and provide for data in the analysis of resources and other managerial support needed to address problems
- To identify organizational conditions that may impede improved performance, and solicit ideas for changing these conditions

8.1.2 Performance evaluation must be able to detect an employee's sense of objective, understanding of operational policies and procedures, and knowledge of assigned duties and responsibilities and the appropriate manner that such must be performed.

[84] Wycott and Oettmeir, 1994

8.2 Policies, Procedures and Indicators for Individual Performance Evaluation

CURRENT PERFORMANCE EVALUATION PROCESS FOCUS ON ASSESSING PERSONAL TRAITS RATHER THAN JOB PERFORMANCE.

8.2.1 PNP employees are evaluated twice a year using a pre-formatted Individual Performance Evaluation Report or IPER. Failure to submit IPER to DPRM within the prescribed period disqualifies personnel concerned from entitlement to the Productivity Incentive Benefits (PIB), promotion, training opportunities, and scholarship grants.[85] Poor and unsatisfactory rating is explained in writing and attached to IPER. These documents are submitted to the DPRM for further appropriate action. PNP personnel who are assigned at the national headquarters on "floating status", and/or are awaiting reassignment and placed for more than three months under the supervision of the Administrative Holding Service, are not given an IPER rating higher than "Satisfactory". [86]

8.2.2 Table 6.8 presents the factors being considered in the preparation of an IPER. The table indicates that Instead of actually assessing how police officers performed in their jobs, the performance evaluation is focused on their character traits and personal competence – intelligence, analytical ability, moral character, sense of priority, etc. This approach appears to miss the very objective for which performance evaluation is made.

8.2.3 The performance evaluation of a police officer should aim at establishing clear expectations of work performance. It starts with analyzing the job and activities of police officers and identifying indicators and benchmark of good performance of each task. The PNP must be able to device indicators of an officer's efficiency, effectiveness and integrity, among others, in his job. Police performance standards and productivity measures must be realistically structured vis-à-vis actual jobs and results (success or failure) in the conduct of such duties and responsibilities. Performance indicators and benchmarks should be the basis for evaluation. A good performance evaluation system must be linked with other HRM sub-systems, specifically, compensation, benefits, incentives and rewards and career development and training.

[85] NAPOLCOM Memorandum Circular 93-019 re. Performance Evaluation System dated December 13, 1992; PNP Manual on Officer Performance Evaluation Rating System; and NHQ PNP Memo Circular No. 2 dated May 11, 2000, re. PNP Performance Evaluation System for NUP

[86] Paragraph 4.b.9, PNP Circular 99-016 – Guidelines on the Transfer/Re-assignment of PNP personnel

Table 6.26
PERFORMANCE INDICATORS FOR INDIVIDUALS

LEVEL	RATING	
	FACTORS	NUMERICAL WEIGHT
For Supervisors	• Work condition	5
	• Initiative	5
	• Sensitivity and concern for human rights	10
	• Morality and ethical conduct	10
	• Planning and organizing	10
	• Scheduling and coordinating	5
	• Concern for development and welfare of employees	5
	• Effectiveness in law enforcement and maintenance of order	10
	• Evaluating subordinates	5
	• Decision ability	10
	• Leadership	10
	• Supervisory control	10
	• Operational economy	5
For Non-Supervisors	• Punctuality and attendance	5
	• Knowledge of work	10
	• Work judgment	10
	• Quality of work	9
	• Volume of acceptable work	5
	• Meeting of deadlines	5
	• Acceptance of responsibility	5
	• Acceptance of direction	5
	• Adaptability	5
	• Effectiveness under stress	5
	• Personal appearance and bearing	9
	• Operation of equipment	5
	• Initiative and resourcefulness	5
	• Sensitivity and concern for human rights	5
	• Moral values and ethical standards	9
		9

Source: PNP

IN THE ABSENCE OF OBJECTIVE PERFORMANCE INDICATORS, AND STANDARDS, THE CURRENT PERFORMANCE EVALUATION PROCESS INVOLVES A HIGH-DEGREE OF SUBJECTIVITY ON THE PART OF SUPERVISORS.

8.2.4 It is a common notion among government agencies, including the police that an IPER/ equivalent reports on performance ratings are generally for compliance purposes only and not exactly to serve as basis for truly evaluating performance for sound HRM decision making. Hence performance rating forms are not properly accomplished and executed.

8.2.5 The system requires personal discretion of the supervisor. The reliability of the system relies on the sound judgment and fairness of the supervisor. The system is vulnerable to abuse, corruption, unfairness and demoralization.

9 GRIEVANCE AND DISCIPLINE

9.1 The need for an effective grievance and discipline system in PNP

9.1.1 Stories of the police being implicated in various crimes usually make it to newspaper headlines. For example, in 2003 the following were major features of some leading newspapers: "14 Police Officers Linked to Drug Ring (Inquirer)"; "2 Police Generals Linked to Drugs (Today)"; "Suspect Tags 14 Cops for Drug Trafficking (Times)"; "Hood Tags Q.C. COP Chief, 132 Others in Drug Trade (Malaya)"; "8 Ranking Cops Linked to Big-Time Crime (Standard)"[87] In its campaign against erring policemen, PNP has reported that it dismissed 234 commissioned and non-commissioned officers who were among the 4,447 policemen charged administratively for various offenses in 2002. The police is also the number one corrupt organization in the government as indicated in the recent survey of Transparency International.

9.1.2 In police work, examples of misconduct and criminal acts like those of the above are the basis for common complaints, accusations and cases hurled and filed against police officers. A complainant may be a whistleblower, a supervisor, a chronic complainer, or a disgruntled citizen who feels that he was treated unjustly.[88] Regardless of origin, all complaints must be investigated.

9.1.3 In addition to complaints filed by the public against police officers, the police themselves have their own complaints against the management, their superiors, commanders or their own comrades.

9.1.4 The sheer number of cases filed against policemen and the media notoriety of the police force indicates that the current grievance and discipline system lacks the effectiveness to deter police misconduct. It is critical that the system establishes an effective investigation and disciplinary action enforcement capacity and should be perceived by the public as effective.

9.2 Police Grievance Machinery

DESPITE THE PRESENCE OF GRIEVANCE COMMITTEES AT ALL LEVELS IN THE PNP ORGANIZATIONS, AND DESPITE MANY REMINDERS TO USE PROPER CHANNELS, MANY POLICE PERSONNEL USE THE MEDIA AND POLITICIANS TO AIR THEIR GRIEVANCES AGAINST MANAGEMENT AND MANAGEMENT DECISIONS. THIS BEHAVIOR INDICATES LACK OF TRUST IN THE GRIEVANCE SYSTEM AND IN PNP MANAGEMENT.

9.2.1 Grievance committees have been constituted (Table 6.27) to attend to different complaints of PNP members[89] together with specific rules and regulations on handling of complaints and grievances. [90]

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87 " Media Monitor", 02 October 2003, Website of Senator Ping Lacson

88 O'Conner, T., 1999, http://www.faculty/cncwu/oconner.html

89 NAPOLCOM Memorandum Circular 95-016 dated august 7, 1995 entitled: "Establishing a Complaints and Grievance Machinery for PNP Uniformed Personnel"; DPRM Memo-Directive dated September 9, 1996, subject: Complaints and Grievance Machinery for PNP Uniformed Personnel; DPRM Memo dated September 4, 2001, subject: Grievance Machinery for Non-Uniformed Personnel

90 NAPOLCOM Memorandum Circular No. 93-022, November 4, 1993

Table 6.27
GRIEVANCE COMMITTEES FOR UNIFORMED PERSONNEL

LEVEL	COMPOSITION	
National Headquarters	Deputy Chief of Administration	Chairman
	Director for Personnel and Records Management	Member
	Rank and file recommended by the aggrieved party	Member
Regional	Deputy Regional Director for Administration	Chairman
	Chief, RPHRDD	Member
	Rank and file recommended by the aggrieved party	Member
National Support Units	Deputy Director for Administration	Chairman
	Administrative Officer	Member
	Rank and file recommended by the aggrieved party	Member
Provincial	Assistant Provincial Director	Chairman
	Inspectorate Hearing Officer of the Province	Member
	Rank and file recommended by the aggrieved party	Member
District Offices (NCRPO)	Deputy District Director for Administration	Chairman
	Chief, Personnel	Member
	Rank and file recommended by the aggrieved party	Member
Station	Deputy Chief of Police	Chairman
	Administrative Officer	Member
	Rank and file recommended by the aggrieved party	Member

Table 6.28
GRIEVANCE COMMITTEES FOR NON-UNIFORMED PERSONNEL

LEVEL	COMPOSITION	
National Grievance Committee (has jurisdiction over grievances of NUPs assigned at NHQ and NSUs)	Deputy Chief of Administration	Chairman
	Director for Personnel and Records Management	Vice-chairman
	Director, Legal Service	Member
	NUP Representative (1st level position)	Member
	NUP Representative (2nd level position)	Member
	NUP (President of recognized association)	Member
	Chief, PTD, DPRM	Member
Regional Grievance Committee (has jurisdiction over NUPs assigned at the	Deputy Regional Director for Administration	Chairman
	Chief, RPHRDD	Vice-chairman
	Regional, Legal Service	Member

LEVEL	COMPOSITION	
regional and provincial offices including those NUPs organic to NSU but assigned at the regional, provincial or field offices)	NUP Representative (1st level position)	Member
	NUP Representative (2nd level position)	Member
	NUP (President of recognized association),Chief, PTD, DPRM	Member
	Chief, PTS, RPHRDD	Member

SOURCE: PNP

9.2.2 Complaints of members of the police must immediately be investigated by authorized internal mechanisms such as the above grievance committees. It is however incumbent on any police supervisor or commander to initially attend to any complaint of his/her subordinates, consistent with the civil service policy that complaints or grievances must be settled first at the lowest level. A good supervisor could immediately defuse any tension and work out agreeable solution.

9.3 Disciplinary Policies, Procedures and Mechanisms

THE INVOLVEMENT OF SEVERAL EXTERNAL AGENCIES IN POLICE DISCIPLINE CREATES DUPLICATION OF FUNCTIONS, OPERATIONAL CONFUSION, EROSION OF PNP MANAGEMENT AUTHORITY, AND VULNERABILTY TO POLITICISATION.

9.3.1 Any complaint by an individual person against any member of the PNP is brought before 10 internal and external organizations indicated in Table 6.31.

Table 6.29
ORGANIZATIONS INVOLVED IN POLICE DISCIPLINE

INTERNAL TO PNP		EXTERNAL TO PNP	
OFFICE/PNP KEY OFFICIAL	FUNCTIONS	AGENCY/KEY OFFICIAL	FUNCTIONS
Director General (Chief, PNP)	Impose any of the following administrative punishments, provided that in all cases the period will not exceed 180 days: • Dismissal from service • Forfeiture of salary • Suspension • Any combination of the foregoing Place police personnel under restrictive custody during the pendency of a grave administrative case filed against him, or after the filing of a criminal complaint, grave in nature, against such police personnel	National Police Commission (NAPOLCOM)	Conduct pre-charge investigation on complaints and cases filed against police officers
		National Appellate Board (NAB)	Review and decide cases on appeal from decisions rendered by the Chief, PNP involving demotion in rank or dismissal from service
		Regional Appellate Board (RAB)	Review and decide cases on appeal from decisions rendered by the PNP Regional Directors and equivalent police supervisors involving demotion or dismissal from service, as well as appeal from the decisions of the City/Municipal Mayors and the People's Law Enforcement Board

INTERNAL TO PNP		EXTERNAL TO PNP	
OFFICE/PNP KEY OFFICIAL	FUNCTIONS	AGENCY/KEY OFFICIAL	FUNCTIONS
Police Regional Director	Impose upon any PNP member the disciplinary punishment of dismissal from the service Also impose any of the following administrative punishments, provided that in all cases the period will not exceed 60 days: • Admonition or reprimand • Restrictive custody • Withholding of privileges • Forfeiture of salary • Suspension • Demotion • Any combination of the foregoing	People's Law Enforcement Board (PLEB)[91]	Hear and decide citizen's complaints or cases filed before the PNP erring officers where the offense is punishable by withholding privileges, restriction to specified limits, suspension or forfeiture of salary, or any combination thereof, for a period exceeding 30 days, or dismissal.
		City and Municipal Mayors	Recommend disciplinary action against police officers where the offense is punishable by the following, for a period of not less than 16 days but not exceeding 30 days, or by dismissal: • Withholding of privileges • Restriction to specified limits • Suspension or forfeiture of salary • Any combination thereof
		City and Municipal Peace and Order Council (POC)	Recommend, through the Mayor as chairman of the POC), the recall or reassignment of Chief of Police
Police Provincial Director	Impose any of the following administrative punishments, provided that in all cases the period will not exceed 30 days: • Admonition or reprimand • Restrictive custody • Withholding of privileges • Forfeiture of salary • Suspension • Any combination of the foregoing	Office of the Ombudsman (OMB)	Investigate and act on graft and corruption complaints or cases filed against police officers Issue the following Ombudsman Clearances: • Clearance for retirement • Clearance for reinstatement for service • Clearance for promotion/confirmation for promotion • Clearance for travel/mission abroad • Renewal of clearance
Chief of Police	Impose any of the following administrative punishments, provided that in all cases the period will not exceed 15 days: • Admonition or reprimand • Restriction to specified limits • Withholding of privileges • Forfeiture of salary • Suspension • Any combination of the foregoing	Commission on Human Rights (CHR)	Conduct independent and collaborative fact-finding missions and investigate cases involving violations civil and political rights by police officers Issue clearance to police officers as to violations of civil and political rights for purposes of promotion Issue certificate of training programs attended by police officers on human rights
Directorate for Investigation and Detective Management (DIDM)	Undertake pre-charge investigation on administrative cases filed against police officers	National Prosecution Office (NPS), Department of Justice (DOJ)	Prosecute cases of PNP members Provide legal assistance and services to police officers
Directorate for Intelligence/ Intelligence Group	Conduct intelligence on PNP erring personnel	Sandiganbayan	Hear and adjudicate civil and criminal cases involving graft and corruption practices filed against police officers

[91] Section 43 of RA 6975 requires for the creation by the Sangguniang Panlungsod/Bayan of a People's Law Enforcement Board (PLEB) in every city and municipality as may be necessary. NAPOLCOM has reported in its annual report that there were 1,554 PLEBs nationwide as of December 31, 2003.

INTERNAL TO PNP		EXTERNAL TO PNP	
OFFICE/PNP KEY OFFICIAL	FUNCTIONS	AGENCY/KEY OFFICIAL	FUNCTIONS
Internal Affairs Service (IAS)	Conduct personnel and operations audits Investigate complaints and gather evidence in support of an open investigation on police misconduct File appropriate criminal cases against police members and assist in the prosecution of the case Assist the Office of the Ombudsman in cases involving PNP personnel	Regular courts	Hear criminal cases of other offenses and felonies committed by PNP members in relation to their office where the penalty prescribed by law is higher than prison correctional or imprisonment of 6 years or a fine of P6,000 [92]

9.3.2 Confusion and delay are two dysfunctional issues that accompany the existing system on police discipline, in view of the many agencies involved in the process. Each of these offices and agencies has its own set of requirements and procedures that make the police disciplinary processes complicated and cumbersome. Functional overlaps exist in the case of IAS, NAPOLCOM and DIDM with regard to pre-charge investigation. Almost all these agencies conduct summary and formal hearings. All could motu propio initiate a case against erring officers with pertinent bodies. Aside from confusion, police officers who are subjects of complaints moreover experience forum-shopping situations due to complainants' tendency to file their cases in as many agencies as possible.

9.3.3 The disciplinary system of the PNP is able to dispose an average of 87% of cases that enter the system in 2004. But clearance rates are very low averaging at 28% indicating annual build up of case backlogs.

9.3.4 Among the field offices, NCRPO, PRO4-A, PRO4-B, and PRO8 are with cases whose clearance rate is below 20%. In the national headquarters, the CLS and FS had zero clearance rates indicating that it has not acted on any of the cases filed in their offices. Delays can be attributed to the many overlapping processes in each organization involved in discipline.

[92] Pursuant to Presidential Decree 1606, as amended by Presidential Decree 1861

Table 6.30
CASE RESOLUTION PROFILE, AS OF JUNE 2004

UNIT	PENDING BALANCE[93]	FILED/ RECEIVED[94]	TOTAL CASES	DISPOSED CASES	END BALANCE	DISPO-SITION RATE[95] (%)	CLEARANCE RATE[96] (%)
NCRPO	847	251	1098	204	894	81	19
PRO 1	37	124	161	124	37	100	77
PRO 2	9	48	57	53	4	110	93
PRO 3	56	116	172	90	82	78	52
PRO 4 A	317	107	424	62	362	58	15
PRO 4 B	167	52	219	30	189	58	14
PRO 5	88	24	112	36	76	150	32
PRO 6	84	82	166	72	94	88	43
PRO 7	104	56	160	55	105	99	34
PRO 8	287	115	402	71	331	62	18
PRO 9	140	56	196	64	132	114	33
PRO 10	167	79	246	72	174	91	30
PRO 11	59	39	98	42	56	108	43
PRO 12	111	29	140	46	94	159	33
CAR	49	81	130	49	81	60	38
ARMM	20	32	52	44	8	138	85
CARAGA	53	28	81	31	50	111	78
Subtotal	**2595**	**1319**	**3914**	**1145**	**2769**	**87**	**29**
IG	33	8	41	4	37	50	10
MG	12	8	20	8	12	100	40
NG	21	1	22	1	21	100	5
SAF	1	37	38	37	1	100	97
TMG	42	11	53	11	42	100	21
ASG	5	3	8	2	6	67	25
CSG	1	1	2	1	1	100	50
CIDG	126	7	133	6	127	86	5
CLS	14	0	14	0	14	0	0
CES	2	1	3	1	2	100	33
HSS	12	1	13	1	12	100	8
FS	8	0	8	0	8	0	0
ES	0	1	1	1	0	100	100
LSS	20	2	22	1	21	50	5
HS	1	1	2	1	1	100	50
Subtotal	**298**	**82**	**380**	**75**	**305**	**91**	**20**
TOTAL	**2893**	**1401**	**4294**	**1220**	**3074**	**87**	**28**

Source: DPRM

[93] Pending balance consists of the carry-over cases from 1998 to 31December 2003
[94] Complaints and cases from January 01 to June 30, 2004
[95] **Disposition Rate = disposed cases over cases received during the year**
[96] Clearance rate = disposed cases over total cases during the year

9.3.5 The disciplinary mechanisms for police officers may be said to be ineffective if any of the following conditions exist:: (a) unequal sanctions for the same types of offenses; (b) delays in investigating cases; (c) inability to break through the code of silence among police officers; (d) failure to keep the public apprised of complaints dispositions; and (e) lack of case management system linked with performance systems.[97] All these deficiencies can be said to characterize the current police discipline system. Thus, by this benchmark, considerable effort is needed to upgrade it into a meaningfully functioning system.

DECENTRALIZATION OF RESPONSIBILITY AND AUTHORITY ON POLICE DISCIPLINARY MATTERS IS A GOOD FEATURE OF THE POLICE DISCIPLINARY SYSTEM.

9.3.6 On a positive note, the PNP discipline system has brought down the implementation of disciplinary measures for light and less grave offenses or breach of administrative discipline to police supervisors in the field. This helps in the facilitation of response to such violations. Moreover, the delegation of authority to police field supervisors reinforces their ability to enforce discipline within their respective area of responsibility and jurisdiction.

9.3.7 Some relevant and important information on policies and processes implemented by agencies outside of PNP on police discipline are presented in succeeding paragraphs. These are primarily informational presentations rather than analytical discourses to show the extent of their involvement in police discipline, and to serve as inputs to the design of reform directions for specific topics.

9.3.8 In the overall, the involvement by external agencies in police discipline undermines the authority of the PNP management and renders the system vulnerable to politicization, conflict in disciplinary actions, and erosion of credibility. Discipline as in all other personnel management functions are internal administrative functions of the PNP management and therefore the involvement of external agencies are not necessary and detrimental to sound management.

9.4 Procedures in NAPOLCOM

9.4.1 NAPOLCOM is given under the law summary dismissal powers over police officers in any of the following cases:[98]

- When the charge is serious and the evidence of guilt is strong
- When the respondent is a recidivist or has been repeatedly charged and there are reasonable grounds to believe that he is guilty of the charges
- When the respondent is guilty of a serious offense involving conduct unbecoming of a police
- When respondent is on absence without official leave for a continuous period of 30 days or more

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[97] "Revisiting Who is Guarding the Guardians", Exhibit C – Police Officer Performance Evaluation Instructions, downloaded internet material

[98] Section 53 of RA 8551

9.4.2 The following processes and requirements are prescribed by NAPOLCOM in relation to the above authority:

- The Investigation Unit (RIU) or NAPOLCOM Provincial Officer conduct a pre-charge investigation within three (3) days from receipt of the complaint, and submit its/his report of investigation to the Chief of the Technical Division. [99]
- If the offense charged and investigated is within the summary dismissal jurisdiction of the NAPOLCOM and there exists probable cause, the Chief of the Technical Division initiates within three (3) days the filing of a formal complaint against subject police officer with the NAPOLCOM Regional Director.
- The Regional Director thereafter designates a summary Hearing Officer or Ad Hoc Committee to conduct the formal hearing.
- If there is no probable cause, the Chief of the Technical Division prepares a resolution recommending the dismissal of the case to the Regional Director or when appropriate, refer it to the other disciplinary authorities.
- If the complaint was dismissed for lack of probable cause, the NAPOLCOM may motu propio reopen the case in the interest of justice. For this purpose, the Office of the Vice Chairman and Executive Officer are furnished by the Regional Directors with a copy of the Resolution dismissing the case.
- To ensure the adherence to the requirements of administrative due process, the designated Summary Hearing Officer or Ad Hoc Committee, as the case may be, conducts the formal investigation.
- The designated Summary Hearing Officer or Ad Hoc Committee submits within five (5) days from the conclusion of the investigation, his/its report of investigation containing the findings and recommendation to the NAPOLCOM Regional Director who transmits within two days the report together with the entire records of the case to the Commission for rendition of decision.

9.4.3 The pre-charge investigation function of the NAPOLCOM has been restored under RA 8551. Thus, a complaint may be filed under the Commission against PNP member/s. From 1998 to 2003, the performance of NAPOLCOM on pre-charge investigation (Table 6.33) indicates a relatively high average disposition rate (84%) but low clearance rate (68%). This means there is delay in the processing by NAPOLCOM of cases filed against PNP members. Delay in the resolution of cases is not only stressful but unfair to both the complainant and the police officer concerned.

[99] In the conduct of pre-charge investigation, NAPOLCOM Memorandum Circular No. 99-014 that covers the details of the matter shall be strictly observed.

Table 6.31
PRE-CHARGE INVESTIGATION BY NAPOLCOM
1998-2003

YEAR	PENDING BALANCE AT BEGINNING OF YEAR	RECEIVED DURING THE YEAR	TOTAL CASES DURING THE YEAR	DISPOSED CASED	YEAR-END BALANCE
1998	-	49	49	49	-
1999	-	460	460	367	93
2000	93	451	544	480	64
2001	64	1,152	1,216	766	450
2002	450	1,243	1,693	954	739
2003	739	2,364	3,103	2,186	917
Total	1,346	5,719	7,065	4,802	2263
Average	224	953	1,177	800	377
Case Resolution Efficiency : • Disposition Rate (disposed cases over cases received during the year) • Clearance Rate (disposed cases over total cases during the year)				84% 68%	

9.5 Regional Appellate Boards and National Appellate Boards

9.5.1 RA 6975 provides that NAPOLCOM establish formal administrative disciplinary appellate machinery consisting of the National Appellate Board (NAB) and the Regional Appellate Boards (RABs).

9.5.2 The NAB decides cases on appeal from decisions rendered by the Chief, PNP involving demotion in rank or dismissal from service. It is composed of the four regular members of NAPOLCOM. On the other hand the RABs decide cases on appeal from decisions involving demotion or dismissal from service rendered by the PNP regional directors and equivalent police supervisors, as well as the City/Municipal Mayors, and the People's Law Enforcement Board (PLEB).

9.5.3 Table 6.30 exhibits the accomplishments of NAB/RABs from 1998-2003. Missing details/breakdown of entries on NAB statistics are not available in NAPOLCOM's accomplishment reports where these were sourced. A big percentage (39%) of appealed cases affirmed earlier decisions made by PNP on cases of its members, and by the Mayors and PLEB.

Table 6.32
Cases Decided by the Appellate Boards (NAB/RABs)
1998-2004

Board/ Year	Action Taken					Total
	Affirmed	Reversed	Modified	Remanded	Denied/Others*	
National Appellate Board (NAB)						
1998	8	8	7	10	3	36
1999						18
2000						27
2001						14
2002	0	7	4	2	14	27
2003	42	3	10	0	27	82
Total						204
Regional Appellate Board (RAB)						
1998	107	27	27	23	62	246
1999	146	32	52	33	52	315
2000	141	21	40	20	61	283
2001	100	29	33	32	84	278
2002	86	76	28	22	83	295
2003	74	36	38	17	83	248
Total	654	221	218	147	425	1,665

*Denied/others – lack of jurisdiction or filed beyond the reglementary period

9.6 People's Law Enforcement Board (PLEB)

9.6.1 The PLEB was created under Section 43 of RA 6975 to hear and adjudicate citizens' complaint against uniformed members of PNP.[100] The PLEB is intended to be a venue for civilian review of police officers' cases of misconduct that can affect the public's perception of the efficiency and reputation or image of the police. Local government units and the community are provided with greater and more responsible participation in police administration through the PLEBs.

9.6.2 In 2003, there were 1,554 organized PLEBs. The performance of these bodies from 1998-2003 is shown in Table 6.33. Delay in acting on/resolution of cases is indicated by the very low clearance rate (25%), although they could dispose as much as 80% cases per annum on the average.

9.6.3 Table 6.36 on the other hand indicates the actions made by PLEBs on case of police officers. Note that 63.4% of the total cases acted upon were dismissed or dropped. NAPOLCOM reports that this is primarily due to the withdrawal by most complainants of their charges against police officers.

[100] NAPOLCOM MC 91-002, as amended under MC 2002-010, outlines the procedures in the investigation and hearing of administrative complaints before the PLEB.

Table 6.33
PLEB Cases, 1998-2003

Year	Pending Balance at Beginning of Year	Received During the Year	Total Cases During the Year	Disposed Cased	Year-end Balance
1998	1,248	1,113	2,361	838	1,523
1999	1,523	1,067	2,590	964	1,626
2000	1,626	1,297	2,923	971	1,952
2001	1,952	403	2,355	317	2,038
2002	2,038	221	2,259	214	2,045
2003	2,045	459	2,504	413	2,091
Total	10,432	4,560	14,992	3717	11,275
Average	1,739	760	2,499	620	1,879
% to Total	70	30	100	25	75
Efficiency Ratio: Disposition Rate (disposed cases over cases received during the year)				82%	
Clearance rate (disposed cases over total cases during the year)				25%	

Source: NAPOLCOM Accomplishment Reports

Table 6.34
PLEB Actions on Cases Against Police Officers
1998-2003

Action Taken	1998	1999	2000	2001	2002	2003	Total	Ave	% to Total
Suspension	87	98	97	36	21	50	389	65	10.5
Dismissal from the service	46	24	33	13	2	2	120	20	3.2
Reprimand	3	0	3	5	3	3	17	3	0.5
Restricted to specific limits	3	0	0	0	1	0	4	.6	0.1
Forfeiture of salary	3	6	4	0	1	5	19	3	0.5
Demotion	5	0	5	3	1	2	16	3	0.4
Forced Resignation	1	2	2	0	0	1	6	1	0.2
Witholding of privileges	2	0	0	1	0	0	3	.5	0.1
Combination of penalties	4	0	2	2	1	12	21	4	0.6
Decision not indicated	0	0	5	0	0	0	5	.8	0.1
Exoneration	110	92	63	34	14	62	375	62	10.1
Cases dropped/dismissed	457	624	705	197	162	211	2,356	393	63.4
Respondent is dismissed from the roll	0	0	0	0	0	0	0	0	0
Cases referred/transferred	17	15	7	11	0	11	61	10	1.6
Others (e.g., withdrawn)	100	103	45	15	8	54	325	54	8.7
Total	**838**	**964**	**971**	**317**	**214**	**413**	**3,717**	**620**	**100**

Source: NAPOLCOM Accomplishment Reports

9.7 Procedures with City and Municipal Mayors

9.7.1 Local government executives continue to have a substantial influence in disciplining police officers. The City/Municipal Mayor investigates motu proprio, or upon written complaint of any person, the PNP member for any minor offense within his disciplinary jurisdiction, in accordance with the following procedures:[101]

- Respondent is informed and furnished with a copy of the complaint against him and given the opportunity to answer the same in writing, within 48 hours from receipt thereof.
- Respondent states in his answer whether he favors a summary investigation, otherwise, the City/Municipal Mayor immediately renders his decision on the case, which is in writing and based on the submitted evidence of the parties.
- If respondent asks for a summary investigation, it takes place within 24 hours after receipt of his answer and he is allowed to present witnesses and other evidences in his behalf and to cross-examine the witnesses against him.
- Direct examination of witnesses is dispensed with. Instead, the City/Municipal Mayor concerned requires each party and witnesses to submit their testimonies and affidavits subject to cross-examination by the other party.
- Postponement of investigation is discouraged and allowed only in meritorious cases.
- The investigation is completed within 72 hours, and the City/Municipal Mayor renders his decision in writing within 24 hours thereafter, copy furnished the Chief of Police and the PNP Provincial Director.

9.7.2 "Decision" is a written finding by the Mayor that the respondent is guilty or not guilty of the offense charged, and the imposition of the appropriate penalty in case conviction. It contains the charge, name of respondent and his rank, his station or police unit, a brief statement of the material and relevant facts, findings, offense committed and penalty imposed, if found guilty.

9.7.3 The City/Municipal Mayor recommends to the Chief of Police the preventive suspension for a period not exceeding 10 days of any officer or member of the police station within his jurisdiction if it is established by convincing evidence at any time during the hearing that respondent is exerting efforts to harass, intimidate, coerce or unduly influence the complainant or any of his witnesses into withdrawing his/her complaint or retracting his sworn statement against the former.

9.8 Internal Affairs Service (IAS)

9.8.1 IAS conducts inspection and audits on PNP personnel; investigates complaints, gathers evidence, and conducts summary hearings on PNP members who are facing administrative charges. IAS also checks on the accountability and responsibility of

[101] NAPOLCOM Memorandum Circular no 91-008

police supervisors and superiors of erring police personnel to determine lapses in administration or supervision.

9.8.2 Final recommendations made by IAS for the imposition of disciplinary measures against erring PNP members cannot be revised, set-aside, or duly delayed by any disciplining authority without just cause. Any disciplining authority who fails to act or who acts with abuse of discretion on the recommendation of the IAS is made liable for gross neglect of duty. The case of erring disciplinary authority is submitted to the Director General for proper disposition.

9.8.3 Decisions rendered by provincial inspectors are forwarded to the area (regional) internal affairs office for review within 10 working days upon receipt thereof. Decisions of the area (regional) office may be appealed to the national office through the Office of the Inspector General. Decisions rendered by the National IAS are appealed to the National Appellate Board or to the court, as may be appropriate.

10 REFORM IMPLICATIONS

10.1.1 The above discussions point to certain reform implications that include the following:

- Strengthen the recruitment and promotion criteria by giving equal emphasis in rewarding police officers who show wider perspectives on and professional ability to implement community policing objectives and strategies.
- Streamline the recruitment, selection, appointment and disciplinary mechanisms to avoid overlapping and delay.
- Eliminate political influence from recruitment, selection and appointment of police officers through among others limiting the appointment by the President and confirmation of the Commission on Appointments to only the Chief, PNP; and limit interventions of local executives to endorsement for appointment of only the Chief of Police.
- Develop a competency framework for the police that will define the roles and required competency mix of each level of position, and which will be the basis for the design of polices, programs and strategies on personnel training, promotion and discipline.
- Review the career progression system, simplifying the current vertical career progression that will allow upward movement based strictly on performance, and creating a horizontal career progression towards the attainment of individual employee's job specialization.
- Formulate a human resource development plan which must be seamlessly linked with the budgeting and operational plans and strategically aligned with the PNP medium-term development plans and programs. Create competency in PNP on plan development and target setting to achieve this purpose.
- Developing a set of performance evaluation criteria that will address subjectivity and to be truly reflective of employees' ability to undertake assigned duties and responsibilities, as well as accomplish assigned tasks. Identify and define the

indicators and standards for evaluating the performance of each position in the staffing pattern, linked with the position classification and job description systems.

- Set clear polices and criteria on the system of designation to position and/or ranks, looking into the accountability and compensation aspects of such arrangement.
- Civilianize police officer positions which do not necessary require core competencies of police personnel.
- Decentralize certain commonly performed HRM functions
- Reengineer the entire grievance and discipline systems by simplifying procedures, and delayering decision-making, and most importantly removing the functions of all external agencies in the investigation, processing and resolution of cases.
- Reintegrate all personnel management functions to the PNP and remove the functions and interventions of national government units, NAPOLCOM, PLEBS, and all other external bodies.

SECTION 3
Motivating the Police Force

1 INTRODUCTION

1.1.1 Motivation creates in personnel enthusiasm to work with a higher level of morale and productivity. Motivated individuals undertake their work well because they expect some possible gain, reward or satisfaction, and a feeling of achievement, sense of responsibility, appreciation, and promotion.[102]

1.1.2 An organization may provide necessary motivations in the form of good salary, benefits, and good working environment, but employees need also to build personal initiative and motivation to achieve superior performance. Thus, it is a challenge on the part of management to develop in individual employees good work attitudes and proper behavior.[103]

1.1.3 This portion of the study tackles HRM components that are relevant to police motivation, including compensation, recognition and rewards, benefits, and assistance.

2 POLICE COMPENSATION

CURRENT SALARIES OF POLICEMEN ARE STILL VERY LOW DESPITE SEVERAL SALARY UPGRADING.

2.1.1 The regular payroll check of each individual police officer is indicated in Table 6.35, which comprises of the basic pay and regular allowances. There are 17 salary grades assigned to the 17 police officer ranks or positions. PCO salary grades start with SG 22 for Police Inspector up to SG 30 for the Chief, PNP. The PNCOs' start with SG 10 for PO1 up to SG 19 for SPO4.

2.1.2 Salaries of the lowest ranking policemen are just a little above the minimum wage in Manila. With a gross monthly compensation of P12, 155 PO1 incumbents is able to provide a daily budget of only P79 for each member of his family.[104] It is not surprising that policemen are extremely prone to corruption.

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[102] Perfectro S. Sison, "Personnel and Human Resources Management", 6th edition, Rex Book Store, Quezon City, Philippines, 2000
[103] Ibid.
[104] Average family size in Philippines is 5

Table 6.35
Base Pay of Police Officers

RANK	SG	BASIC PAY	REGULAR ALLOWANCES	GROSS PAY
POLICE COMMISSIONED OFFICERS				
Director General	30	25,000	17,180.00	42,180.00
Deputy Director General	29	21,934	15,447.00	37,381.00
Director	28	21,090	14,925.00	36,015.00
Chief Superintendent	27	20,279	14,369.50	34,648.50
Senior superintendent	26	19,499	13,829.50	33,328.50
Superintendent	25	18,749	12,681.41	31,430.41
Chief Inspector	24	18,028	9,847.27	27,875.27
Senior Inspector	23	17,344	7,460.14	24,804.14
Inspector	22	16,667	5,446.70	22,113.70
POLICE NON-COMMISSIONED OFFICERS				
Senior Police Officer IV	19	14,538	10,919.00	25,457.00
Senior Police Officer III	18	13,715	10,015.13	23,730.13
Senior Police Officer II	17	13,938	6,932.48	20,870.48
Senior Police Officer I	16	12,206	6,163.26	18,,369.26
Police Officer III	14	10,863	4,686.30	15,549.30
Police Officer II	12	9,668	4,516.80	14,184.80
Police Officer I	10	8,605	3,550.00	12,155.00

Source: PNP

DESPITE THEIR LOW PAY, POLICEMEN ENJOY COMPARATIVELY BETTER REMUNERATION PACKAGES THAN THEIR COUNTERPARTS IN THE GOVERNMENT BUREAUCRACY.

2.1.3 Policemen are actually given more allowances than their counterparts in the government and within the context and culture of salary standardization this makes the quest for improving police compensation extremely difficult.

2.1.4 Regular allowances which are part of the police officer's pay check given semi-monthly include the following:

- Quarters allowance (rate depends upon the rank)
- Additional compensation (P500 monthly)
- Regular subsistence allowance (P1,800 monthly)
- Clothing Allowance (P200 monthly)
- Hazard pay (P120 monthly)
- Personal Economic Relief Allowance (P500 monthly)
- Longevity pay

STRUCTURAL DISTORTIONS IN THE REMUNERATION POLICY RESULT IN LOWER POSITIONS RECEIVING MORE THAN THE NEXT HIGHER POSITION

2.1.5 The basic pay of each of the positions follow the salary standardization plan of the government and so the pay equivalence of each rank is hierarchical as well, meaning a position of higher salary grade gets a higher base pay over the next lower rank or position. However, sometimes, the regular allowances of SPO1 to SPO4 may be much higher than those of Police Inspector, while those of SPO3 and SPO4 may similarly be higher than the regular allowances of Police Senior Inspector and Chief Inspector because of longevity pay.[105] This poses an issue with some PNCO candidates for promotion as they may not be willing to assume appointment to PCO positions of Inspector, Senior Inspector and Chief Inspector due to reduction in gross pay.

2.1.6 The net/ take home pay of each uniformed personnel is about 92% of their gross monthly salary. The net take home pay does include deficiencies in taxes which will be added to their annual tax dues.

Table 6.36
Net/Take Home Pay of Police Officers

Rank	SG	Gross Pay	Total Deductions	Net/Take Home Pay
POLICE COMMISSIONED OFFICERS				
Director General	30	42,180.00	228.5	41,951.50
Deputy Director General	29	37,381.00	228.5	37,152.50
Director	28	36,015.00	228.5	35,786.50
Chief Superintendent	27	34,648.50	228.5	34,420.00
Senior superintendent	26	33,328.50	228.5	33,100.00
Superintendent	25	31,430.41	228.5	31,201.91
Chief Inspector	24	27,875.27	228.5	27,646.77
Senior Inspector	23	24,804.14	228.5	24,575.64
Inspector	22	22,113.70	228.5	21,885.20
POLICED NON-COMMISSIONED OFFICERS				
Senior Police Officer IV	19	25,457.00	198.5	25,258.50
Senior Police Officer III	18	23,730.13	198.5	23,531.63
Senior Police Officer II	17	20,870.48	198.5	20,671.98
Senior Police Officer I	16	18,,369.26	198.5	18,170.76
Police Officer III	14	15,549.30	198.5	15,350.80
Police Officer II	12	14,184.80	193.5	13,991.30
Police Officer I	10	12,155.00	193.5	11,961.50

Source: DPRM

[105] Longevity pay is of additional 10% of the basic salary of all uniformed personnel which is being computed from the date of the personnel's original appointment in the police, provided that the totality of such longevity pay shall not exceed 50% of the basic pay.

2.1.7 The regular allowances are mandatory compensation to all PNP members as required under RA 6975. In addition to these regular allowances, collateral allowances are given to PNP members, subject to certain conditions for entitlement in accordance with existing policies and procedures provided by NAPOLCOM. The collateral allowances are listed in Table 6.37 and those who are entitled to such.

Table 6.37
Collateral Allowances

TYPE	AMOUNT	REMARKS
Replacement Clothing Allowance (RCA)	Male- P10, 827 Female – P11, 655	Provided every three (3) years
Training Subsistence Allowance (TSA)	P30 per day	For police officers who undergo training at AFP, PNP, Training Institutions, OJT
Additional Subsistence Allowance (ASA)	P30 per day	For those who are assigned in Civil Disturbance Control (CDC) operations. Include those who are included in operations but on a red alert status
Hospital Subsistence Allowance	P30 per day	For in-patient police officers in PNP hospitals and dispensaries
Hazardous Duty Pay	50% of base pay per month	For Deep Sea Divers, Parachutist, Explosive, Ordnance and Disposal (EOD) personnel, those who handle lethal agents and who test new hazardous items
Radiation Hazard Pay	15% of base pay per month	For those who are assigned in PNP hospitals and dispensaries who operate and use X-ray units
Combat Duty Pay (CDP)	P280 per month; P340 per month	P280 monthly for those who are engaged in Counter Insurgency operations and crime prevention operations in hazardous areas P340 every month for those engaged in counter insurgency operations, pursuit of big time syndicates and crime personalities, and those assigned to provide security for the President and her family.
Instructor's Duty Pay	25% of base pay monthly for SPO1 and up 10% of base pay monthly for PO1 to PO3	For uniformed police officers who are assigned to teach in PNP training schools/centers, and those who are on detail to the Philippine Public Safety College. Must provide at least 48 hours Instructional Time.
Specialist Pay	Given quarterly as follows: 1st – P450 2nd – P390 3rd – P330 4th – P270 5th – P210 6th – P150 7th – P120 8th – P90 9th – P60	Provided to Police Non-Commissioned Officers (PNCOs) who have specific positions in different offices and units of the PNP. They cannot however avail of Combat Duty Pay.
Occupational Specialist Pay	50% of base pay monthly	For uniformed personnel who are assigned in the Internal Affairs Service
Flying Pay	50% of base pay monthly	For all PNP personnel who are pilots or crew members of aircrafts as part of their regular assignments. Must complete at least four (4) hours of aerial flights every month.
Sea Duty Pay	25% of base pay monthly	For PNP personnel assigned in the Maritime Group. Must have worked for at least 15 days every month on board any sea craft or watercraft vessel As part of their regular assignments.
Special Financial Assistance (SFA)	6 moths pay plus allowances	For family of all uniformed personnel who died or have been permanently disabled while undertaking police operations. Not included: death caused by sickness, accident, or negligence.

TYPE	AMOUNT	REMARKS
Reimbursement of Hospital Expenses (RHE)	P60,000 for medical cases P100,000 for surgical cases All expenses paid for battle casualties.	Must be filed within 60 days after discharged from hospital. RHE Adjudication Board decides on how much to be reimbursed. An endorsement from PNPGH or RHS must be secured before admittance in hospitals other than the PNP medical facilities.
Burial Allowance	DGEN to PCSUPT – P3,000 SSUPT to CINSP – P2,500 SINSP to INSP - P2000 PNP Cadet – P1,500 PNCOs- P1,200	No pre-condition for availment
Initial Clothing Allowance		
Cold Weather Clothing Allowance	P1,000 for first year; P300 for succeeding year	For those assigned in areas where weather is cold, as follows: CAR – all RO1- Paredes Air Station, Ilocos Norte RO2- Batanes Province, Isabela RO3- Angat Relay Station, Angat, Bulacan; LS Paulo Pt. Zambales RO4- Tanay, Rizal; Lubang Island, Mindoro Occidental; LS Talampulan, Palawan; Clauag, Quezon; Silang, Cavite; and Tagaytay City RO5- Paranal Air Station, Jose Panganiban, Camarines Norte; Daraitan, Camarines Sur; Cantanduanes Island Provice RO6- Mt. Canlaon, Negros Occidental RO7- Mt Luay, Cebu RO8- Mt. Kaputaan, Eastern Samar RO10- Bukidnon (all); Agusan del Sur RO11- Davao del Sur; Davao del Norte; Davao Oriental RO12- Esperanza, Sultan Kudarat ARMM Lanao del Sur (all)

Source: DPRM

2.1.8 Of the above collateral allowances, the Police Regional Director is authorized to pay the following allowances for immediate/timely receipt by PNP personnel who are assigned in field units. These are covered by separate payrolls or disbursement vouchers released to the regional offices. The payment of other types of allowances is done in the national headquarters.

- Hospital subsistence allowance
- Combat Duty Pay (CDC) subsistence allowance
- Training subsistence allowance
- Other allowances than can readily be funded by Police Regional Offices

2.1.9 There are however some anecdotal stories that point to corruption activities in the payment of collateral allowances. Some police personnel claimed that they did not receive their collateral allowances, their supervisors having told them that the national headquarters withheld such payment due to lack of funds. A verification with the national headquarters on the other hand revealed that vouchers for collateral allowances had long been paid and disbursed.

THERE ARE MANIFESTATIONS THAT POINT TO A MISMATCH BETWEEN THE INCOMES OF POLICEMEN AND THE REQUIREMENTS OF THEIR LIFESTYLES. POLICE REMUNERATION MUST BE IMPROVED, SUCH IMPROVEMENT SHOULD CONSIDER THE PROPER DETERMINATION OF THE VALUE OF THE POLICEMAN'S SERVICE, AND WHAT IS HIS APPROPRIATE SOCIO-ECONOMIC STATUS IN THE COMMUNITY.

2.1.10. There are a number of policemen who live in squatters areas obviously because of limited means. On negative note, there are on the other hand some policemen whose lifestyle is such that even if their salary is tripled, they would still not be able to meet their basic needs. There is also the "culture of loan" among police officers. Weekly pay is almost all gone for loan payments; forthcoming pay checks to have already been "sold" or rediscounted for immediate cash requirements. There are also stories of cops maintaining a second family, and even a third one so that they must find the means to support all dependents. Thus corruption among policemen is perceived to be rampant.

2.1.11. The police compensation package must be studied in depth and related to such factors as market rates and a proper determination of what the socio-economic status a well functioning policeman should have in the community. While police officer positions do not have exact counterparts in the private sector, a survey may be designed so that comparable positions are identified. The total remuneration of the police should be at the level that will free them from distress on financial matters, as well as enable them to establish a high stature in the community. The formulation of a remuneration framework is thus necessary to guide the proper determination of the salary structure and other benefits applicable to police officers.

THE POLICE ADOPT THE RIGID SALARY STRUCTURE UNDER THE GOVERNMENT'S SALARY STANDARDIZATION PLAN. EXCEPT FOR THE IN-STEP VERTICAL PROGRESSION OF PAY WHICH IS NOT PRESENT IN THE POLICE SALARY SCHEME, THE SALARY STRUCTURE FOR UNIFORMED PERSONNEL STARTS WITH SALARY GRADE 10 (ENTRANCE LEVEL) UP TO SALARY GRADE 30 (PNP HEAD)) WHICH COMMANDS THE SAME PAY RANGE AS PRESCRIBED FOR EACH GRADE OF POSITION UNDER THE SALARY STANDARDIZATION LAW (RA 6758).

2.1.12 SSL does not provide flexibility in assigning pay levels. In as much as the PNP uses the government's pay structure under the SSL, it does not have other options in addressing police compensation issues, particularly with regard to basic pay. The hierarchy of jobs within the government is determined through the Position and Classification System being implemented by the Department of Budget and Management. However, except for salary adjustments, the SSL structure has never been modified since its implementation in 1989, in spite of salary overlaps, rigidity, irrelevance of titles to actual roles and duties of positions, and other compensation and position classification issues prevalent which are government wide.

THE ADOPTION OF A BROADBANDING SCHEME[106] FOR POLICE COMPENSATION STRUCTURE HAS ITS ADVANTAGES ESPECIALLY FOR NON-COMMISSIONED OFFICER POSITIONS. IT DOES NOT ONLY PROVIDE FLEXIBILITY IN GRANTING PAY ADJUSTMENT TO DESERVING PERSONNEL BUT ALSO ALLOW THEIR VERTICAL AND HORIZONTAL CAREER PROGRESSIONS.

2.1.13 The applicability and feasibility of boadbanding the salary grades of police officers may be explored. Under this system, the salary grades of all PO positions are compressed into a band, and so are those of the SPOs under a separate band. Better still, the 7 SGs of all non-commissioned officer positions may comprise one big band with the salary of SPO 4 as the highest level in the band, while that of PO 1 as the lowest.

2.1.14 The PNP could hire new personnel at any level within the band subject to qualification requirements and the necessary rules and regulations for the purpose. Incumbents could on the other hand move vertically or horizontally within the compressed salary grades. A lower-level officer could progress vertically to a higher level position based on performance without necessarily following the position hierarchy. While vertical movement could reward performance, horizontal progression could reward seniority and longevity based on merit.

3 POLICE BENEFITS

3.1.1 The current benefits package for the police is consistent with the provisions of pertinent laws, including the following:

- Death benefits and welfare benefits as provided under specific legal issuance.

Table 6.38
PNP BENEFITS

NATURE	LEGAL BASIS	DESCRIPTION
Death benefits	RA 4864 as amended by PDs 446 and 1184	Provided to PNP member who sustained an injury or sickness while performing his/her official functions and thereafter resulted to death Benefits granted are: • Gratuity equivalent to one (1) year salary, based on member's last basic monthly salary • Burial expenses equivalent to 3 months basic salary • Monthly pension equivalent to 80% of the decedent's basic monthly salary • Reimbursement of reasonable medical/hospitalization expenses

[106] Patterned after the recommendation for the positions in the Judiciary as enunciated under a separate study conducted by the CPRM Consultants, Inc. for the Supreme Court of the Philippines under the project, "Strengthening the Independence of the Judiciary", funded by the Asian Development Bank of the Philippines through ADB TA 3693 – PHI.

NATURE	LEGAL BASIS	DESCRIPTION
Welfare benefits	Optional Retirement under Section 49 of RA 6975	• Gratuity of 36-month lump sum • Percentage of pension depends upon the service rendered • Commutation of Accumulated Leave (CAL) depends on the number of earned unused leaves • Restoration of monthly pension after 3 years to lifetime • Adjustment of monthly pensions every time there is an increase of pay of PNP personnel in the active service • Old Age Pension for former members of the AFP upon reaching age 65, and have served the military for at least 6 years • Pension from PNP only • If officer dies, 75% of the pension will be transferred to the legal wife/children
	Total permanent disability under Section35 of RA 8551 (Advantageous to those who have less than 20 years of service)	• Gratuity of one (1) year salary • 80% of basic pay (BP) and LP regardless of the length of service rendered • Commutation of Accumulated Leave (CAL) depends on the number of earned unused leave • Adjustment of monthly pensions every time there is an increase of pay of PNP personnel in the active service • Lifetime pension equivalent to 80%, starts upon approval of TPPD by NAPOLCOM • Old Age Pension for former members of the AFP upon reaching age 65, and have served the military for at least 6 years • Pension both from PNP and NAPOLCOM • If officer dies within 5 years from retirement, surviving spouse/children will be entitled to the pension for the remaining 5-year guaranteed period. After lapse of 5-year guaranteed period, all pension/benefits are forfeited. • If more than 32 years of service or equivalent to 81%, he/she will receive 80% only

- Welfare benefit package provided by NAPOLCOM to PNP members who were killed or injured while in the performance of duty.[107] These benefits include pension, reimbursement of medical and hospitalization expenses, burial and gratuity. Table 6.39 shows the number of beneficiaries and the amount provided to recipients from 1998-2004.

[107] Presidential Decree 1184 and Presidential Decree 448

Table 6.39
POLICE WELFARE BENEFITS PROVIDED BY THE NAPOLCOM, 1998-2003

TYPE OF BENEFITS	1998		1999		2000		2001		2002		2003	
	NO.	AMT.	NO.	AMT.	NO.	AMT.	NO.	AMT.	NO.	AMT.	NO.	AMT.
Permanent Total Disability (PD 448)												
Medical & Hospitalization	0	15.2	513	12.6	126	7.0	267	7.6	362	14.0	60	123.9
Gratuity	0	50.2	192	25.3	429	8.3	249	27.6	200	29.8	433	63.6
Burial	1,466	17.8	0	2.2	7	0.7	0	0	0	0	148	17.8
Pension	5,103	98.7	864	36.8	1,600	43.2	1,022	53.6	1,200	78.0	1,357	128.1
]Sub-Total	**6,569**	**181.9**	**1,569**	**76.9**	**2,162**	**59.2**	**1,538**	**88.8**	**1,762**	**121.8**	**1,998**	**333.4**
Death Benefits (PD 1184)												
Medical & Hospitalization	509	15.0	243	7.4	194	10.8	135	6.8	105	4.0	352	10.1
Gratuity		19.6	388	34.9	99	32.2	650	65.7	529	62.6	105	20.7
Burial		0.8	0	9.4	2	19.2	555	16.1	291	13.0	0	0
Pension	2,700	28.6	1,548	123.8	922	131.9	1,699	180.2	1,792	178.4	1,132	83.6
Sub-Total	**3,209**	**64.0**	**2,179**	**175.5**	**1,217**	**194.1**	**3,039**	**268.8**	**2,717**	**258.0**	**1,589**	**114.4**
Grand Total	**9,778**	**245.9**	**3,748**	**252.4**	**3,379**	**253.3**	**4,577**	**357.6**	**4,479**	**379.8**	**3,587**	**447.8**

Amount is in thousand pesos; Source: DPRM

- PNP Scholarship Program administered by NAPOLCOM for legitimate children of PNP members who died in the line of duty or who become incapacitated while on duty.[108] This scholarship program applies to elementary, high school, vocational and college degrees in a non-exclusive institution. It is limited to the payment of tuition and miscellaneous fees payable to the school and remitted by NAPOLCOM upon presentation of required documents such as approved enrollment or registration form. Table 6.40 exhibits the extent of the program in terms of number of beneficiaries and amount involved.

Table 6.40
SCHOLARSHIP GRANTS TO DEPENDENTS
OF PNP MEMBERS, 1998-2003

Year	Number				Amount (Php)	Average Grant Per Student (Php)
	College	High School	Elementary	Total		
1998	1,715			1,715	5,435,890.50	3,170
1999	936	385	433	1,754	14,242,453.60	8,120
2000	775	547	481	1,803	11,420,323.12	6,334
2001	686	565	446	1,697	11,363,575.20	6,696
2002	839	534	387	1,760	15,242,506.72	8,661
2003	1,063	515	332	1,910	12,753,435.35	6,677
Total	10,639			10,639	70,458,184.49	6,623
Average	1,773			1,773	11,743,030.75	6,623

Source: NAPOLCOM Accomplishment Reports

[108] RA 6963, otherwise known as "An Act Granting Special Financial Assistance and Benefits to Family or Beneficiary of Any Police or Military Personnel or Firearm Killed of Permanently Incapacitated While in the Performance of His Duty or by Reason of His Office or Position and for Other Purposes", enacted on November 20, 1990.

- "Pabahay ni Erap Para sa Pulis" program which consists of a five-storey condominium type building located at Block IV, Diego Silang Village, Taguig, Metro Manila, with an area of 36 sqm for Junior PCOs and 57 sqm for Senior PCOs. This is also called the Base Conversion Housing (BCDA) housing project.
- Housing project in Sta. Barbara Villas in San Mateo, Rizal (400 units). The project which was coordinated with the PAG-IBIG and AFSLAI for the extension of a special lending window for the PNP, including: reduced interest rate at 4% per annum, Simplified processing, easy payment terms, no down payment, increased loanable amount to P500, 000 and less documentary requirements.
- Health services provide by the different PNP hospitals and medical units. The PNP maintains hospitals and medical and dental dispensaries in the different police camps nationwide (Table 6.41). In NCR alone, there are already five of these units, while Region 4 has four. Each region has one or two PNP medical facilities.
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Table 6.41
PNP Medical Facilities

REGION	PNP MEDICAL UNIT
NCR	PNP General Hospital, Camp Crame Central Dental Dispensary, Camp Crame Camp Panopio Dental Dispensary Medical and Dental Dispensary, Camp Bagong Diwa, Tagig PPSC Medical and Dental Dispensaries, Fort Bonifacio, Makati City
Region 1	Medical and Dental Dispensaries, Camp Florendino, San Fernando, La Union
Region 2	Medical and Dental Dispensaries, Camp Adduru Tuguegarao, Cagayan
Region 4	Medical and Dental Dispensaries, Camp Castaneda, Silang, Cavite Medical and Dental Dispensaries, Camp Vicente Lim, Canlubang, Laguna PNTI Medical and Dental Dispensaries, Camp Vicente Lim, Canlubang, Laguna
Region 5	Medical Hospital with 50 bed capacity, Camp Simeon Ola Legaspi City Dental Dispensary, Camp Simeon Ola Legaspi City
Region 6	Medical Hospital with 50 bed capacity, Camp Delgado, Iloilo City Dental Dispensary, Camp Delgado, Iloilo City
Region 7	Medical Hospital with 50 bed capacity, Camp Cabuhog, Cebu City Dental Dispensary , Camp Cabuhog, Cebu City
Region 8	Medical Hospital with 50 bed capacity, Camp Ruperto Kangleon, Palo, Leyte Dental Dispensary , Camp Ruperto Kangleon, Palo, Leyte
Region 9	Medical and Dental Dispensaries, Camp Eduardo Batalla, Zamboanga City
Region 10	Medical and Dental Dispensaries, Camp Alagar Cagayan de Oro City
Region 11	Medical and Dental Dispensaries, Camp Catitipan, Davao City
Region 12	Medical and Dental Dispensaries, Camp Fermin Lira General Santos City

REGION	PNP MEDICAL UNIT
Region 13	Medical and Dental Dispensaries, Camp Rodriguez, Butuan City
ARMM	Medical and Dental Dispensaries, Camp Salipada Pendatun Parang, Maguindanao
CAR	Medical Hospital with 50 bed capacity, Camp Dangwa La Trinidad, Benguet Dental Dispensary , Camp Dangwa La Trinidad, Benguet

3.1.2 The medical services provided to beneficiaries from 1998-20032 are on the other hand reflected in Table 6.42.

Table 6.42
PROVISION OF HEALTH SERVICES FOR PNP
MEMBERS AND DEPENDENTS, 1998-2003

Activity	1998	1999	2000	2001	2002	2003
Confinement	2,827	35,669	327,221	1,606	1,103	4,083
Major Surgery	206	9,180		1,393	114	
Minor surgery	2,403	7,705			246	
Physical examination and consultation and treatment without hospitalization	36,618	17,705		58,497	68,182	77,589
Dental treatment and examination	118,559	56,542	110,455	58,492	112,724	174,716
Total	**160,613**	**126,801**	**437,676**	**119,988**	**182,369**	**256,388**

Source: PNP Accomplishment Reports

3.1.2 Innovative measures may be studied and pursued on the grant of benefits for the police force. Expansion of existing programs may be in order considering that these programs have been in place for already more than 10 years. In the study of police benefits, PNP could learn from and benchmark similar programs of other countries. For example, in Singapore the following benefits are provided to its police force. In our case, additional benefits must be reckoned with funding availability and legislative authorization, as necessary.

- Annual vacation leave of 21 days and casual leave of 14 days
- Annual medical leave of 30 days and hospitalization leave of 30 days
- Annual study leave of 12 days (subject to approval)
- Class 3 driving lessons
- Retirement investment plan
- Subsidized medical and dental care
- Police Group Term Life Insurance Scheme
- Low interest loans for home renovation, vehicle, computer and housing

- Membership to Central Welfare Fund, Senior Police Officers' Association, and Senior Police Officers' Mess and Police Cooperative Society
- Use of local and overseas holiday bungalows and chalets
- Marriage / Child birth gifts
- Study award for children

3.1.4 The provision of other forms of compensation to the police is equally important, especially since their regular pay is low. There must be a continuing review on police benefits so that necessary adjustments can be effected to meet current requirements within the PNP budget and/or other available resources.

4 SEPARATION AND RETIREMENT

4.1.1 Separation is distinguished from retirement in terms of coverage[109], as follows:

Retirement:
- Compulsorily retired
- Optional with at least 20 years of active service
- Posthumously retired (with at least 20 years of active service)
- TPPD with at least 20 years of active service
- Disability other than TPPD with at least 20 years of active service

Separation:
- Optional with less than 20 years of active service
- Posthumously separated
- TPPD with less than 20 years of active service
- Disability other than TPPD with less than 20 years of active service

4.1.2 The compulsory retirement age for PNP members is 56. Upon accumulation of at least twenty (20) years of satisfactory active service, an officer or non-officer, at his own request and with the approval of the Commission, is also allowed to retire from the service and entitled to receive benefits provided by law (optional retirement).

4.1.3 A uniformed member who has served at least one (1) year of active service in the permanent grade is retired in one grade higher than the permanent grade last held.[110] It is a policy that in the case of an officer with the rank of Chief Superintendent, Director or Deputy Director General, the NAPOLCOM may allow his retention in the service for a period not extending one (1) year.

4.1.4 The monthly payment for compulsory retirement is equivalent to 50% of the base pay and longevity pay of the retired grade in case of 20 years of active service, increasing by 2 ½ percent (2.5%) for every year of active service rendered beyond 20 years to a maximum of 90% for 36 years of active service or over.[111] Optional retirement is on the other hand may be through any of the following:

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[109] Fiscal Directive No. 2003-3, May 21, 2003
[110] Section 82 of RA 6975 – Retirement in the Next Higher Grade
[111] Section 34 of RA 8551 - **Retirement Benefits** (amending Section 75 of RA 6975)

- Optional retirement under Section 40 of RA 6975
- Early retirement under Section 37 of RA 8551
- Total Permanent Physical Disability (TPPD) under Section 35 of RA 8551[112]

4.1.5 The attrition system is tied up with the separation and retirement system. A police officer may be retired or separated even if he has not reached the compulsory retirement age of 56, has been permanently disabled, or has not requested for optional retirement through attrition by attainment of maximum tenure in position, by relief, by demotion in position or rank, by non-promotion, and by other means. Table 6.43 describes each of these attrition types.[113]

Table 6.43
Attrition System In PNP

TYPE	DESCRIPTION
By attainment of maximum tenure in position	The maximum tenure of PNP members holding key positions is as follows: Chief, PNP - 4 years Deputy Chief - 4 years Director of the Staff Services - 4 years Regional Director - 6 years Provincial Director - 9 years Other positions higher than Provincial Director have a maximum tenure of 6 years, unless otherwise separated, retired or promoted to a higher position
By relief	PNP uniformed personnel who has been relieved for just cause and has not been given assignment for two (2) years after such relief shall be retired or separated.
By demotion in position or rank	Any PNP member , civilian or uniformed, who is relieved and assigned to a position lower than what is established for his or her grade in the PNP staffing pattern and who shall not be assigned to a position commensurate to his or her grade within 18 months after such demotion in position shall be retired or separated.
By non-promotion	A PNP member who has been promoted for a continuous period of ten (10) years shall be retired or separated.
By other means	A PNP or officer with at least five (5) years of accumulated active service shall be separated based on any of the following factors: • Inefficiency based on poor performance during the last two (2) successive annual rating periods • Inefficiency based on poor performance three (3) cumulative annual rating period • Physical or mental incapacity to perform police functions and duties • Failure to pass the required entrance examinations twice and/or finish the required career courses except for justifiable reasons

4.1.6 Separation and retirement benefits are paid out of the regular budget of the PNP under the annual General Appropriations Act. The amount is not adequate; hence the request for additional release from the Miscellaneous Personnel Benefits Fund, a lump sum fund administered by the Department of Budget and Management. There

[112] An officer/non-officer who is permanently and totally disabled as a result of injuries suffered or sickness contracted in the performance of his duty as duly certified by the NAPOLCOM, upon finding and certification by the appropriate medical officer, that the extent of the disability or sickness renders such member unfit or unable to further perform the duties of his position, shall be entitled to one (1) year's salary and to lifetime pension equivalent to 80% of his last salary, in addition to other benefits as provided under the existing laws. Should such member who has been retired under permanent total disability die within 5 years from his retirement, his surviving legal spouse or if there be no one, the surviving dependent legitimate children shall be entitled to the pension for the remainder of the 5 years guaranteed period

[113] Sections 24 – 30, RA 8551

is delay in the release of funds, thus the concomitant delay in the payment of retirement and separation benefits.

4.1.7 It is a requirement under the law that the retirement pay of the officers/non-officers of the PNP shall be subject to adjustments based on the prevailing scale of base pay of police personnel in the active service. This is not fully met yet because of funding limitation.

4.1.8 An automated personnel records system will facilitate the processing of retirement and separation benefits. This will feed into a management information system that will support HRM planning, policy making and budgeting.

4.1.9 The PNP uniformed personnel are not members of the GSIS. A retirement and separation benefit system was established pursuant to RA 6975 but it was never implemented. Benefits are included under the GAA and released accordingly, subject to funding availability.

4.1.8 A retirement and separation system must be established and put in place in PNP to rationalize the grant of benefits to deserving and qualified uniformed personnel. This must include a detailed definition of the coverage, mechanics and funding management to ensure the grant of fair and just compensation for the purpose that is understood by all concerned. An accrual study may be necessary to set the level of benefits at appropriate levels.

4.1.9 Physical agility and strength are necessary qualifications of police officers especially of those who are assigned core police functions in the field like patrolling, intelligence, investigation and mobile tasks. Retirement at earlier age may be advantageous especially where opportunities are available to them in getting employment outside of the police or in the private sector which can make use of their experience, discipline and administrative supervisory skills in security measures, but whose decreased agility and strength due to advancement in age would be of less relevance in the police considering the complexity that accompanies policing work which may not be present in the private sector. Age 50 may be the appropriate age for retirement of line officers, at which time he/she would have rendered a maximum of 30 years of service (on assumption that he/she started at age 21). This is still within the regular retirement bracket where one could fully enjoy retirement benefits provided by the government considering that 20 years of service is the minimum prerequisite for retirement with benefits.

4.1.10 High-level police managers or the star ranks in the police (Chief Superintendent and up) may be retired at age 60. As police top-level administrators, physical agility is no longer a priority factor, their expertise, insights and experience are qualities which matter most. As top police executives, the PNP could benefit from their wisdom, leadership, competence, intelligence, decision-making skill, professionalism and other qualities honed throughout their stay in the police. Retiring them at their prime is depriving the police of these valuable qualities necessary in quality policing.

4.1.11 Furthermore, extending the retirement of the Chief, PNP may address the negative implications of constant changing of policies, strategies and programs/projects thrusts that go with the retirement of the PNP Chief and the appointment of a new

one. The tendency for a new leadership to put in place his own strategies, programs of actions and operational policies and priorities, and totally changing those that are more associated with previous administration, jeopardizes the implementation of ongoing important programs and projects especially if they have yet to take fruition or have been all along working effectively.

4.1.12 The suggested retirement schemes must however be studied extensively, especially since this will require a well-designed and effective manpower planning system in PNP which is not currently present. A good manpower plan for individual member could help identify who among the police could become police managers and who would remain line officers years ahead, thus applying the right plan for individual cases. An actuarial study is also necessary to identify the appropriate benefits that must be provided in each case.

4.1.13 It may be noted that both PNP and NAPOLCOM did not endorse the passage of a bill[114] on extending the compulsory retirement age from 56 to 58 for PNP members from the rank of Inspector to Chief Superintendent, on the basis of separate surveys conducted by these agencies which indicated the sentiments of most police officers. It is the police position that the proposal has a massive demoralizing effect because the chain reaction of promotions will be adversely affected. "Many of the Senior Superintendents and Chief Superintendents belong to the same age bracket. Extending the retirement age would deprive many Senior Superintendents of the opportunity to be Chief Superintendents (generals) before they retire".[115] This is apparently an issue because there is only one career path for police officers and that is through the ranks. It is thus necessary that a feasible retirement scheme for the police be established on the basis of the overall career development philosophy, framework and policies which must be set beforehand.

5 INCENTIVES AND REWARDS

5.1.1. Incentives and rewards are provided to employees who exhibit certain commendable behavior and attitudes that contribute to the cost savings, bring honor to the organization, encourage giving of suggestions that improve the efficiency, bring innovations, and such other positive contributions to the overall efficiency and effectiveness of the police. Awards and incentives follow objective and impartial search and selection processes, subject to pertinent standards and guidelines.

5.1.2 The system of incentive and awards is established and implemented for the police, as mandated under the law[116]. The Department of the Interior and Local Government was tasked to promulgate the rules, regulations, and standards of such incentives and awards system. From 1998-2003, averages of 42,265 PNP personnel receive various awards every year (Table 6.46). There were 105,298 police officers who were given the PNP UNIT Citation Badge for their exemplary performance during the EDSA II Revolution.

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[114] House Bill No. 3612 sponsored by Congressman Prospero A. Pichay Jr. during the first regular session of the Twelfth Congress.
[115] Except form the position paper on House Bill No. 3612.
[116] Section 69, RA 6975

Table 6.44
Personnel Given Awards and Recognitions
1998-2003

1998	1999	2000	2001	2002	2003
11,858	56,512	49,746	46,234	55,526	33,716
Total for six years = 253,592					
Annual Average = 42,265					

5.1.3 A continuing study on the award system is called for in all organizations, including the police. Updating the system and introducing innovations and relevant new programs as necessary is a sound policy consideration.

6 POLICE STRESS

6.1.1 Police officers have to deal with all sorts of people – the bad elements of the society, people hard to deal with, people in the community who are cynical about the police, as well as good natured people. Police officers are expected to risk their lives every day to protect the citizens who most often do not appreciate them. Police officers are usually victims of the police trauma syndrome (PTS) that can develop after catastrophic events that affect a police officer physically, emotionally, mentally and behaviorally. [117]

6.1.2 The police profession is also plagued with burn-out. Job related stressors such as shiftwork, hyper vigilance, poor nutrition, work overload, unpredictability, responsibility for people, and ongoing contact with stress carriers all lend themselves to high burn-out.[118] Other stressors are peer pressure, family crisis, financial stress and boredom.

6.1.3 PNP has noted that the slow process of promotion in the police force has contributed to the officers' lack of drive to perform well. [119] The way courts/judicial justice system handle criminal cases is another frustration among police officers. Not all arrests lead to conviction, not all evidence is admitted in court, and not all punishments are harsh enough. Police experience a terrible sense of helplessness and powerlessness when they see repeat offenders back on the street and victims go without justice for the harm done them.

6.1.4 Work overload and work shifting in policing are also stressful. Police work at least ten hours a day without corresponding compensation for doing such. Police work, while civilian in nature does not follow the eight-hour daily routine. Police are required to be available round-the-clock, and so police commanders have to ensure that such requirement is met through shift assignments among their respective commands. In some police stations, a 10-hour work shift is implemented. Work in others is scheduled where one gets straight duty for a number of days and certain

[117] Ibid.
[118] Anderson, Beverly J. Ph.D., B.C.E.T.S., Clinical Director of the Metropolitan Police Employee Assistance Program (MPEAP), Washington DC, "The Echoes of Violence in the Police Family", ©2002 Dr. Beverly J. Anderson and Gift from Within
[119] Mendez, Christina, PNP Chief Expediting Promotion of 40,000 Cops", The Philippine Star, 02 September 2004

number of days off, but to complete the 40-hour-week requirement. As compared to police in other countries who are paid not only overtime but also shift differential (about 5% of basic pay), PNP uniformed personnel are however not compensated for extra hours they stay in the job. In other countries, court time is also converted into cash, but there is nothing like this in PNP.

6.1.5 Police officers have limited access to legal services and consultancy advice. This has an influence on police stress. There are certain mechanisms that provide legal assistance to police officers specifically if they are involved in problems that require legal representations. A joint memorandum was executed among the DOJ, PNP and NAPOLCOM that calls for the provision of legal services to members of PNP who are charged before the prosecutors, the courts and other competent bodies for service-connected offenses. The NAPOLCOM through its Legal Affairs Service and regional offices render legal services, advice and representation to police officers in all stages of a criminal or administrative proceeding.

6.1.6 In spite of the above arrangements, interviews made by consultants with certain police officers both in national headquarters and the field point to inadequacy, if not total absence, of legal assistance and support services to police officers. That police officers have to hire their own attorneys/lawyers and assume all expenses in connection with their cases is one major stressor in the performance by the police of their duties.

6.1.7 Assistance to the police by LGUs varies depending on the capacity of the latter. The assistance by LGUs to police has its negative effects. The police are used in politics that compromised their independence. The deputization of Provincial Governors and City Mayors as representatives of the NAPOLCOM in their respective territorial jurisdiction allows local government executives to persistently have political hold on the police through operational supervision and control over PNP units in their respective jurisdiction.

6.1.8 Policing is a very stressful job. Measures must be undertaken to enhance police training program by including stress-reduction techniques and methods in handling stress- producing situations.

7 REFORM IMPLICATIONS

7.1.1 The above discussion on the issues on police motivation may be the basis for some reform initiatives in the PNP, as follows:

- Study the compensation package for the police using market rates as basis and adopting a more flexible compensation structure that provides for a wide opportunity for upgrading the compensation of PNP uniformed personnel
- Review the benefit programs; consider best practices in other police organizations abroad and study their applicability in the PNP vis-à-vis funding availability
- Include in training programs of police some techniques on stress reduction.

- Re-study and establish a retirement separation benefit system for uniformed personnel, including the attrition system and tie this up with the competency framework which must be developed for the police.
- Establish a retirement and selection benefits system; rationalize the coverage and grant of separation and retirement benefit package
- Consider and study a plan where a retirement age for line officers may be at 50, while that for police officers at managerial level may be at 60 to 65 to optimize and benefit with their expertise for the police service

SECTION 4
Police Education and Training

1 INTRODUCTION

1.1.1 This study is a diagnostics of the policies, strategies, institutional arrangements, and programs in educating and training police personnel of the Philippine National Police (PNP). The study therefore intends to review the strategic orientation, appropriateness, adequacy, and responsiveness of police education and training in improving the capacities of police personnel for effective and efficient job performance and for continuous learning.

1.1.2 Education and training that is strategically linked to articulated outcomes of public order and safety which ultimately impacts to the country's sustainable national development must be immediately relevant to the preferences of society, policy bias of the police organization, and the developments in local international environment. Appropriateness means that education and training program matches the actual job requirements of the police. Adequacy means that education and training program is sufficient to ensure the effective, efficient and credible performance of duties and responsibilities of police officer. Responsiveness means that education and training must respond to the developments in the social, political, economic, and cultural environment.

1.1.3 Police education and training has an intrinsic value of upgrading the knowledge skills and attitudes of police personnel which, by and large, will result in improved delivery of public safety services. Conversely, the lack of adequate education and training, of police personnel, which practically means allowing untrained and often dangerous officers on the streets wearing badges and guns, clearly jeopardizes the citizenry's safety and welfare.[120]

2 DEFINITION OF POLICE EDUCATION AND TRAINING

2.1 Framework for Police Education and Training

2.1.1 Police education and training may be broadly defined as learning strategies directed at changing or improving the competencies of police personnel in performing their role in society. This broad definition underscores five core principles in police education and training, as follows:

- Education and training must be congruent to the specific role of the police in society.

[120] Thibult, Edward A., Lawrence M. Lynch and R. Bruce McBride. Proactive Police Management, 4th Edition. Prentice-Hall, Inc. 1998

- Education and training must be directed at improving the performance of the individual police officer and law enforcement agency in terms of service delivery.
- Education and training must take into consideration the inventory of knowledge, skills and attitudes as well as learning policies, objectives and priorities of police personnel and police organization.
- Education and training must be keyed to the specific competencies that must be developed among police officers and law enforcement agency.
- Education and training must result in positive transfer value, which may be. [121]

3 CONTEXT OF POLICE EDUCATION AND TRAINING

3.1.1 Police education and training does not occur in a vacuum. A broader understanding of the nature of police education and training must look at the context of law enforcement as an element of the criminal justice system, which in turn functions as an institution of social control in a civilized society.

3.1.2 Civilized and democratic societies evolved as individuals, out of necessity, convenience and inclination, formed organized collectivities, established laws that control the behavior of its members, and constituted institutions endowed with limited powers and functions originally and voluntarily ceded by individuals for their mutual protection and the promotion of their common welfare and interests. This notion of society is premised on important assumptions about the individual, the social contract that made possible the existence of a society, the laws and the criminal justice system, and the government.

3.1.3 The notion of society as a voluntary collectivity of persons begins with the assumption on the nature of individuals as rational and self-seeking, always attempting to maximize his or her position or utility and minimize the pains or costs. Thus, an individual can make a rational choice – a point in all activities which is his or her best point under the given circumstances. The upward bias of a self-interested individual to maximize his utility in the face of limited resources will naturally lead to conflict with other self-seeking individuals. This situation then leads to constant clashes, fear, danger and disorder. Because these individuals are rational, they have the capacity to consider what is really in their self-interest during times of conflict, i.e., to protect and preserve their individual interests (life, liberty and property), and consequently, to enforce proportional punishments against injuries or breaches.

3.1.4 In other words, a rational individual will realize that it is consistent with his self interest to establish a mechanism that will (1) enable predictable responses or actions from equally self-seeking and rational individuals; (2) ensure a stable and benign environment that guarantees the pursuit of individual happiness; (3) prevent predation, violence, oppression and other injuries and breaches with the enforcement

[121] Positive transfer value is a term used by Harry C. Lorenzo Jr. in "Police Education and Training: Transcending Traditional Institutional Values and Boundaries", which appeared in Public Safety: Dimensions and Concerns, edited by Harry Lorenzo Jr. and Archimedes R. Piga. True learning, according to Lorenzo, has positive transfer value, i.e., if a trainee accurately hits a target in a firing range, he or she will no doubt, hit the enemy in actual battle or encounter. Failure of police personnel in actual operations indicates deficiencies in learning during training or lack of positive transfer value of training. Lorenzo broadly defined education as an art or skill of utilizing an idea in real life situation.

of proportional punishments, and promote convenience, prosperity and welfare through incentives; and (4) ensure the existence of a vibrant and nurturing community of individuals that promotes productive and quality living.

3.1.5 The rational individual will realize that this mechanism and its resulting outcomes can only be made possible if he or she will cooperate or forge an agreement with other individuals. Between two individuals, that agreement is simply constituted as a promise not to hurt or threaten each other. Among many individuals living together, everyone is bound to everyone by such promises. These promises to one each other is referred to as a social contract.

3.1.6 At its basic form, the social contract is a voluntary agreement among people defining the relationship of individuals with one another and by this process forming a distinct organized society. It must be pointed out that the essence of this social contract is found not so much on the representation or demonstration of individuals signing in an abstract contract to establish society, but on the principles that rational individuals must be willing to accept (prior to the social contract) to enable them to live in a well-ordered society.

3.1.7 Recent thinking points to at least two principles (1) justice as equality in the distribution of civil liberties and economic goods, being the constraint or pre-requisite to the social contract; and (2) rationality as internal reason or "morals" that compels persons to cooperate. Under the first principle, each person in a society is to have much basic liberty as possible, as long as these goods are distributed equally. Also, no one is to be denied access to greater economic advantage. Only when a rising tide carry all boats upward, so to speak, can economic inequalities be permitted in a just society. However, individuals cannot decide to forego civil liberties in favor of greater economic advantage. Under the second principle, agreement or cooperation between maximizing and rational individuals is possible even without the aid of government coercive authority to enforce such contract. The rational individual disposes himself to constrain his utility maximization by being cooperative, as the action of other rational individuals can affect his outcome. This demonstrates clearly an instance where enforcement mechanism has been internalized by rational and self-interested individuals, prior to the conception of a government as an enforcer of social contract.

3.1.8 The social contract, which is the agreement to come together and form a people, is the real foundation of society. The society is thus formed when free and equal persons come together and agree to create themselves a single body directed to the good of all considered together. Just as individual wills are directed towards individual interests, the general will, once formed, is directed towards the common good, understood and agreed to collectively.

3.1.9 In the process, the inherent rights and freedom of individuals is collectively renounced and transferred to the collective body. Specifically, the original power of individuals to enforce punishment against injuries or breaches of their legitimate interests is mutually ceded to the society. As such the society becomes the umpire, deciding controversies or differences between any members of that collective body concerning any matter of right, and punishing those offences which any member had

committed against the society or a member of the collectivity, with such penalties as the law has established.

3.1.10 The individuals therefore collectively authorize the society to make laws as the public good may require, to execute such laws, to decide on controversies, and to determine redress for injuries against any member of the society.

3.1.11 Laws establish the terms of reference for this social contract. The rule of law prevails when laws are recognized and followed by both citizens and government in ensuring the enforcement and protection of individual rights against violence, predation and arbitrary state action, in resolving social conflicts, and in punishing offenses with penalties as the law has established.

3.1.12 These laws, which are embodied in the Constitution, statutes, judicial decisions, and international instruments, comprise the body of official rules and regulations that govern society and control the behavior of its members. Laws regulate the rights and duties arising from the relationship of the state to the people, and the relations of individuals with one another for purely private ends.[122] Laws likewise prescribe the manner or procedure by which rights and duties may be enforced or their violations redressed.

3.1.13 The law represents a supposed value consensus in society which is binding on its members.[123] Violation of these societal norms as embodied in the formal laws constitutes an offense or breach which the state must resolve to protect and defend the society and to enforce individual rights.

3.1.14 The concept of peace may be defined within the context of a civilized society where citizens live and work together and are governed by state authority. Peace is defined as a result of this social contract whereby the balancing or harmonization of expectations and power in society is attained.

3.1.15 The term "expectations" is simply defined as a prediction of behavioral outcomes. The social contract harmonizes certain expectations as it enables citizens and the state to reliably predict responses from each other, through explicit or implicit rights and obligations, distributions, and behavioral guides (e.g., laws, rules and traditions). Power, on the other hand, may be defined as the mutual interests (wants), capabilities (can do) and wills (will do) of citizens and the state.

3.1.16 Theoretically, cooperation between and among citizens and government is attained when there is a congruence or equilibrium between expectations and power. However, this balance between expectations and powers can change rapidly with interests shifting, capabilities developing, and wills strengthened or weakened, causing social agreements to lose support. This results in conflict situations. Conflicts arise when there is a gap between social expectations and powers, that is, there are clashes of interests, capabilities, and wills, and a breakdown of agreements on fundamental rights, obligations, distributions, rules and traditions. Conflict behavior, such as hostile actions, public demonstrations, violence and even war, is a

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[122] Criminal law and civil law, respectively.
[123] Bohn, Robert M. and Keith N. Haley. Introduction to Criminal Justice. Glencoe/McGraw-Hill. 1997.

manifestation of this process. The larger the chasm, the greater the pressure towards the shifting of powers and restructuring of social expectations.

3.1.17 Hence, conflict must be understood as part of a social process by which citizens and the state adjust their different and changing interests, capabilities and wills and a means of forming societal expectations. Through this process, social order is established and dynamically adjusted. Conflict results in a balancing of powers and reframing of agreements, which is what cooperation is all about. Social cooperation and conflict are interdependent concepts and must be seen as alternative phases in a continuous and dynamic social process of interactions between and among citizens and the state. The key to sustainable peace in society is making conflicts less intense and cooperation more lasting.

Figure 6.2
Concept of Peace



3.1.18 The rule of law is supported by an institutional arrangement (policies, processes and organizations) comprising the five pillars of the justice system, specifically law enforcement, prosecution, the Judiciary, correction, and community. The criminal justice system is defined as the "the system or process in the community by which crimes are investigated, and the persons suspected thereof are taken into custody prosecuted in court and punished if found guilty, provision being made for their correction and rehabilitation."

3.1.19 The law enforcement pillar prevents the commission of crime and protects the life, liberty and properties of citizens. This is primarily undertaken by the Philippine National Police and the National Bureau of Investigation. There are other government agencies, such as the Bureaus of Immigration and Internal Revenue, which are also mandated to enforce specific laws.

3.1.20 The prosecution pillar, which is the responsibility of the National Prosecution Service of the Department of Justice, prosecutes cases filed in the court against alleged offenders, after probable cause has been established through thorough evaluation. The judiciary pillar adjudicates cases and renders judgment. The Judiciary is comprised of the Supreme Court and lower courts.

3.1.21 The correction pillar administers the prison and jail systems through corrective, rehabilitative and restorative measures. It also administers death penalty to offenders who are found guilty of committing heinous crimes. The Bureau of Corrections, Parole and Probation Administration, Board of Pardons and Parole, Bureau of Jail Management and Penology, Department of Social Welfare and Development and the local government units are involved in this pillar.

3.1.22 The community pillar collectively imposes limitations on individual behavior of citizens for the common good of civilized and democratic society that deters criminality and criminal behavior. Institutions such as the Barangay, government agencies, legislative bodies, the academe, and religious and civic organizations, among others, are involved in this pillar.

3.1.23 There is mutual reinforcement between and among the five pillars of justice. The relationship may be described as multi-dimensional, which means that each pillar relates to every other pillar in promoting the rule of law as central objective.

3.1.24 The police is an institution of law enforcement comprised of citizens deputized/duly appointed and sworn in by the State to detect, prevent and control crime for the purpose of preserve public peace, protect the life, liberty and property of the citizens. The main function of the police is to ensure that fellow citizens are behaving in accordance with the laws and conducting activities not injurious to society in general.

3.1.25 The role of the police, as designated by society, requires specific competencies such as integrity and probity, knowledge of the law, and enforcement skills. This competency framework requires educating and training police citizens to become police officer that are effective in performing its mandated functions.

4 INSTITUTIONAL FRAMEWORK

4.1 Overview

4.1.1 There are two major institutions that provide education and training services: the Philippine Public Safety College (PPSC) and the Directorate for Human Resource and Doctrine Development (DHRDD) of the PNP.

4.1.2 The PPSC was established under Republic Act No. 6975 as a bureau under the Department of the Interior and Local Government. It is mandated to provide training, human resource development and continuing education of all personnel of the Philippine National Police (PNP), the Bureau of Fire Protection (BFP) and the Bureau of Jail Management and Penology (BJMP).

4.1.3 The PPSC serves as an umbrella organization that provides direction, supervision, administration and control of the various education and training programs offered by its component training units, namely: National Police College (NPC), Philippine National Police Academy (PNPA, Police National Training Institute (PNTI) and its 18 Regional Training Schools (RTS) nationwide, Fire National Training Institute (FNTI), Jail National Training Institute (JNTI) and the National Crime Research and Training Institute (NCRTI).

4.1.4 The DHRDD, an organic unit of the PNP, is tasked to formulate training programs and directives, administer the PNP scholarship programs, and oversee police training in public and private schools. It also provides training to non-uniformed personnel of the PNP.

4.2 Philippine Public Safety College

4.1.1 The Philippine Public Safety College (PPSC), which was created by virtue of Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government (DILG) Act of 1990", is mandated to serve as the foremost educational institution for training, human resource development and continuing education of all personnel of the Philippine National Police (PNP), the Bureau of Fire Protection (BFP) and the Bureau of Jail Management and Penology (BJMP).[124] As such, the training of those involved in public safety and order is the primary responsibility of the PPSC.[125]

4.1.2 The PPSC undertakes the following powers and functions:[126]

- Formulate and implement educational and training programs in the field of public safety;
- Confer degrees and issuances of diplomas and certificates for course participants who have satisfactorily complied with the requirements for graduation;
- Establish and maintain appropriate and adequate facilities;
- Engage in research and doctrines development to support educational and training programs;
- Conduct continuing assessment of the educational and training needs of its clientele;
- Evaluate the performance of all its constitutive units and regional training services through periodic inspections and performance audit;
- Pursue other functions/activities needed to effectively carry out its mandate; and
- Perform such other functions as required or directed by the DILG Secretary or the PPSC Board of Trustees.

[124] Section 66, RA 6975, dated 13 December 1990
[125] Section 94, Rule XII, Implementing Rules and Regulations of RA 6975, dated 14 January 1992
[126] Section 2, Rule III, PPSC Operations Manual, 1998 Edition. The Manual is subject to revision at the time of the writing of this report.

4.1.3 The PPSC is both a regular agency attached to the DILG[127] and a special higher education institution (HEI).[128] As an attached agency, it maintains lateral relationship with the DILG for purposes of policy and program coordination. Coordination is achieved through the PPSC Board of Trustees, which is chaired by the DILG Secretary. As a special HEI, the PPSC operates as an academic institution that delivers higher education programs. It is one of the five special HEIs classified by the Commission on Higher Education (CHED).[129]

4.1.4 The PPSC is a relatively large and expansive organization which has a central policy making board, national support units that provides administrative and academic support services, six education and training institutions, and a network of 18 regional training schools. Figure _ presents the high-level structure of the PPSC.

4.1.5 The PPSC is directly supervised by a Board of Trustees (BOT) composed of the DILG Secretary, Chiefs of the PNP, BFP and BJMP, as members, and the President of the PPSC as ex-officio member.[130] According to the Operations Manual of the PPSC, the BOT exercises policy making functions in accordance with general policies, plans and programs on education as may be formulated by higher authorities.[131]

4.1.6 While the term "higher authority" is broad, it may ascertained as referring to the DILG Secretary, which, pursuant to Executive Order No. 292, otherwise known as the "Administrative Code of 1987", shall have supervision and control over the bureaus, offices, and agencies under the Department.[132] The DILG provides general policies that serve as the framework for the internal policies of the PPSC.[133] The PPSC prepares its own plans and budget, based on the guidelines and thrusts formulated by the DILG Secretary.[134]

4.1.7 The broad powers and functions of the BOT are analogous to those of the governing boards of public and private universities and colleges. Specifically, the BOT formulates the PPSC rules and regulations; approves curricula, academic policies and standards; authorizes the conferment of degrees and certificates; grants honorary degrees; establish professorial chairs; provide for fellowship and scholarship programs; and authorizes the major improvements in physical plant and procurement of supplies, materials and equipment. It is also empowered to recommend to the President of the Philippines the appointment of the President and other key officials of the PPSC.[135]

4.1.8 The PPSC President is the Chief Executive Officer and responsible for the overall organization, administration and operations of the PPSC. The PPSC President chairs

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[127] While RA 6975 and its Implementing Rules and Regulations do not have explicit provisions on the administrative relationship between the PPSC and the DILG, the Department of Budget and Management considers the PPSC as an attached agency of the DILG. See Agency Profiles and Program Targets, published by the DBM in 1993, and its subsequent unpublished revisions, until Year 2003. On the other hand, the PPSC, in its 2001 Annual Accomplishment Report and official website (www.ppsc.gov.ph) as of September 2004, refers to its administrative personality as "one of the bureaus under the DILG."

[128] Based on the classification of the Commission on Higher Education (CHED)

[129] The other special HEIs are the Development Academy of the Philippines, National Defense College, Philippine Military Academy, and Philippine National Police Academy. See CHED official website at www.ched.gov.ph.

[130] Section 1, Rule II, PPSC Operations Manual, 1998 Edition.

[131] Section 2, Rule II, *Ibid.*

[132] Section 39, Chapter 8, Book IV, EO 292 dated 25 July 1987

[133] Section 38, Chapter 7, Book IV, Executive Order No. 292, dated 25 July 1987

[134] Section 93, Rule XII, IRR of RA 6975

[135] Section 2, Rule II, PPSC Operations Manual, 1998

both the Administrative Council and the Academic Council. The Administrative Council is tasked to implement approved policies governing the administration, management and development PPSC. The Academic Council, on the other hand, is tasked to prescribe the curricula and the requirements for admission and graduation and conferment of degrees. Directly under the Office of the President are the Inspectorate and Legal Office and Public Information Office.

4.1.9 The PPSC President is assisted by Vice Presidents (VPs) for Administration and Academics. The VP for Administration supervises activities relating to procurement, and physical assets management, records management, financial management, general services administration, and operation of the PPSC Secretariat[136]. The VP for Academics, on the other hand, is responsible for the supervision of all academic programs, formulation of standards and curricula, development of faculty programs, library service, conduct of researches in support of curriculum and faculty development and program planning, and doctrines development. The VP for Administration also chairs the Academic Board, which is primarily tasked to resolve cases involving discipline, accreditation/equivalence and non-competitive schooling, and to formulate special and technical courses.

4.1.10 The core organic units of the PPSC for common support functions comprise the National Directorate. These include the following:

- Administrative Service
- Budget Management Service
- Planning, Research and Doctrines Development Service
- Logistics and Installations Service
- Curriculum and Standards Development Service
- Faculty Development Service

4.1.11 PPSC is the umbrella organization that provides direction, supervision, administration and control of the various education and training programs offered by its component training units, namely: National Police College (NPC), Philippine National Police Academy (PNPA, Police National Training Institute (PNTI) and its 18 Regional Training Schools (RTS) nationwide, Fire National Training Institute (FNTI), Jail National Training Institute (JNTI) and the National Crime Research and Training Institute(NCRTI).

4.1.12 The National Police College (NPC) handles the officer career courses, Bachelor of Science in Public Safety (In-service) as well as the Master in Public Safety Administration programs. The course offerings are designed to set the direction for effectiveness of the men and women in the public safety services.

4.1.13 The PNPA administers the Cadetship Program that provides the core of professionally trained young officers for the public safety services, while the PNTI , through its RTS, handles the non-career courses including specialized courses. The FNTI and JNTI on the other hand, take charge of the training needs of the fire and jail

[136] That is Secretariat to the Board of Trustees and other Boards, Councils, and Committees o f the PPSC. See Section 6, Rule III, *Ibid.*

services, respectively. The NCRTI serves as the scientific laboratory and handles as well the highly technical courses.

4.1.14 The intent of the RA 6975 is for the PPSC to have an organizational structure and staffing pattern that is non-uniformed in character.

4.1.15 Several bodies are involved the management and delivery of police education and training. At the national level, the National Police Commission (NAPOLCOM), Philippine Public Safety College (PPSC) and the Philippine National Police (PNP) itself provides disjointed oversight of police education and training programs.

Table 6.45
AGENCIES INVOLVED IN POLICE EDUCATION AND TRAINING

AGENCY	MANDATE	FUNCTION
NAPOLCOM	Exercise administrative control and operational supervision over the PNP	Approve or modify plans and programs on education and training of the PNP
PPSC	Serve "as the premier educational institution for the training, human resource development and continuing education of all personnel of the PNP, BFP and BJMP	Formulate and implement educational and training programs for the uniformed services of the DILG
DHRDD, PNP	Provide staff support to the Chief, PNP on all matters pertaining to human resource and doctrine development, including education and training	Formulate, oversee and implement training programs for the PNP uniformed and non-uniformed personnel
NSUs, PNP	Provide administrative and operational support	Formulate and implement training programs for the PNP uniformed and non-uniformed personnel
PROs, PNP	Primary police service delivery arm in the region	Formulate and implement training programs for the PNP uniformed and non-uniformed personnel

4.1.16 While NAPOLCOM is given sufficient powers over PNP, it has no oversight authority over the PPSC which is the primary training arm of the DILG on public safety. PPSC, on the other hand, being a service provider, is not directly accountable to the PNP in the delivery of the service. Conversely, the PNP's formulation and implementation of training programs is separate from that of the PPSC.

4.1.17 The NSUs maintain separate training units which are not under the supervision and control of the DHRDD. The PROs on the other hand, may implement their own training program which has not been programmed by DHRDD. These arrangements results in the diluted accountability, lack of strategic direction and disproportionate results in terms of competency of the police forces.

4.1.18 The provider-client relationship between the PPSC and PNP are vague.

4.1.19 The PPSC is a training provider which normally has obligation and therefore need to be accountable. If a failing in police performance was shown to be as a direct result of training provision, the provider may be held responsible.

4.1.20 The PNP, on the other hand, is a client. Clients have the right to complain and influence the quality of the final product. PNP may have to relinquish a measure of control of the formal training delivery to retain their status as clients.

The various mechanisms for training are fragmented and uncoordinated.

4.2.21 The PNP human resource development system is comprised of several internal units as well as the NAPOLCOM and PPSC, both external bureaus to the PNP.

4.2.22 The Directorate for Human Resource and Doctrine Development (DHRDD) is the lead internal unit for all the initiatives of the PNP to train and develop its personnel. It as well coordinates the various training units within the PNP, which are under other offices and units of the PNP:

a) Detective School under the Directorate for Investigation and Detective Management (DIDM)

b) Intelligence Training Group under the Directorate for Intelligence (DI)

c) Training Division under the Computer Service Unit

d) COMMEL Development and Training Division under the Communication and Electronics Service Unit

e) Maritime Training Office under the Maritime Group

f) Aviation Security Group's training facility for air operations

g) Assistant Directorial Staff for Human Resource and Doctrine Development of the Traffic Management Group

h) Special Action Force Training School

4.2.23 Each of these units plan and develop their training program for each specified function they correspond to in the PNP. The current structure allows lapses in coordination of training programs, and makes it even difficult to develop a system for a well developed plan and budget for training internal to the PNP.

4.2.24 The NAPOLCOM has as well not been able to carry on their function of providing meaningful directions for the development of PNP personnel. There are fundamental issues in carrying out much of its responsibilities in training due to the complex relations it has with another bureau of the DILG, the PPSC. PPSC develops its own training plans and programs, through whatever coordination it deems appropriate with the PNP and the NAPOLCOM. This poses not only as a problem in the delivery of training but as well in planning training directions, and linking it with career pathing of police personnel.

5 COURSE OFFERINGS

5.1 MASTER IN PUBLIC SAFETY ADMINISTRATION (MPSA)

5.1.1 The program conceives public safety as a state of security and safety, resting upon the foundations of internal security, fire and disaster control, correctional security, industrial and occupational safety, school and home safety and psycho-social stability.

Objective

5.1.2 The Course leading to the Degree of Master in Public Safety Administration (MPSA), which is one academic year program, aims to develop professional leadership and active participation in ensuring public safety. It shall provide opportunities for scientific inquiry and specialization on protective service (police) and safety services (fire, jail, etc.). Specifically, the graduate is expected to: have the qualities and characteristics of an effective leader and manager, strategic thinker and innovator.

Duration

5.1.3 The regular Masters Degree Course in Public Safety Administration is one (1) full year academic course consists of three (3) trimester terms.

5.2 BACHELOR OF SCIENCE IN PUBLIC SAFETY (BSPS)

5.2.1 The course consists of general subjects and special subjects on Law Enforcement, Fire Administration, Jail Management and Human Rights.

Objective

5.2.2 The course leading to the degree of Bachelor of Science in Public Safety aims to develop graduates equipped with the basic competencies of the public safety service with the highest degree of professionalism and respect for human dignity.

Duration

5.2.3 The duration of the course is two (2) years or a total of three thousand eight hundred forty (3,840) hours in six (6) trimesters.

5.3 PUBLIC SAFETY OFFICERS SENIOR EXECUTIVE COURSE (PSOSEC)

5.3.1 The program of instruction covers both academic and non-academic subjects include ethics in law enforcement, research methodology, communication skills,

development administration, internal security administration, environmental studies, local and foreign educational tour.

Objective

5.3.2 The course aims to provide managerial and decision-making skills in command and staff duties for the senior officers of uniformed bureaus of DILG.

Duration

5.3.3 This course runs through a one thousand two hundred eighty (1,280) hours with ninety percent (90%) or a total of one thousand one hundred fifty two (1,152) hours allotted to academic subjects and ten percent (10%) or one hundred twenty eight (128) hours of non-academic activities.

5.4 PUBLIC SAFETY OFFICERS ADVANCE COURSE (PSOAC)

5.4.1 This course consists of eight (8) modules namely: the General Subjects, Role of Public Safety Bureaus on National Development, Communication Skills, Management II, Research, Institutional Linkages, Law, Human Rights and specialization subjects which are distinct for each bureau of public safety service.

Duration

5.4.2 This course is a four (4) month training with a total credit of six hundred forty (640) hours. A total of five hundred five (505) hours and one hundred twenty eight (128) hours or twenty percent (20%) are allotted for the academic subjects and non-academic activities.

5.5 PUBLIC SAFETY OFFICERS BASIC COURSE (PSOBC)

5.5.1 The course consists of seven (7) modules namely: general subjects, communication, leadership and management, law, intelligence, investigation and specialization subjects which are distinct for each public safety bureau.

Objective

5.5.2 This course is designed to provide the knowledge, skills and attitudes to Junior Officers of the Philippine National Police (PNP), Bureau of Fire Protection (BFP) and Bureau of Jail Management and Penology (BJMP) to enable them to perform their prominent duties and responsibilities for the middle staff positions.

Duration

5.5.3 The course has a duration of four (4) months training with a total credit of six hundred forty (640) hours. A total of five hundred twelve (512) hours equivalent to eighty percent (80%) and one hundred twenty eight (128) hours or twenty percent (20%) are allotted for the academic subjects and non-academic activities, respectively.

5.6 PUBLIC SAFETY OFFICERS CANDIDATE COURSE (PSOCC)

5.6.1 The course is designed for the senior public safety non-officers. It has a program of instructions consisting of academic and non-academic subjects. Academic subjects have two major parts: the common subjects module which consists of (6) modules namely the general subjects, communication, leadership and management, public safety and security, law and human rights and the specialization module (police, fire and jail related subjects).

Objective

5.6.2 The PSOCC primary objective is to provide the senior public safety non-officers with essential knowledge and skills to strengthen their leadership qualities and sense of responsibility.

Duration

5.6.3 The course has a training duration of six (6) months with a total credit of nine hundred sixty (960) hours. Six hundred seventy two (672) hours are allotted for the academic subjects which covers seventy percent (70%) of the total training duration, and two hundred eighty eight (288) hours are allotted for the non-academic subjects which covers the remaining thirty percent (30%) of the training.

5.7 PUBLIC SAFETY SENIOR LEADERSHIP COURSE (PSSLC)

5.7.1 The course consists of five (5) modules namely: general subjects, communication, management, law and specialization subjects distinct for each bureau of the public safety services.

Objective

5.7.2 The course is designed to equip the senior non-officers of the Philippine National Police (PNP) and the Bureau of Jail Management and Penology (BJMP) with the knowledge, skills and attitudes for an effective management and good leadership on responsibilities necessary for positions appropriate for their level of preparation.

Duration

5.7.3 The Duration of training is three (3) months of a total of four hundred eighty (480) hours. Seventy percent (70%) or three hundred (336) hours are allotted for the academic phase and thirty percent (30%) or one hundred forty four (144) hours are allotted for non-academic subjects.

5.8 PUBLIC SAFETY JUNIOR LEADERSHIP COURSE (PSJLC)

5.8.1 The course covers five (5) modules namely: general subjects, leadership, communication, law, human rights and specialization subjects distinct for each bureau of the public safety services.

Objective

5.8.2 The course is designed to train and prepare the non-officers of the Philippine National Police (PNP) and the Bureau of Jail Management and Penology (BJMP) for the mid-level positions and equip them with expedient knowledge, skills and attitudes.

Duration

5.8.3 The course has a duration of three (3) months with a total credit of four hundred eighty (480) hours. Three hundred thirty six (336) hours or seventy percent (70%) are allotted for the academic phase and one hundred forty four (144) hours or thirty percent (30%) are allotted to the non-academic phase.

5.9 PUBLIC SAFETY FORENSIC PHOTOGRAPHY COURSE (PSFPC)

5.9.1 This course deals with the study of the principles of photography, the preparation and presentation of photographic evidence and its application to police work.

Objectives

To train participants in the specialized field of Forensic Photography and allied subjects and providing them sufficient academic knowledge, training and experience in photography used in criminal investigation; To enhance their knowledge in the theoretical and practical techniques of photography processing relevant to crime detection; To adequately provide the PNP/BJMP/BFP organizations to personnel fully trained in Forensic Photography and with adequate and updated know-how in the techniques/ procedures relevant to modern criminal investigation.

Duration: Two (2) months

5.10 PUBLIC SAFETY CRIMINAL INVESTIGATION SUPERVISORY COURSE (PSCISC)

5.10.1 This course deals with the study of current trends and progressive methods of Criminal Investigation regarding the administrative/managerial/supervisory approach in the contemporary time.

Objectives

5.10.2 To train PNP/BJMP/BFP officer participants in the modern and progressive methods of Criminal Investigation and to prepare them for the complex and challenging administrative/ managerial/ supervisory problems in Crime Investigation. Enhance the professional capabilities/skills of PNP/BJMP/BFP officers to cope with the situational problems in their stations/areas of jurisdiction.

Duration: Three (3) months.

5.11 PUBLIC SAFETY SCIENTIFIC PERSONAL IDENTIFICATION COURSE (PSSPIC)

5.11.1 This course is designed to develop and train participants in the specialized field of personal identification and allied forensic sciences and providing them sufficient personal identification aspects in criminal investigation.

Objectives

5.11.2 At the end of the course, it is expected that the students shall have: Learned the basic and fundamentals/theoretical aspects of personal identification; Know the use of instruments and apparatus and its appropriate application to the various phases of identification; Learned all the various phases of identification; Learned all the various forensic sciences related/used in personal identifications; Increased awareness of the importance of identification in criminal investigation.

Duration

5.11.3 The training is for the period of three (3) months with a total credit of four hundred eighty (480) hours. Three hundred and thirty six (336) hours which is equivalent to seventy percent (70%) of this total number of hours is allotted to academic hours is allotted to academic subjects while one hundred forty four (144) hours which is equivalent to thirty percent (30%) is allotted for non-academic activities.

5.12 PUBLIC SAFETY SUBSTANCE ABUSE CONTROL AND IDENTIFICATION COURSE (PSSACIC)

5.12.1 The course is designed to develop and train participants in the modern and progressive methods and detecting substance abuse and prepare them for the challenging job that they will meet.

Objectives

5.12.2 At the end of the course, it is expected that the students shall: Apply the basic and fundamental and theoretical aspects of substance abuse, control and investigation; Employ the proper use of instruments and apparatus and its appropriate application to the various phases on investigation/ examination of substance; Increased awareness of the importance of substance abuse, control and investigation.

Duration

5.12.3 This course is three (3) months training with a total credit of four hundred ninety four (494) hours are allotted for academics, and one hundred seventy six (176) hours for on-the-job training at the PNP Narcotics Unit/ Office or National Bureau of Investigation (NBI).

5.13 PUBLIC SAFETY BASIC CRIMALISTICS COURSE (PSBCC)

5.13.1 This course deals with the study of principles of different Forensic Sciences like Forensic Photography, Questioned Document, Forensic Ballistics, Forensic Chemistry, Forensic Medicine, Forensic Psychology, Forensic Psychiatry, Physical Identification and Lie Detection modules which are useful as physical evidence in crime investigation

Objectives

5.13.2 To train the participants on modern procedures/scientific approaches towards the solution of crimes and the proper use/handling of scientific apparatuses thereof: To enhance the theoretical and practical knowledge on the theoretical and practical knowledge on the expanded use of criminalistics in crime technology; and To afford preparatory selection of successful participants who will be trained on specific branches of Criminalistics like Dactyloscopy, Questioned Documents, etc.

Duration: Three (3) months.

5.14 PUBLIC SAFETY BASIC RECRUIT COURSE (PSBRC)

5.14.1 The course consists of two phases: the academic and non-academic subjects. The academic phase is composed of the common subject and specialization course modules. The common course subjects include modules on General Subjects, Value Formation and Development, Law, Criminalistics, Fundamentals of Criminal Investigation, Intelligence and Security, Operations and Auxiliary Services. The service specialization courses include the special police operations module and the jail-related modules. Also included is the Community Immersion Program.

Objective

5.14.2 After completion of the course, the students are expected to assist in the enforcement of public safety rules and regulations against criminality.

Duration

5.14.3 The course runs for a duration of six months, nine hundred sixty (960) hours. The academic subjects are allotted seventy-five percent (75%) or seven hundred twenty (720) hours while the non-academic subjects have twenty five-percent (25%) or two hundred forty (240) hours.

6 KEY ISSUES IN EDUCATION AND TRAINING

Lack of interest on the part of some police officers in furthering their education.

6.1.1 Some police officers do not consider training and education as an important prerequisite for career development. This lack of interest in schooling has been substantiated by a survey conducted by the DHRDD in which 87% of the PNCOs believe that their career advancement depends on their superiors and not on training. Career advancement has been specifically perceived "...to be not a professional effort towards additional skills and knowledge but rather a personal maneuvering towards more connections".

6.1.2 The conduct of a more focused training program where the importance of the contribution of individual employees in achieving organization's goals is emphasized is necessary to address this negative perception of police-rank-and file on their career advancement. There is first a need however to determine the competency requirements of each rank or position which must be the basis for the design of the specific skills development activities or training programs that would be implemented for the purpose.

6.1.3 The DHRDD survey has likewise indicated that most of PNCOs feel that they lack knowledge in intelligence, investigation, and communication with the community. Hence, training programs on these specific fields of policing must likewise be given priority consideration.

The lack of professionalism as manifested in some attitudes and actuations of some police officers is indicative of the need to strengthen the training and education mechanism for the police and to implement appropriate training programs for police officers.

6.1.4 Education and training are the two major elements necessary in achieving police professionalism. There must be relevant and appropriate minimum standards for personnel and training, the lack of which may create negative police relations with the community and devastating implications on the life of the people.

6.1.5 Low morale, increasing complaints and grievances from the people, negative police image are indicative of the need for training. People normally criticize the police for their wrong handling of situations. Negative police behaviors usually bring them bad publicity. Grave misconducts like graft and corruption are usually the subject of complaints and cases against erring police officers. The PNP is suffering with all these negative symptoms that necessitate the strengthening of the training mechanisms for police officers.

6.1.6 The previous studies of the PNP pointed to the lack of drive among police officers for professional competence as one serious issue that must be addressed primarily through education and training. A DHRDD survey showed that 91.3% of police officers surveyed said that there is a need for new recruits to further recognize the value of public service, while 82.6% believed that laxity and low level of discipline

and respect among new recruits exist, as well as the lack of teamwork and unity the conduct of one's responsibilities. .

Effective education and training programs must be based on a good competency framework and a medium-term personnel plan and annual human resource development plans. However, these requirements are currently lacking. Actual training needs of individual police officers are determined on the basis of the requests of organizational units concerned and training activities are matched with available resources. Many necessary training programs have been identified and "programmed" for the year but not carried out due to funding constraints.

6.1.7 General and specialized competencies relevant to the requirements of the job must be defined. The basic general competencies include those related to management of time, work planning and scheduling, listening and organizing, giving clear and getting unbiased information, discipline and counseling, identifying and solving problems, thinking clearly and analytically, oral and written communications, basic computer literacy and community relations. In PNP, extra weights are placed on leadership, gender sensitivity, moral recovery, and environmental protection. Specialized competencies, on the other hand, include those that address the growing complexities of law enforcement and public safety.

The inability of the PNP to define the competency requirements of each rank or position results in many police personnel not being assigned the right jobs where they can optimally apply their skills and knowledge, thus providing effective police services.

6.1.8 Police officers are more often not being assigned the right job where they can make use of their skills and training and are commensurate to their rank. This is due to the absence of a competency definition which describes the skills, abilities and personal qualities of each rank or position. The police competency framework, which provides a brief description of the role and responsibilities of the police and the expectations from the members, is necessary in the identification of training needs of each individual police officer, among its other purposes.

6.1.9 In the design of police training programs, the enhancement of basic skills in policing must be police competency framework must have the following minimum elements:

Table 6.46
MINIMUM ELEMENTS IN DESIGNING POLICE TRAINING PROGRAMS

PARTICULARS	DESCRIPTION
General Requirements	Commitment to policing and the delivery of far and non-discriminatory police services. Ability to engage members of the community in wide range of police activities. Demonstrate integrity and commitment in upholding human rights and basic skills promoting equality of opportunity and public relations. Availability. Must be able to devote 8 to 10 hours to daily police work. Expected to participate actively and effectively in any committee, board or any forum as well as in undertaking preparatory work and attending training courses and seminars.

PARTICULARS	DESCRIPTION
	Maintaining partnerships. Has ability to establish and maintain constructive partnerships with all agencies concerned both in the government and private sector, including the community.
Skills:	
Analytical skills	Ability to interpret and question complex data, including financial information and performance measures
Scrutiny skills	Be able to rigorously assess and analyze effective oversight of all aspects of police performance using appropriate data and resources
Strategic thinking	Ability to rise above detail and see problems and issues from a wider, forwards-looking perspective (breadth of vision)
Judgment	Take a balanced, open-minded and objective approach (e.g., in evaluating policing priorities, assessing candidates for top level appointments or considering complaints against officers), and develop an understanding of the challenges officers face in work
Communication	Can explain policing issues clearly to the public and/or media, and engage in constructive dialogue with local communities and other key partners and agencies
Time management	Able to identify priorities and make the most productive use of own and others time
Personal Qualities	
Team working	Play an effective role in committees and other partnerships through listening, persuading and showing respect for the views of others
Self confidence	Challenge accepted views constructively, without becoming confrontational
Enthusiasm/drive	Pro-active in seeking out learning and developmental opportunities to enhance knowledge and understanding
Respect for others	Treat all people fairly and with respect, value diversity and respond sensitively to difference
Integrity	Embrace high standards of conduct and ethics and is committed to upholding human rights and equality of opportunity for all
Leadership	Lead by example, establish clear goals and objectives and build support and commitment within the organization and force, as well as with the wider community and partner agencies
Community engagement	Actively engage and participate in local community activities
Standard Job Profile Role	To carry out collectively all statutory and locally determined requirements of a police officer, including participation in the formulation of policy, decision-making and other activities To participate effectively as a member of any committee, panel, task group or other forum to which the officer is appointed To comply with all relevant codes of conduct and maintain the highest standards of conduct and ethics To maintain an up-to-date knowledge and awareness of national and local policing issues To maintain a good working knowledge of force policies and practices and to establish good working relationships with officers of the police Rigorously scrutinize, challenge and monitor all aspects of police performance

PARTICULARS	DESCRIPTION
Responsibilities	Participate fully in local consultative arrangements and actively engage in communication and dialogue with local members of the community about local policing services Represent the views of the police within local communities and the views of local communities to the police Participate actively in any outside body or forum to an officer is appointed to represent the authority Be involved in the appointment, discipline or dismissal of senior officers, as appropriate Monitor the way in which complaints are dealt with by the police and deal with complaints against police officers Promote equality of opportunity and work to eliminate unlawful discrimination both internally within the police and in the provision of policing services Attend local, regional and national conferences/seminars/briefings and answer questions, if nominated Participate in inspections and audits of the police

Some police officers show negative attitudes and lack of interest to assume higher level and supervisory responsibilities considering limited skills and competency in undertaking expanded duties. The curriculum structure for police officers must be able to address this concern and prepare them for future career expansion.

6.1.9 The curriculum structure of the police must be relevant and responsive to the requirements of the community. Courses must be focused on police operations, intelligence, investigation and community relations and policing. Clear distinction between mandatory and specialized courses must be made, he former to be focusing on the development of general competencies.

The lack of a training and career development plan in PNP results in operational and cost ineffectiveness. Prioritization and appropriate scheduling of training activities and programming of resources is a must especially since funds for the purpose is extremely limited.

6.1.10 The provision of training to police officers is primarily a responsibility of the .individual police officer and the office where he is based.[137] Every police officer is required to know the different mandatory courses he must undergo while in the police service.

6.1.11 Relatedly, his office must prepare and implement a strategic training plan that provides for the measures and necessary schemes that would provide individual personnel in the office the opportunity to go into training to upgrade their skills and competencies. The training and career development plan of the office will serve as an input in the annual programming and allocation of budgetary and other resources for training programs. The plan is an important tool in prioritizing training activities especially there are limited slots available in PPSC offered courses.

[137] PNP Memorandum Circular No. 99-012 dated 13 September 1999

Some police officers are reluctant to accept teaching assignments because they consider teaching as a kind of punishment for misconduct, or a "freezer". This perception has a deteriorating effect on the prestige of police teaching job.

6.1.12 There are a number of command officers and managers who could serve as good police instructors. Irrespective of ranks, they could effectively communicate with their student-police officers and serve as role models. They could balance between actual practices in policing work and theories/ researches. These abilities of certain police officers are necessary in implementing effective education and training programs for the police.

6.1.13 The practice of deploying erring officers to undertake teaching jobs must be corrected to erase the negative perception or impression that teaching assignments are but a form of freezer to those who are not "wanted" in police operations.

6.1.14 The practice of assigning police officers as lecturers or instructors for a long time must moreover be discontinued. Possibly, an officer may be allowed to handle teaching jobs for a continuing period of only one year. After which time, he must be reassigned to operations where he would stay for a certain period before he is again given another set of teaching loads. Actual experiences and exposures to policing work and operations are good lecture materials. Police instructors who lack such capability to translate theories into practical terms may not be effective in such tasks.

Education and training must be able to enhance and promote in police officers the ideals of attentiveness, reliability, responsiveness, competence, manners, and fairness. These qualities of a well-performing police officer will go a long way in instituting good policing for the people, concomitantly serving as better police performance criteria than the downward or upward movement of crime rates.

6.1.15 The ideals of good policing must be strengthened among police officers. The community would like their policemen to be visible and are always ready to help them in safety and peace and order requirements. They want fast, timely and quality services. They want their policemen to be able to do their job well and with less mistakes.

6.1.16 Education and training are effective mediums in achieving these objectives. Human relations and social sciences subjects must thus be given emphasis in police education or training programs.

Police officers' training programs must give emphasis on problem analysis, problem-solving techniques, and partnership approaches. Community policing calls for in-depth and systematic assessment of crime and public safety problems. Cooperation and partnerships are moreover a must in community policing so that police officers must adequately build their competency in this area.

6.1.17 Policing, specifically community policing, is a problem-solving service. Problems are best solved if their characteristics and causes are carefully and comprehensively examined and analyzed. Thus, problem analysis which involves critical and strategic thinking processes must be institutionalized and/or strengthened in policing activities.

6.1.18 Problem analysis can be advanced through education and training. Police officers must develop the skills, procedures and techniques in analyzing problems, as well as evaluating police effectiveness in the community to be able to design responses and measures to address a variety of community problems.

6.1.19 Police education and training must be able to develop in a police officer his ability to conduct researches which serve as important inputs in effective undertaking of problem analysis and developing solutions that would make practical, significant and/or strategic impacts.

6.1.20 Training tools and exercises on partnerships collaborative efforts and community mobilization must be developed and applied, these interventions being inherently necessary in community policing.

PPSC lacks accountability as to the quality of performance of police officers who graduated from its academy.

6.1.21 PPSC serves as service provider for training and education to its client, which is the PNP. While the PPSC said that the PNP is being consulted in determining the training needs of the police and in the design of police training curriculum programs, the PNP does not have any control in actual preparation and implementation of such programs.

6.1.22 The quality of the performance of police officers in actual operations can be largely attributed to the education or training given to them. However, it is only PNP which is accountable for the performance of its own police officers, the PPSC as the service provider is not being made answerable for the quality of police graduates it produces and trained.

6.1.23 he PPSC has an exclusive mandate to provide the training services for the PNP. In the absence of any competition and accountability, there is not enough incentive for the former to perform well, not to mention that the PNP does not directly "pay" the services of the PPSC; the financial requirements for the purpose being provided under the annual general appropriations act.

6.1.24 here is therefore a need for well-defined service agreements between the PNP and the PPSC, setting out explicitly what PPSC is expected to deliver to the PNP.

There is mismatch between the PNP training expectations and requirements and the actual services provided by the PPSC.

6.1.25 PSC has limited resources and capacity and thus could not adequately meet the demands for police training services. Its dilemma has been exacerbated by a yearly increased in the number of recruits who could not all be accommodated under current limited classes. According to PPSC, its exclusion from the determination of

the recruitment quota and even in the hiring of new police officers makes programming and scheduling of training programs difficult and tedious, especially if funds are not adequate to organize the required number of classes and programs to absorb all recruits.

6.1.26 For lack of alternative training providers, PNP conducts its own training programs thus duplicating those of the PPSC. This inefficiency in the system results in unnecessary cost and waste of resources and efforts

There is no strategically positioned authority or a unified system that sets policies and directions on police training and education.

6.1.27 The Board of Trustees of the PPSC sets policies and guidelines for the PPSC alone. The NAPOLCOM provides separate policy directions for police training and education. Additional policies internal to the PNP are likewise present and being implemented. These discrete declarations and requirements of different organizations on police education and training contribute to the inefficiency and weaknesses of the system.

There is need to broaden the perspectives of the police training programs to that on public safety education focusing on good citizenship. There must be substantial "civilian inputs" in the training programs of police officers, especially those for the new recruits.

6.1.28 The current police training programs are still heavy on law enforcement-related subject matters, which include techniques and approaches to protect life and property and preserve order. However, enforcement of laws and maintaining public order and safety is but a small part of a police officer's work. With emphasis now put on community relations as an alternative contemporary policing strategy, a concrete job description of the police must be constructed and concomitant training programs instituted that would provide for a great degree of importance on community policing work.

6.1.29 Relatedly, the advantages of taking in more civilian instructors for police training programs may be considered to provide the balance between the need for enhancing the human relations aspects of such training and education programs and the conduct of the traditional paramilitary training on law enforcement. The feasibility of contracting out certain non-police training modules with public and private universities and colleges may be studied and explored not only to address the issue on limited facilities and resources, but to enable police recruits actually apply human relations theories and researches by interacting with non-police students.

6.1.30 The police must likewise be trained on public advocacy as part of their community policing responsibilities so that:

- the public may be able to know/learn further of and appreciate the works of the police;
- the relationship between the community and the police will be improved;

- the public will be better equipped to tackle public safety issued within the community; and
- the public will be less tolerant against crime and work harmoniously with their police officers.

The PPSC must recognize bigger clientele to include the security guards which may also help them secure additional revenue. Relatedly, the accreditation of training institutions for security guards must be transferred to the PNP to the PPSC.

6.1.31 The PPSC has the competency to train private security guards, barangay tanods and local government auxiliary forces (e.g., traffic enforcers) This area may be given focus if only to generate much needed additional resources to improve facilities and strengthen and expand its training programs.

6.1.32 The accreditation of security guards training agencies is now a function of the PNP. As a related concern, the PPSC could take on such responsibility.

The PPSC may divest the education/degree-granting component of their functions to public and private higher education institutions (HEIs), and focus on teaching of police subjects for the police to optimize the utilization of limited resources.

6.1.33 PPSC's degree-granting programs are the BS for Public Safety (BSPS) and the Masters in Public Safety Administration (MPSA), The common subjects of the BSPS like humanities, social sciences, psychology and other liberal arts subjects may be taken from any public or private HEIs.. The MPSA can likewise be one of the modules that may be offered by HEIs. The PPSC could thus focus on police subjects.

6.1.34 This arrangement is in a way reverting to the old arrangement whereby at least two-year college education (72 units) can be availed of outside the PPSC system, thus taking advantage of a wider array of education expertise available in the market.

7 REFORM IMPLICATIONS

7.1.1 The Philippine National Police to put in place an integrated and cohesive approach to staff development which ensures that the training provided to individuals contributes towards the achievement of force objectives and improved performance. A strategic training plan must be established and implemented in all PROs to respond to the training requirements of personnel.

7.1.2 The training and education curriculum for police officers to be reviewed on the basis of the competency requirements of each police officer ranks. Clear distinction between the types of skills that uniformed personnel should acquire must be addressed by the mandatory courses for certain position levels. The current curriculum may thus be redesigned to address this concern.

7.1.3 The following enhancement measures to be introduced initially on current course contents of the different training programs for police officers:

- Exclusion of certain subjects in the Officers Advance Course and Executive Course like the Customs and Traditions of the Service, Ecology and Environmental Protection, Drills and Ceremonies; these subjects already being taken under the basic course.
- Continuous and progressive teaching of subjects on problem analysis, problem-solving techniques, human relations and crisis management; police community relations programs to include modules on "psychological warfare"; also, subjects describing detailed processes and procedures on police operations and administration in police community precincts, police stations, police provincial offices, and police regional offices to be included in PSOBC, PSOAC, and PSOSEC, respectively.
- To take into consideration the quad concept of law enforcement on operations, intelligence, investigation and police community relations in curriculum design for mandatory courses

7.1.4 The Philippine National Police, in coordination with the Philippine Public Safety College, to undertake the following:

- Development of a national human resource and national training strategy which take account of all the needs of the police service
- Creation of appropriate mechanisms to ensure that police forces in the regions subscribe to the national training strategy and program
- Development of a costing model to account for all the relevant costs associated with police training and/or setting common standards across all aspects of training and ensuring the delivery of training programs in accordance with those standards at the local and national levels
- Conduct of a review of the options for funding police training once its future role has been determined, with a view to achieving greater flexibility and an ability to respond to market forces
- Development of a robust performance management structure, performance accountability framework, and agreed-upon efficiency indicators and a set of targets for all aspects of training
- Agreement on an overall framework on the prioritization of training programs for police officers
- Development of a national policy on the implementation of a distance learning scheme

7.1.5 The Philippine National Police to undertake the following:

- Identification and prioritization of all training needs to serve as the basis in the formulation of a multi-year and annual training budget; budget to be devolved to regional offices which will be utilized in accordance with budgeting, accounting and auditing rules and regulations

- Development of a process to accurately record training needs of staff, training received by them, ensuring integration of data with other relevant management information systems
- Adoption of a national competency framework and an agreed performance appraisal system to identify all training needs
- Establishment of policies for all training delivery methods and development of a strategy to pursue appropriate training delivery methods and the use of alternative training procedures
- Development of a national training evaluation strategy which will take account of the wider links between training and the human resource function

7.1.6 Staff undertaking the role of trainers to qualify with national agreed standards, and where appropriate, police trainers to be replaced with civilian staff; the development of training programs to include participants from non-police organizations.

SECTION 5
Synthesis of Issues and Reform Recommendations

1 ISSUES ON POLICE HRM

1.1.1 The issues on police HRM are many as presented and discussed in the diagnostics in previous sections. The following are issues that affect the police in general:

- Negative image, sagging credibility and erosion of integrity of the police because of reported corruption, misuse of authority and illegal activities, that created apprehension, mistrust and indifference among the general public
- Political influences that adversely affect police independence, more particularly in the appointment of individuals to police position
- Need to further enhance police professionalism and personal competency

1.1.2 The issues pertaining to specific HRM functions and concerns are on the other hand as follows:

- Need for a police HRM plan that must be linked with the police strategic plan and annual plans
- Need for a more defined police competency framework
- Lack of police officers' career path and progression
- Tedious, unwieldy, time-consuming and "politicized" processes and procedures in recruitment, selection and appointment of police officers
- Need to improve policies and systems on lateral entry, promotion, deployment/transfer, performance evaluation, and discipline
- Need to further study and set appropriate and effective compensation and retirement policies and systems for the police
- Need to institutionalize effective education and training mechanisms, policies and arrangement
- Need to civilianize certain positions that do not require the expertise of police officers
- Need to decentralize human resource functions

2 REFORM IMPLICATIONS

2.1.1 Reforms in police HRM must be focused primarily on the professionalization of the police force and on the de-politization of police HRM policies, systems, processes and actions. Institutional changes may be necessary to achieve these primary objectives. These reform directions must be linked with the overall institutional innovations envisioned for the PNP, including external systems changes and internal organization, systems and staffing reforms.

2.1.2 The police education system must be strengthened. Institutional changes to include the conversion of the Philippine Public Safety College (PPSC) into an exclusive institution for police education and training must be adopted. The relevance of PPSC's curriculum and training modules must thus be assessed and designed to suit this purpose.

2.1.3 Specific reform recommendations on particular HRM concerns in the PNP are as follows:

- Development and adoption of a competency framework for the police, defining the roles and required competency mix of each position, and indicating in a well-crafted job description for each police item
- Development of a police HRM plan, to be integrated in the PNP strategic plan and operational plans
- Review of the career pathing system for the police, and correspondingly setting up of a well-defined horizontal and vertical progression system
- Streamlining of the recruitment, selection and appointment systems and processes; looking into the possibility of outsourcing private services for testing and evaluation of examination results, as well as the periodic assessment of incumbents officers' as to whether they are psychologically or emotionally fit for police assignments
- In-depth review of the police compensation and retirement systems; setting an appropriate compensation package and equitable benefits for the police
- Adjustment of the retirement to age 50 for line officers and age 60 for key police managers
- Strict implementation of the "civilianization" scheme for positions that do not require police expertise
- Implementation of decentralization arrangements for commonly performed police HRM functions

7

FINANCIAL MANAGEMENT SYSTEM

SECTION 1
Financing the PNP: An Overview

1 BACKGROUND

1.1.1 "The maintenance of law and order through effective enforcement of the law and the speedy administration of justice will facilitate the sustaining of economic growth."[1] This is one of the core functions of governments.

1.1.2 In the Philippines, the budget may be categorized or presented into six (6) sectors: economic services, social services, defense, general public services, net lending and debt service (interest payments). Public order and safety is one of the subsectors under the general public services sector. Under this subsector is the Philippine National Police as one of the lead agencies responsible for ensuring public safety, and crime prevention and control.

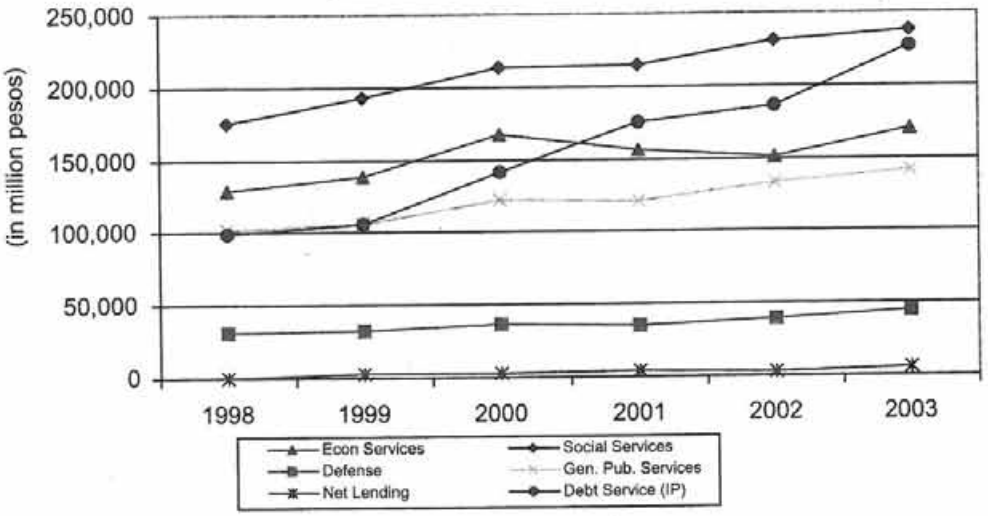
2 SECTORAL PUBLIC EXPENDITURE LEVELS AND COMPOSITION

2.1.1 The budget is the public policy instrument that best reflects a government's true priorities. Thus, the importance of a certain public service may be gleaned from the magnitude of resources allocated by government.

2.1.2 The following chart (Figure 7.1) shows the relative importance of each sector as presented by percentage share of the budget for the period 1998-2003. The social services sector consistently obtained the highest allocation of the budget relative to other departments. One of the major departments under this sector is the Department of Education. The constitution places the highest priority in terms of allocation to basic education. Thus, the highest allocation has always been accorded to the Department of Education. However, allocation for interest payments (debt service) is the fastest growing sector in the budget.

[1] BESF, p.302: 1995

Figure 7.1
NG EXPENDITURES, BY SECTOR, 1998-2003



SOURCE: BESF, 1994-2005

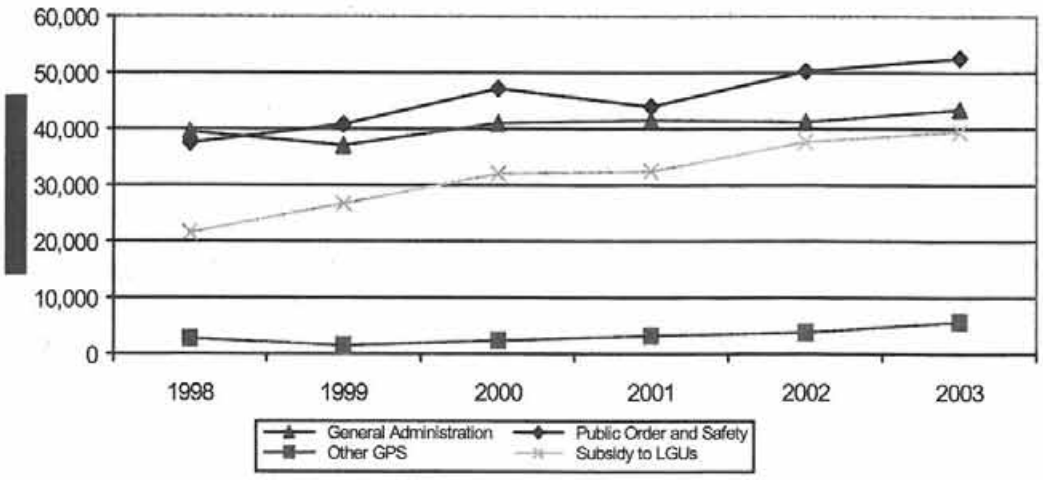
2.1.3 General public services (GPS) sector is the sector where the oversight and other housekeeping functions of government are classified. This sector consists of a wide range of government services which are essentially part of basic governance functions of the state. Among the major departments/agencies under this sector are the Office of the President, Congress of the Philippines, Department of Finance, Department of Foreign Affairs, Department of the Interior and Local Government, National Economic and Development Authority, etc.

2.1.4 In terms of budget allocation, it ranks fourth among the sectors, much higher than that of the defense sector. The allocation for the general public services sector shows the relative importance that the government places on the sector which supports the fundamental functions.

2.1.5 The general public services sector is composed of the four subsectors namely: General Administration, Public Order and Safety, Other General Public Services and Subsidy to Local Government Units.

2.1.6 The allocation of public order and safety as a subsector has been relatively increasing over the period relative to the other components of the general public services sector (Figure 7.2). One could argue that this is basically because policing/public order and safety directly contributes to the development and maintenance of an enabling institutional framework to promote economic development and civil society.

Figure 7.2
GENERAL PUBLIC SERVICE, BY SECTOR,, 1998-2003



SOURCE: BESF, 2000-2005

2.1.7 The importance of this subsector is also enunciated in the 1987 Philippine Constitution, to wit:

> *The prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State and, in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal military or civil service.*[2]

2.1.8 Its importance has been highlighted in the 2001 SONA of President Arroyo. "The fourth and last component of our national agenda is improving moral standards and the rule of law."[3] The President has explicitly stated in her SONA that "in the economics of fighting crime, the more resources devoted to crime prevention, the less amount of crime."[4]

2.1.9 Its role in economic development has likewise been highlighted in the Medium Term Philippine Development Plan, 2001-2004, to wit:

> *Peace and order and security against insurgents and terrorists are in themselves preconditions to economic growth and equitable development; in their absence, uncertainty reigns. When families and enterprises spend to protect themselves, funds are diverted away from productive pursuits. Such situation impedes job and wealth creation and must not be allowed to persist. It is therefore, incumbent upon the government to guarantee public safety and national security, while ensuring that the rule of law prevails.*[5]

[2] Art.II, Sec. 4 of the 1987 Philippine Constitution
[3] State of the Nation Address, Batasang Pambansa, Quezon City, July 23, 2001
[4] *Ibid.*
[5] The Medium Term Philippine Development Plan, 2001-2004, Manila, Philippines, November 2001, p.277.

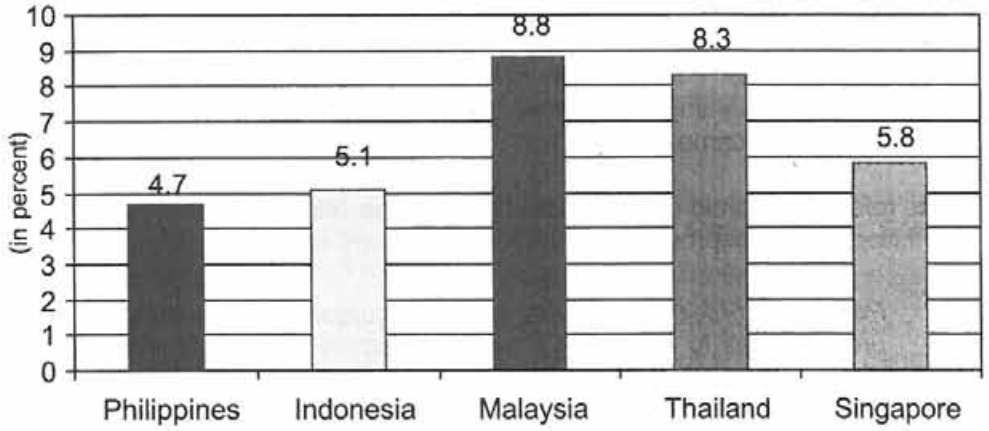
2.1.10 However, some may also argue that some non-core services of the PNP could be privatized or outsourced as being done in some jurisdictions of developed countries. The key question is to ask, what adverse consequences would occur if the government does not perform this function?

2.1.11 A clip is quoted herein: "*Most of us agree that government has a role in the protection of life, liberty, and property. But even people who believe that government should provide food for the needy don't believe that government must therefore grow the food and own grocery stores. Similarly, it may be that private firms and neighborhood associations are better able to provide security services, thus shrinking the roles and budgets of city, state and federal police forces. Market forces provide private firms with incentives to improve security and crime-prevention technologies. The incentives and pressures faced by public police forces are often political rather than economic.*"[6]

ALLOCATION OF THE BUDGET TO GPS OF SELECTED ASIAN COUNTRIES

2.1.12 The chart below (Figure 7.3) shows the share of the GPS spending of selected Asian countries. The Philippines has the lowest GPS share to total spending among the selected countries, even compared to Singapore which is relatively a small country. This could largely be argued to be attributable to the fiscal health of the country. Most of these countries considered have recovered from the Asian financial crisis. Indonesia on the other hand has problems on terrorism and civil unrest in the recent years.

Figure 7.3
GENERAL PUBLIC SERVICES SPENDING OF SELECTED ASIAN COUNTRIES
AS A SHARE OF TOTAL EXPENDITURES, 2001



SOURCE: Government Finance Statistics Yearbook 2002 and IMF Statistics 2003, IMF

2.1.13 In terms of its share to the output of the economy expressed in terms of ratio to Gross Domestic Product (GDP), Public Order and Safety subsector has slightly declining trend from 1.4 percent of GDP in 1998 to 1.2 percent of GDP in 2003 (Table 7.1). This is consistent with the General Public Sector whose share as a

[6] http://www.fee.org/vnews.php?nid=439

percent of GDP has also declined from 3.8 percent of GDP in 1998 to 3.3 percent of GDP in 2003. This trend is also manifested in the share of the total budget as a percent of GDP which is likewise on a downward trend from 20.2 percent of GDP to 19.2 percent of GDP for the period under consideration. In contrast, that of interest payments is on an upward trend given the increase in the debt stock due to the deficit financing tack of the fiscal sector. This has squeezed productive spending.

Table 7.1
NG EXPENDITURES, AS A PERCENT OF GDP, 1998-2003
(in percent)

PARTICULARS	1998	1999	2000	2001	2002	2003
ECONOMIC SERVICES	4.9	4.7	5.0	4.3	3.8	4.0
SOCIAL SERVICES	6.6	6.5	6.3	5.9	5.8	5.5
DEFENSE	1.2	1.1	1.1	1.0	1.0	1.0
Domestic Security	1.2	1.1	1.1	1.0	1.0	1.0
GENERAL PUBLIC SERVICES	3.8	3.6	3.7	3.3	3.4	3.3
General Administration	1.5	1.2	1.2	1.1	1.0	1.0
Public Order & Safety	1.4	1.4	1.4	1.2	1.3	1.2
Other General Public Services	0.1	0.0	0.1	0.1	0.1	0.1
Subsidy to LGUs	0.8	0.9	1.0	0.9	1.0	0.9
NET LENDING	0.0	0.1	0.1	0.1	0.1	0.1
DEBT SERVICE	3.7	3.6	4.2	4.8	4.7	5.3
TOTAL	20.2	19.5	20.3	19.5	18.7	19.2

Source: BESF, 2000-2005

2.1.14 For the current year, the share of public order and safety as percent of GDP will continue to decline to 1.1 percent in 2004 and 2005 (Table 7.2). However, on a nominal basis, the subsector's budget will increase by 2.0 percent in 2005which is comparable to the 2.5 percent nominal growth of the whole general public services sector. It should be noted that some subsectors experienced negative growth in 2005 given the lower fiscal deficit target for the year which is consistent with the national government's objective to bring down the deficit during the medium term and consequently reduce debt as a percent of GDP. The low revenue generation of government and increased share of interest payments caused the compression of other sectors/subsectors.

Table 7.2
NG EXPENDITURES, BY SECTOR, AS PERCENT OF GDP, 2004-2005
(in percent)

PARTICULARS	2004 (Program)	2005 (Proposed)
ECONOMIC SERVICES	3.3	3.1
SOCIAL SERVICES	5.3	5.0
DEFENSE	0.9	0.9
Domestic Security	0.9	0.9
GENERAL PUBLIC SERVICES	3.0	2.7
General Administration	0.9	0.8
Public Order & Safety	1.1	1.1
Other General Public Services	0.1	0.1
Subsidy to LGUs	0.8	0.8
NET LENDING	0.1	0.1
DEBT SERVICE	5.8	5.9
TOTAL	18.5	17.7

SOURCE: BESF, 2000-2005

3 AGENCY EXPENDITURE LEVELS AND COMPOSITION

3.1.1 The Table below (Table 7.3) shows the budget levels of the PNP together with the rest of the agencies under the Department of the Interior and Local Government (DILG) for the period 1998-2003.

Table 7.3
DILG AND ATTACHED AGENCIES' BUDGETS, 1998-2003
(in million pesos)

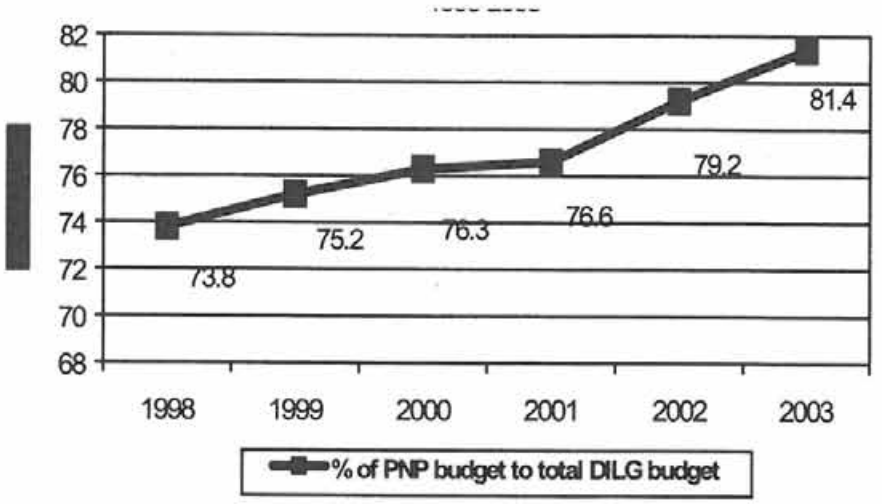
PARTICULARS	1998	1999	2000	2001	2002	2003
OSEC	3,118	2,277	2,751	3,823	3,222	2,684
LGA	60	56	69	57	67	58
NAPOLCOM	579	640	642	746	741	765
PNP	22,714	24,688	30,037	33,078	37,986	41,994
BUFIRE	2,427	3,040	3,469	3,163	3,471	3,369
BJMP	1,445	1,641	1,813	1,884	1,999	2,210
PPSC	419	475	589	454	501	484
Total DILG Budget	30,762	32,816	39,370	43,205	47,985	51,564
Memo items:						
% of DILG budget to total obligation. budget	5.7	5.7	5.8	6.1	6.5	6.2
% of PNP budget to total DILG budget	73.8	75.2	76.3	76.6	79.2	81.4
PNP budget as percent of GDP	0.9	0.8	0.9	0.9	1.0	1.0
Total obligation budget	537,433	580,385	682,460	707,093	742,022	825,113

SOURCE: BESF, 2000-2005

3.1.2 It may be noted that as a share to total DILG budget, the PNP budget dipped in 1997, the height of the Asian financial crisis and the year before the enactment of the Philippine National Police Reform and Reorganization Act of 1998.

3.1.3 As a share of GDP, it has likewise increased from 0.7 percent of GDP in 1992 to 1.0 percent of GDP in 2003. Its share is 81.4 percent of DILG's budget share of GDP, the highest share among the seven agencies under the DILG (Figure 7.4).

Figure 7.4
SHARE OF THE PNP BUDGET TO TOTAL DILG BUDGET,
1998-2003



SOURCE: BESF

3.1.4 For the current and coming years however, the PNP's budget as a percent of GDP has slightly declined from 0.8 percent of GDP in 2004 to 0.7 percent of GDP in 2005 (Table 7.4). However, its nominal growth is even higher than the growth of the total DILG budget for the period, a manifestation of the government's resolve to improve the peace and order situation of the country. "We cannot win the war against terrorism and criminality without the wherewithal to pursue terrorists and criminal elements. Even with government's limited resources, we will seek to match the arsenal and firepower of terrorist organizations and criminal syndicates, dismantle them, bring them before the bar of justice, and leave them no room for retreat, only surrender.

Table 7.4
DILG AND PNP BUDGETS, 2004-2005
(in million pesos)

PARTICULARS	2004	2005	Growth Rate
Office of the Secretary	1,892	1,529	(19.2)
Local Government Academy	65	34	(47.1)
National Police Commission	646	660	2.2
Philippine National Police	34,886	35,265	1.1
Bureau of Fire	3,617	3,659	1.2
Bureau of Jail Management and Penology	1,972	2,248	14.0
Philippine Public Safety College	500	504	1.0
Total DILG Budget	43,577	43,898	0.7
Memo items:			
% of DILG budget to total obligation budget	*5.1*	*4.8*	
% of PNP budget to total DILG budget	*80.1*	*80.3*	
PNP budget as percent of GDP	*0.8*	*0.7*	
Total obligation budget	*861,629*	*907,590*	

Source: BESF

3.1.5 Accordingly, the government has enunciated: "We have provided the Philippine National Police (PNP) with P35.3 billion in 2003 to help us in our fight against lawless elements, and in the campaign against kidnapping, trafficking of women and minors, smuggling, carnapping, gunrunning, illegal fishing, and trafficking of illegal drugs."[7]

3.1.6 The Office of the Secretary (OSEC) and the Local Government Academy (LGA) will even experience a negative growth for the same period.

3.1.7 In general, most departments will experience a decline in their budget in 2005. This is so because while the total budget will increase by about P46 billion or 5.3 percent, the increase will largely go to interest payments (P30.2 billion) and Internal Revenue Allotment (P10.6 billion). Only about P5 billion will go to a handful of agencies as a measly increase in their budgetary allocation. Among these agencies is PNP.

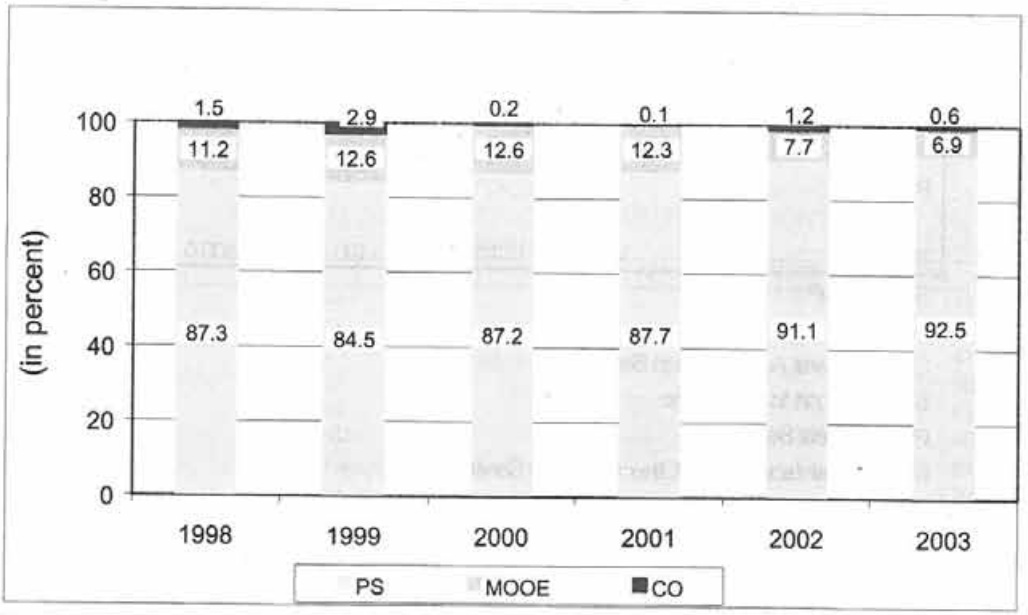
EXPENSE CLASS DISTRIBUTION

3.1.8 Looking at the configuration of the PNP budget from 1998-2003, it could be noted that personal services (PS) comprise about 88.4 percent of its total budget (Figure 7.5). This will even expand to about 91 percent for the period 2004-2005. The rest will be for maintenance and other operating expenses or MOOE and capital outlays (CO). The PNP is similar to the Department of Education which is PS intensive. PS share is seen growing from the start of the 1999. This is the year immediately after the enactment of the rationalization law for PNP. Salaries of policemen were upgraded in three tranches, the last tranche of which was provided in 2002.

[7] http://www.dbm.gov.ph/dbm_publications/pbm_2003/stampilng_terrorism_criminality.htm

3.1.9 Given this configuration, there is only about 10 percent of the PNP budget which can be considered as discretionary. The flexibility margin is so small for operational improvements in the PNP. About thirty (30) percent of the MOOE allocation is being distributed to the regional offices of the PNP. For the period 1998-2003, there were two (2) years when there were no capital outlays allocated to the PNP.

Figure 7.5
PNP OBLIGATION BUDGET, BY EXPENSE CLASS, 1998-2003



SOURCE: BESF

PROGRAM DISTRIBUTION

3.1.10 The categorization of the budget by program category is a budgetary innovation of disaggregating agency budgets according to major cost centers—programs and projects [8]. Program costs which refer to the cost of homogenous groups of activities for the performance of the major functions of the organization is further grouped into General Overhead or those expenditure items which include general administration and support services and support to operations, Operations or those directly associated with the mandate of the agency. Support to operations on the other hand, are those that activities which facilitate the performance of mandated functions.

3.1.11 Projects or activities on the other hand which are time-bound. General administration and support services refer to the cost of general supervision which may be incurred even without having the agency undertake projects and/or operations. These include administrative and financial staff services.

3.1.12 For the 1998-2003, 100 percent of PNP budget went to programs except for 2002 where a measly 0.6 percent of the PNP budget was allocated for projects (Table 7.5).

[8] BESF, Fiscal Year 1996

Table 7.5
PERCENT DISTRIBUTION OF PNP APPROPRIATIONS,
BY PROGRAM CATEGORY, BY EXPENSE CLASS, 1998-2003

PARTICULARS	1998	1999	2000	2001	2002	2003
Programs						
General Overhead	18.4	24.8	16.4	15.6	22.1	11.8
GAS	12.0	18.9	11.0	10.6	17.6	8.3
STO	6.4	5.9	5.3	5.0	4.4	3.5
Operations	81.6	75.2	83.6	84.4	77.3	88.2
Sub-total, Programs	100.0	100.0	100.0	100.0	99.4	100.0
	-	-	-	-	-	-
Projects	-	-	-	-	0.6	-
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0

Source: PNP

Legend:
GAS - General Administration Services
STO - Support to Operations
PS - Personal Services
MOOE - Maintenance and Other Operating Services
CO - Capital Outlays

3.1.13 For the period, an average of about 70 percent of the total PNP appropriations budget went to operations. This mean that for every peso worth of allocation to the PNP, seventy (70) centavos go to the conduct of activities which respond directly to their mandated functions as a government agency. The highest share for operations was registered in 2003 at 88.2 percent. This compares well with Operations' share of the total budget of about 60 percent in the same year.

3.1.14 Programs under this category would include among others, allocations to programs such as government's campaign against kidnapping, illegal drugs, illegal gambling, terrorism, street crimes, robberies, hijacking, carnapping, insurgency and communist terrorists. However, its general overhead of about 12 percent does not compare well with the overall 6-7 percent share in the total budget. Given this, there may still be room for improvement in overhead expenses of the PNP. The PNP may want to examine the components of each program category, in particular, its overhead expenses.

REGIONAL ALLOCATION

3.1.15 The year 1998 is the year when the PNP started regionalizing its budget. Bulk of the PNP appropriations is not regionalized (Table 7.6). An average of 96 percent of the budget is lodged at the Central Office. The regional distribution is determined during budget execution. The remainder of the budget of 4 percent on the average is distributed to the regions. These allocations are largely for the maintenance and other operating expenses of regional offices of the PNP. The largest allocations are in NCR and Region IV. These are areas which are relatively highly populated, cosmopolitan, where large businesses are located and are considered tourist destinations as well. Total crime rates are the highest in these regions as reported in 2000.

Table 7.6
REGIONAL ALLOCATION OF PNP APPROPRIATIONS
(In Million Pesos)

Region	1998	1999	2000	2001	2002	2003
NCR	158	145	216	216	240	183
Region 1	36	41	57	57	69	52
CAR	30	32	53	52	62	47
Region 2	32	34	54	53	67	50
Region 3	58	67	96	96	111	83
Region 4	65	73	140	110	127	95
Region 5	40	53	74	73	85	64
Region 6	58	61	80	80	92	69
Region 7	42	46	71	71	82	62
Region 8	49	51	67	67	77	58
Region 9	41	46	70	70	81	60
Region 10	33	35	51	51	57	43
Region 11	33	36	52	52	62	46
Region 12	27	30	50	50	58	43
Caraga	24	26	51	51	59	44
ARMM	32	33	58	58	67	51
Total, regionalized budget	758	810	1,238	1,206	1,395	1,049
Central Office	21,553	23,126	26,720	26,432	34,690	33,050
Total	22,311	23,936	27,958	27,638	36,085	34,100

Source: PNP

Per Capita Regional Allocation of PNP Appropriations

3.1.16 In terms of per capita allocation, NCR does not figure at the top of the allocation list (Table 7.7). Relative to the average per capita for the period, the top three in the list are the Cordillera Administrative Region, Region 9 and CARAGA. Also, at least eleven (11) of the sixteen (16) regions are the same or above the total average per capita of P14. CAR, Region 9 and CARAGA rank 11th , 5th, and 4th in terms of poverty incidence in 2000.

Table 7.7
PER CAPITA REGIONAL ALLOCATION OF PNP APPROPRIATIONS
(In Pesos)

Region	1998	1999	2000	2001	2002	2003	Average	Rank
NCR	16	14	21	21	23	17	19	5
Region 1	9	10	14	13	16	12	12	11
CAR	22	23	37	37	44	32	33	1
Region 2	12	12	19	19	23	17	17	6
Region 3	8	9	12	11	13	9	10	15
Region 4	6	7	12	9	10	7	9	16
Region 5	9	11	15	15	17	13	14	10
Region 6	10	10	13	13	14	11	12	12
Region 7	8	8	13	12	14	10	11	13
Region 8	14	14	18	18	11	15	15	7
Region 9	14	15	22	24	27	20	20	2
Region 10	12	13	18	14	15	11	14	9
Region 11	7	7	10	14	16	12	11	14
Region 12	10	12	19	15	17	12	14	8
Caraga	11	12	23	24	27	20	20	3
ARMM	15	15	27	20	23	17	19	4
Total, regionalized budget	10	11	16	15	17	13	14	
Memo item:								
Total appropriations	*305*	*320*	*366*	*352*	*429*	*414*	*364*	

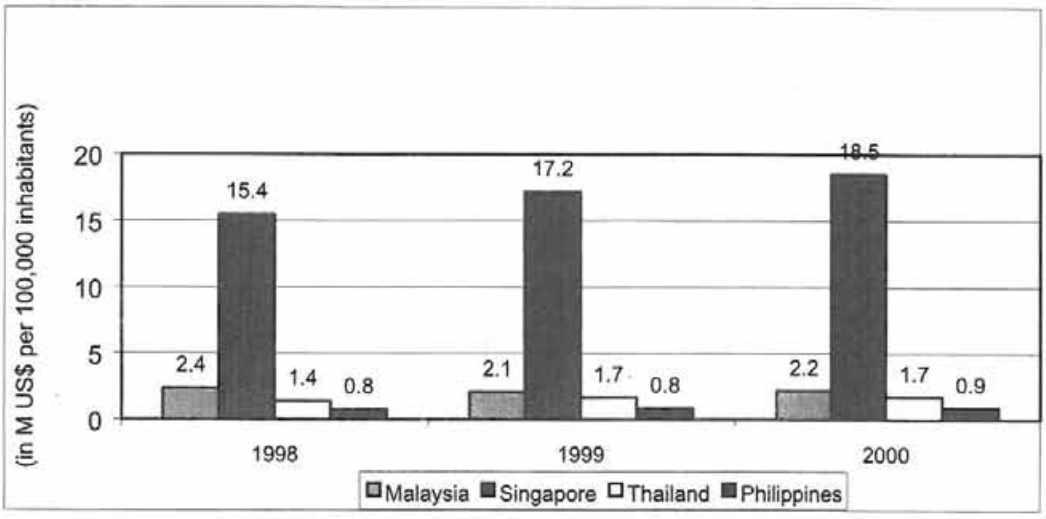
Source: PNP

POLICE BUDGET/FINANCIAL RESOURCES AND POLICE PERSONNEL OF SELECTED ASIAN COUNTRIES

3.1.17 The police budgets of the Philippines is compared herein with that of selected Asian countries, especially with that of Singapore (Figure 7.6). The budget is expressed in local millions of local currency per 100,000 inhabitants as reported by the United Nations Office on Drugs and Crime (UNODC). These are converted to US dollars using exchange rate data from the ASEAN website.

3.1.18 Even if Singapore is a small country both in terms of size and population, its allocation for police services may be partly attributed to the fact that the country is one of the financial hubs in Southeast Asia and is also a tourist destination. This being the case, it has a larger probability of having higher crimes, described under UNODC data (See next figure below). Thailand has the largest allocation compared with the other three (3) nations. This could be partly attributable to the fact that it also has higher reported crimes, next to Singapore.

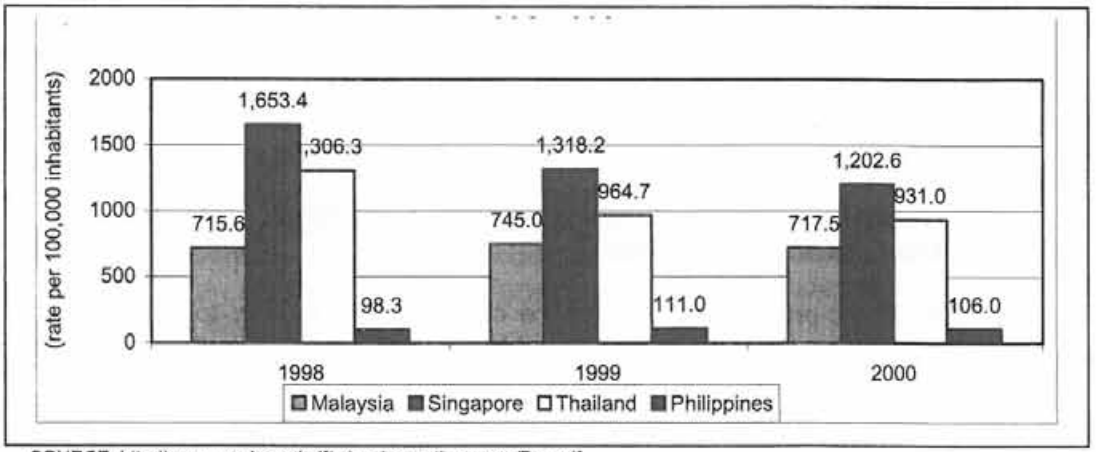
Figure 7.6
TOTAL POLICE BUDGET/ FINANCIAL RESOURCES
OF SELECTED ASIAN COUNTIRES, 1998-2000



SOURCES: http://www.unodc.org/pdf/crime/seventh_survey/7pv.pdf(except for Philippines--sources: DBM, NSO); exchange rates taken ASEAN Macroeconomic Indicators http://202.15412.3/macroeconomic/aq_mon43.htm

3.1.19 The Philippines has the lowest recorded crimes per 100,000 inhabitants compared to the other three (3) Asian countries (Figure 7.7). This could partly explain why relative to other countries it has lower police budgets. A major reason could be the fiscal situation that the country had even to this date and the numerous competing claims/priorities of the government.

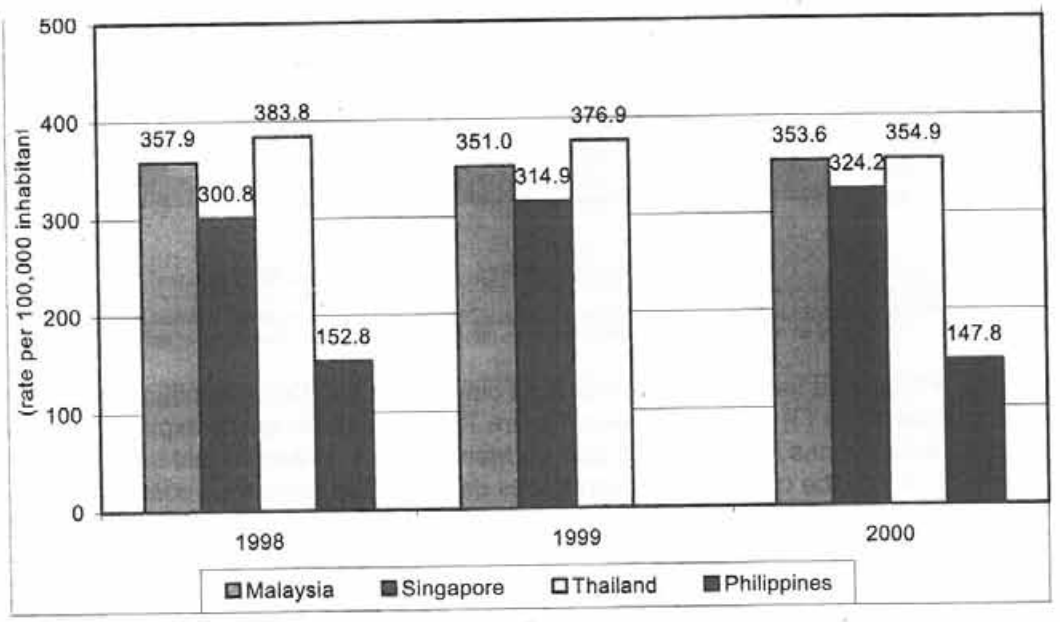
Figure 7.7
TOTAL RECORDED CRIMES OF SELECTED ASIAN COUNTRIES,
1998-2000



SOURCE: http://www.unodc.org/pdf/crime/seventh_survey/7pv.pdf

3.1.20 In terms of the number of police personnel for every 100,000 inhabitants as reported by the United Nations Office on Drugs and Crime, compared with other Asian countries, the Philippines has the smallest rate (Figure 7.8). (No data was indicated for 1999 for the Philippines.) Malaysia, Singapore and Thailand on the other hand, reported higher police personnel:1000,000 inhabitants. They have levels higher than 300.

Figure 7.8
TOTAL POLICE PERSONNEL OF SELECTED ASIAN COUNTRIES,
1998-2000



Source: http://www.unodc.org/pdf/crime/seventh_survey/7pv.pdf

3.1.21 It would be noted that while the budgets of Malaysia and Singapore, as discussed in the preceding subsection, is lower than that of the Philippines, in terms of number of personnel, these countries have higher levels compared to the Philippines. This could mean that most of the budgets of the said countries go to police personnel.

REMUNERATION ISSUES AND FUTURE COMPENSATION ADJUSTMENT PLANS OF THE GOVERNMENT

3.1.22 "The classic problem in civil service compensation is how to value the labor that produces the output of civil servants, given that such output is generally not marketable. The general solution is to make compensation comparable (not equal) to that for equivalent marketable skills, i.e., private sector pay. This is no easy matter. As with everything else in the public sector, determining civil service compensation is not a purely technical issue but is influenced by the political climate, legislative enactment, and executive rules and regulations, tempered and interpreted by judicial pronouncements and reviews. In addition, a number of public policies impact on civil

service compensation—collective bargaining, minimum wage laws, equal pay and antidiscrimination statutes, public service benchmarking, etc."[9]

3.1.23 In the Philippine context, law governs the structure and rates of public sector compensation. In 2001, the Executive Branch submitted a supplemental budget for an across salary adjustment. That was the last salary adjustment for the civilian employees. For the uniformed personnel of the PNP, their last salary adjustment was in 2002 (i.e., the last tranche) which aimed to make their salaries comparable with those of their civilian counterparts particularly, teachers.

3.1.24 One issue with regards to salary rates is that if the rates were not indexed for instance to inflation the amount of goods it could have bought with a salary which was indexed with inflation could be higher in the case when inflation rates are high. The perception of a low salary would cause demoralization and even underperformance. Some argue that it is one of the major causes of corruption in government. There must be provision for constant review of salaries to ensure that they are still valid for the times.

3.1.25 The setting of compensation rates varies among countries. For instance, in the UK, regular pay surveys are used to establish key rates of pay in each main grade in the civil service.[10] They compare their salaries with private salaries. A review body sets the salaries of top civil servants who do not engage in collective bargaining. However, government is often considered as a sole supplier of public goods given their nature, the use of private sector salaries, as benchmarks may not also be feasible. In the case of police services one could argue that some aspect of police service can be compared with private detective service.

3.1.26 In some countries, compensation is tied with performance such that a good performer would be getting performance bonus over and above the minimum/regular pay that the employee receives.

3.1.28 For the medium term, the government plans to rationalize the government compensation system. The objective is to address the issue of inequity of pay scales between the private and the public sector. It also aims to simplify position classification and compensation structure as well as implement a performance-based compensation system. The Civil Service Commission (CSC) and the Department of Budget and Management (DBM) is currently conducting a study to put in place a performance-based and fiscally sustainable compensation system. Savings from the rationalization program is proposed to fund adjustments in salaries. This will cover the whole government bureaucracy including uniformed personnel. There was also a proposal for an across-the-board salary increase in 2005 subject to the passage of new revenue sources.

[9] http://www.adb.org/documents/manuals/serv_and_preserve/Chapter10.pdf
[10] Ibid. p.390

4 PEFORMANCE CONSIDERATION IN GOVERNMENT BUDGETING

4.1.1 Under the public expenditure management reforms of the Department of Budget and Management, agencies are required to evaluate their programs and link with agency's outputs and sector outcomes. Major final outputs (MFOs) as defined by the DBM as good or services that are consumed outside of the organization which are contributing to the agency mandates. Agency mandates are aligned to the achievement of societal/sector outcomes.

4.1.2 Thus, the MFO for the PNP is stated as follows:

"Police services to prevent and control crime, promote and maintain peace and order and public safety"[11]

4.1.3 Given this MFO, the DBM, NEDA and the DILG also identified performance indicators. Among these, are the following: % reduction of crime incidents; % improvement of response time; % increase in arrest rate of suspects/offenders/wanted persons; number of confiscated, retrieved loose/unregistered firearms vs. estimated; number of Community based anti-crime programs established/maintained; % improvement in response time to traffic accidents; number of traffic citation ticket issued versus traffic violation; number of traffic accident report; and issued versus number of traffic accident. The most common reported indicator is that of reduction of crime incidents.

4.1.4 For the period 1998-2003, the efficiency of the PNP in solving crimes was relatively constant at 90 percent. There is no dramatic improvement in the efficiency rate during the period. A conclusion however could not be drawn unless a full evaluation in the PNP's performance may be conducted. For one, while the salaries of the police are increasing, allocation for logistics and other supplies may not be sufficient. A major consideration is that the police to population ratio in most jurisdictions are already way off the standard. Moreover, considering that crime rates are not fully controllable, it could be argued that even if efficiencies are gained in the delivery of police services, other factors such as demography, the concentration of economic activity in an area, etc. may have greater impact on the causes of crimes and hence, on the crime rates.

4.1.5 The annual average number of crime of 53,411 for the period however, is higher than the annual average number of crimes solved at 48,607 (Table 7.8).

[11] http://www.dbm.gov.ph/dbm_publications/opif_2004/Part%2010%20Harmonized%20DBM%20NEDA%20MFO%Working%20List/Harmonized%20MFOs-DILG.doc

Table 7.8
TOTAL CRIMES VS. NUMBER OF CRIMES SOLVED, 1995-2003

Year	Total Crimes	Total Crimes Solved	% Efficiency
1998	71,575	65,315	91.3
1999	82,538	75,410	91.4
2000	80,108	73,971	92.3
2001	76,997	69,978	90.9
2002	85,776	76,546	89.2
2003	83,704	76,246	91.1
Memo items:			
Total	*480,698*	*437,466*	*546*
Annual Average	*53,411*	*48,607*	*60.7*

Source: PNP

4.1.6 Comparing the number of crimes and the obligation budgets of PNP shows that the PNP budgets have higher growth rates compared with that of total crimes and total crimes solved (Table 7.9). The average growth rates of total crimes and total crimes solved are almost equal at 2.0 percent. It should be noted however that the number of crimes is surely understated as these levels only include crimes which are reported. There are crimes which are not reported and may have been settled or solved.

4.1.7 Crime rates are also reported in terms of number for every 1,000 people. This is often considered a better measure of trends in crime the usual nominal level of crime because it allows for population growth.[12]

Table 7.9
PNP OBLIGATION BUDGET VS. TOTAL CRIMES AND TOTAL CRIMES SOLVED, 1998-2003

	PNP Obligation Budget		Total Crimes		Total Crimes Solved	
Year	Level (PM)	Growth Rate (%)	Number	Growth Rate (%)	Number	Growth Rate (%)
1998	22,714	10.5	71,575	0.7	65,315	1.4
1999	24,688	8.7	82,538	15.3	75,410	15.5
2000	30,037	21.7	80,108	(2.9)	73,971	(1.9)
2001	33,078	10.1	76,997	(3.9)	69,978	(5.4)
2002	37,986	14.8	85,776	11.4	76,546	9.4
2003	41,994	10.6	83,704	(2.4)	76,246	(0.4)
Memo item:						
annual average	*21,166*	*8.5*	*53,411*	*2.0*	*48,607*	*2.1*

Source: PNP; DBM

[12] http://www.pssg.gov.bc.ca/police_services/publications/summary_statistics/Chapter_5.pdf

4.1.8 One of the major issues in managing performance is the degree of controllability. There is a degree of non-controllability in the attainment of solving crimes. For one, it has been recognized that there are factors that influence reporting of crimes to the police. These include factors such as age, gender, level of income and education of either the victim or offender. Partnerships with civil organizations may lead to settlement of crimes without need for reporting to the police.

4.1.9 However, given the advances in technology such as cellular phones and landline telephones, people can report crimes without physically going to police precincts.

POLICY RESPONSES TO INCREASE IN CRIME RATES VS. PERFORMANCE IN SOLVING CRIMES

4.1.10 One of the policy responses of the government to the crime rate is the creation of Presidential Anti-Organized Crime Commission in 1998. The Task Force was "especially tasked to investigate and prosecute all crimes syndicates and their protectors is imperative to focus and substantive results in the against eradicate and corrupt practices."[13] The Commission was strengthened by formally placing under it the various Task Forces against organized crime through Executive Order No. 295 on September 28, 2000. A Philippine Center on Transnational Crime was also created to formulate and implement a concerted program of action of all law enforcement, intelligence and control of transnational crime through Executive Order No. 62 issued on January 15, 1999. A special Drug Enforcement agency has also been set-up.

4.1.11 The PNP also intensified police patrol work under its Bantay Kalye program by fielding 85 percent of the police force on the streets and providing police visibility to deter the commission of crime.

4.1.12 In addition, President Arroyo also announced in her speech during the University of the Philippines Law Alumni Association homecoming on November 21, 2002 that peace and order was then rated among the top three concerns and has now improved to be one of the top five concerns. "We have stepped up intelligence coordination. We have a hot line, telephone number 117. And related to this, community mobilization has been very effective in locating criminal fugitives," she added.[14] The President also highlighted the professionalization of the police and that the education requirements of the police have been increased, including a college degree requirement, to enter the force.

4.1.13 Another policy response, this time by Congress, is the passage of the death penalty law in 1993 which aimed to rationalize and harmonize the penal sanctions for heinous crimes. It took effect in January 1994. The implementation of the law however has been erratic due to pressures from the public. Republic Act No. 7659, which restored the death penalty for 13 heinous crimes, took effect in January 1994. It was amended by Republic Act No. 8177 to require the use of lethal injection as the method of execution.

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[13] Executive Order No. 8 Creating a Presidential Anti-Organized Crime Commission and a Presidential Anti-Organized Task Force to Investigate and Prosecute Criminal Elements in the Country

[14] http://www.news.ops.gov.ph/archives2002/nov22.htm#Gov't%20making

4.1.14 Notwithstanding these policy responses, the efficiency rate in solving crimes has not significantly improved as shown in the previous tables. It hovers from 89 to 91 percent over the period 1998-2003. The growth rate of solving crimes has a positive annual average as well. Over the six-year period under consideration, there were negative growth rates for three years meaning there was a decrease in number of crimes solved for three years. The performance is erratic. The ability to sustain good performance is absent in those years.

4.1.15 Even with the increasing PNP budgets over the period, this does not translate to any dramatic improvement in the abovementioned indicators. One could argue therefore that the increases are not enough to make a significant dent in the crime rates. For instance, there is still a huge gap in the police to population ratio in almost all of the regions.

AGENCY PERFORMANCE REVIEW AT THE DBM

4.1.16 Agency performance reviews (APRs) have been conducted by the DBM starting 2002. The DBM issued National Budget Circular No.481 dated August 19, 2002 for purpose. The ensuing year, the DBM also issued National Budget Circular No. 490 on September 23, 2003 for the review. The Circular stipulated that "the results of the review together with current and emerging fiscal parameter will be used as based for deciding was used as basis for the deciding the necessity of any of the following: release of the appropriation balance the year; additional release from SPFs; withdrawal of released allotment; approval of request for realignment; revision of cash program; or revision of physical targets for the rest of the year."[15] The Circular further indicated that the results will be communicated to the agencies.

4.1.17 The APR aims to track the progress of departments/agencies' performance. It also provides a venue for identifying problems and corresponding solutions to the same. It also helps DBM in the decision making of whether to release balances of appropriations of the departments/agencies. Thus, it looks at both the physical and financial accomplishments of the departments/agencies.

4.1.18 Given that the organizational performance indicator framework is also in its development stage, the performance indicators and targets used in the performance reviews undertaken in 2002 and 2003 are not "negotiated" or agreed upon between the DBM and the agencies. The DBM is still harmonizing major final outputs and performance indicators together with agencies and the National Economic Development Authority. For 2004, the DBM is piloting some 11-14 departments in the harmonization and formulation of performance indicators. Another issue is that the DBM is still to develop performance standards against which some indicators will be evaluated. This is especially true for indicators which are used for budgeting purposes.

4.1.19 Improvements over the past APRs are being done by the DBM. Even without the "negotiated" performance targets and indicators, the DBM is conducting these APRs to instill performance orientation in agencies consistent with the public expenditure management (PEM) reforms. This is closely linked with the formulation of major final

[15] National Budget Circular No. 490 September 23, 2003

outputs and performance indicators being undertaken by the DBM together with NEDA and the agencies.

4.1.20 Agencies are to pay close attention to performance management reforms, as these will affect decisions on the necessity of releases of appropriations, etc. The DBM also plans to institutionalize the use of the results of the APR during budget preparation for budget allocation purposes. The bottom line is that the performance of the agency will affect future availability of resources.

5 LESSONS LEARNED/SUGGESTED FUTURE DIRECTIONS

5.1.1 On could argue that the more resources allocated to crime prevention, the more resources also may be taken away from other productive spending. One could also argue that there are other innovative ways wherein the civilian organizations wan share the responsibility of crime prevention without necessarily shelling out large amounts of money. A police service can achieve more by increasing its effectiveness. There may be ways of improving outcomes without actually increasing the budget.

5.1.2 The PNP will argue that it deserves to get more allocation due to the nature of some of the pressures facing it for example international terrorism, domestic terrorism, etc. However, no matter how compelling the argument is, given the fiscal situation the scope for higher growth in the budget may not be realistic. Unless, of course unless new tax measures are being passed by Congress. Unless these are passed, the medium term scenario may be no different from the existing level of available resources.

5.1.3 Therefore, in order for expansion and improvement in outputs to be realized, resources to achieve these will have to be sourced from all or any combination of the following: reallocation, reprioritization, improved efficiency, and by simply doing things differently.

STRENGTHENING PARTNERSHIPS

5.1.4 Partnerships have been proven as key factor in delivering policing services. Strengthening and maintaining these partnerships and fostering new partnerships in the case of areas which have not explored these mode of delivering policing services may be pursued. This may be considered as a cost-sharing mode of financing police services to the community. Given the health of the country's fiscal sector, this will help ease pressure on the budgets of the PNP as well as ensure ow[illegible]hip of key stakeholders.

5.1.5 It should be considered however, partnerships are not easy to establish since crime prevention or solving crime requires good leadership and coordination. Equally important consideration is sustained involvement.

OUTSOURCING OF NON-CORE POLICE FUNCTIONS

5.1.6 Outsourcing of non-core functions may be pursued. In the case of New Zealand, the government outsourced its training function. The New Zealand government expected

an annual saving of $1 million from outsourcing its police training.[1] The government has contracted the services of one of the Universities to provide a wide range of courses to police staff.

5.1.7 This may also be explored in the Philippines with the end view of improving training outcomes and lowering overhead cost to use as additional funding for operations activities. Private training institutions may be efficient in providing basic training courses to PNP personnel. This is consistent with the streamlining the bureaucracy program of the government.

FURTHER IMPROVEMENTS IN SCHEDULING OF STAFF TIME

5.1.8 Given the health of the country's fiscal sector, agencies are striving to get an allocation which is at least equal to their current year's budgets as well as being required to improve delivery and quality of public services. This requires careful if not sophistication in planning and in resource utilization. In the PNP, the allocation of police time remains the most important resource that requires careful planning. Scheduling therefore becomes imperative and is hoped to result to efficient utilization of PNP resources. This inevitably will help the national government through reduced pressure on or claims against limited resources. This should however be coupled with non-monetary benefits.

MULTI-YEAR PLANNING, PNP MTEF PREPARATION AND DETERMINATION/FORMULATION COST STANDARDS

5.1.9 The linkage between planning and budgeting may need further strengthening to further look into the allocation of resources to the regional units. The forward planning of police requirements is in the right direction. As argued by public expenditure management experts, a medium-term rather than annual timeframe improves sustainability by increasing awareness by implementing agencies of available resources and costs, especially the recurrent costs of capital spending.

5.1.10 Notwithstanding, the PNP exercise of MTEF preparation should be linked with or done in coordination with the DBM. In particular, the determination of cost standards or the costing of inputs for the estimation of multi-year budgets of the PNP shall be pursued in coordination with the DBM. This will facilitate allocation of resources particularly when resources are limited. The preparation of the PNP MTEF will be timely as the DBM is also improving its MTEF and costing techniques including the automation of its MTEF database.

5.1.11 The establishment of costings may also lead to service charging in the future. Actually, the PNP has announced that it is charging calls to 117. This is a step in that direction. Fees may be collected from other services as well in the future.

5.1.12 The PNP has in fact determined its staffing requirements for the medium term. The table below shows its forward years' plan to achieve the police to population ratio of 1:500 (Table 7.10). This could be used in estimating its multi-year budget by matching this with cost estimates of its corresponding strength. The PNP also has a standard cost already for a single recruit.

Table 7.10
PNP PERSONNEL STRENGTH VS. POPULATION, 2004-2010

Year	Population (1)	Projected PNP Strength (2)	Police to Population Ratio
Jnue 30, '04	82,663,457	113,740 *	1:727
2004	82,663,457	113,740	1:601
2005	84,241,341	148,524	1:577
2006	86,094,651	157,087	1:558
2007	87,988,733	165,143	1:541
2008	89,924,485	173,920	1:525
2009	91,902,824	182,465	1:512
2010	93,924,686	190,748	1:500

* Actual strength as of June 30, 2004

1. For 204, 51,587 policemen are needed to meet the ideal ratio of 1:500

2. By average recruitment of 8,400 annually (starting 2004)
PNP will meet the ideal ratio by the year 2010.

3. Projected population for year 2004 to 205 is based on the 1995 Census Based Philippine Population Projections by the NSO. Annual population growth rate for year 2006 to 2010 is pegged at 2.2%.

Source: PNP

STRENGTHENING PERFORMANCE-BASED MANAGEMENT

5.1.13 Just recently, the DILG has participated in the harmonization of major final outputs of the department including the PNP. Performance indicators were identified. In order to assess the efficiency in achieving these indicators is the identification of targets and establishment of benchmarks against which performance can be gauged upon. Costing inputs and/or identifying industry standards should likewise be pursued. This is in connection also with the preparation of the PNP MTEF.

REVIEW OF SPENDING MIX

5.1.14 Until such time that the fiscal situation becomes better and favorable, a review of the spending mix of the PNP may be worth doing. For one, the mix between overhead vs. operations may generate savings for additional operating resources. Another area is on the regional mix. The criteria for additional recruits given the gaps in the police to population ratios may be revisited including the deployment of equipment and transportation facilities for a holistic review in the deployment of resources.

USE OF G-EPS IN PROCUREMENT

5.1.15 Government agencies are required to use the electronic procurement system which has been established as part of the procurement reforms of the government which also include the enactment of the Procurement Law. This is expected to generate savings in maintenance and operating expenses of the organization. There have been reported savings from this reform as reported by the Department of Health and Department of Education. The PNP can explore the possibility of procuring through the G-EPS.

SECTION 2
Overview of PNP Expenditure Management Performance

1 INTRODUCTION

1.1.1 The previous section provides an analysis of PNP expenditures from the point of view of government looking into its own investment in policing. This section looks into the details of how the PNP money is spent. A detailed budget shows how the different functionalities and the various programs in the organization are structured and how functions work or don't work together. Through the review of the patterns of spending one can suggest innovative changes that enable savings of money, result in better working conditions for PNP staff, and/or result in enhanced, more responsive service to the public.

2 OBJECTIVES

2.1.1 This analysis on the expenditure management of the PNP will provide answers to the following issues/ questions:

a) Is the actual budget of the PNP allocated efficiently among the various programs and projects of the PNP?

b) How does the allocation among the various programs and projects impact on the mandated activities of the PNP? Are there efficiencies and inefficiencies in the allocation and spending?

c) Is the distribution of the budget between Central and Regional Offices equitable?

d) Does the budget have any impact on the performance of the PNP in terms of curbing criminality?

2.1.2 This area of the study will also determine the reform issues and directions in the area of PNP expenditure management.

3 ANALYSES

3.1 Allocative Efficiency

ALLOCATION AMONG MAJOR EXPENSE CLASSES

3.1.1 Analyzing the PNP budget for years 1998-2003, we can note that the bulk of the budget goes to Personnel Services (PS). PS posted an average of 88.53%, from a

range of 86% in 1998 to 91.4% in 2003. The MOOE share of the total budget averages only 10.72% from a range of 12.2% in 1998 to 8.3% in 2003. Capital Outlay, however, gets only an average share of 0.75% of the total budget for the same period. This consistent annual trend has continuously undermined the equally important components of a well-functioning police force – such as proper equipment and financial resources at operational levels.

Table 7.11
PNP BUDGET, 1998 – 2003

Region	1998		1999		2000		2001		2002		2003		Ave.
	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	
PS	19,165567000	859%	20453250000	854%	24866338000	887%	24743582000	895%	32531877000	902%	31931985000	914%	8853%
MOOE	2,725425000	122%	3,415930000	143%	3,091782000	110%	2,894632000	105%	2,914332000	8.1%	2,889423000	8.3%	1072%
CO	420022000	1.9%	68200000	0.3%	66000000	0.2%	5,000000	0.0%	639000000	1.8%	100000000	0.3%	075%
Total	22311014000	1000%	23,937380000	100.0%	28024120000	1000%	27643214000	1000%	36085209000	1000%	34921408000	1000%	10000%
Annual Increase			729%		17.07%		-1.36%		3054%		-3.23%		8.39%

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

ALLOCATION AMONG PROGRAMS AND PROJECTS

3.1.2 The PNP Budget Structure is composed of three (3) major budgetary programs consisting of: 1) General Administration and Support; 2) Support to Operations; and 3) Operations. Table 7.12 below shows the allocation of the PNP budget among these major programs and the locally-funded projects. Among the 3 major programs, the Program for Operations gets the largest share for an average of 81.52% out of the range of 75.2% in 1998 to 88.2% in 2003.

Table 7.12
PNP BUDGET PER PROGRAM/ PROJECT DISTRIBUTION, 1998-2003

Program/ Project	1998		1999		2000		2001		2002		2003		Ave.
	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	
General Admin and Support	2,675,38[illegible]	12.0%	4,513,097,00[illegible]	18.9%	3,083,665,000	11.0%	2,926,923,000	10.6%	6,36[illegible],10[illegible],000	17.6%	2,90,227,000	8.3%	13.07%
Support to Operations	1,422,90[illegible],000	6.4%	1,421,002,000	5.9%	1,494,231,000	5.3%	1,389,68[illegible],000	5.0%	1,62,85[illegible],000	4.4%	1,58,225,000	4.5%	5.27%
Operations	18,212,72[illegible],000	81.6%	18,002,08[illegible],000	75.2%	23,38[illegible],22[illegible],000	83.4%	23,339,61[illegible],000	84.4%	27,69[illegible],225,000	77.3%	30,422955000	87.1%	81.52%
Locally-funded Projects	-	0.0%	1,200000	0.0%	66000000	0.2%	5,000,000	0.0%	230,000,000	0.6%	-	0.0%	0.15%
Total	22,311,014,000	100.0%	23,937,380,000	100.0%	28,024,120,000	100.0%	27,643,214,000	1000%	36,085,209,000	100.0%	34,921,408,000	100.0%	100.00%

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

3.1.3 General Administration and Support gets an average share of 13.07% while Support to Operations averages only 5.27%. But a total of 18.34% going to general overhead operations is higher than what is normally practiced in other government agencies, which usually should not go beyond 10% of appropriations. These overhead expenditures may even increase if the hidden overhead expenditures of the vertical structure supporting field operations are counted.

3.1.4 In 2002, the budget for General Administration and Support posted an increase of 117% or P3.4 billion from that of 2001 bringing the amount to P6.36 billion. It, however, got back to its normal level in 2003 of P2.9 billion, showing a slight decrease of 0.5% from the 2001 budget. The increase in 2002 is brought about by the increase in the PS budget.

ALLOCATION BETWEEN CENTRAL OFFICE AND REGIONAL OFFICE BUDGET

3.1.5 Disaggregating the budget distribution into Central Office and Regional Offices (Table 7.13) and among major programs we can note that an average of 96% goes to the Central Office and only an average of 4% goes to the Regional Offices. Such distribution can be explained by the centralization of the PS budget the averaging 88% of the total budget, which is being managed and is allocated to the Central Office.

Table 7.13
BREAKDOWN, CENTRAL OFFICE AND REGIONAL OFFICES, 1998-2003

Program/ Project	1998			1999			2000			2001			2002			2003		
	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO
Central Office	21,553,020,000	96.6%	100.0%	23,127,676,000	96.6%	100.0%	26786,278,000	95.6%	100.0%	26436,946,000	95.6%	100.0%	34690,096,000	96.1%	100.0%	33,523,263,000	96.0%	100%
Gen. Admin and Support	2647,655,000	11.9%	12.3%	4492,865,000	18.7%	19.4%	3013,025,000	10.8%	11.2%	2855,283,000	10.3%	10.8%	6,278,399,000	17.4%	18.1%	2,858,525,000	8.1%	8%
Support to Operations	888,697,000	4.0%	4.1%	899,581,000	3.9%	3.6%	691,631,000	2.5%	2.6%	567,061,000	2.1%	2.1%	674,567000	1.9%	1.9%	659,940,000	1.9%	2%
Operations	18,021,868,000	80.8%	83.6%	17,804,029,000	74.4%	77.0%	23015,622,000	82.1%	85.9%	23006,622,000	83.2%	87.0%	27507,092,000	76.2%	79.3%	30,034,798,000	86.0%	90%
Locally-funded Projects	-	0.0%	0.0%	1,200,000	0.0%	0.0%	66000,000	0.2%	0.2%	5,000,000	0.0%	0.0%	230,000,000	0.6%	0.7%	-	0.0%	0%
Regional Offices	757,994,000	3.4%	100.0%	809,704,000	3.4%	100.0%	1237,842,000	4.4%	100.0%	1205,268,000	4.4%	100.0%	1,395,145,000	3.9%	100.0%	1,398,145,000	4.0%	100%
Gen. Admin and Support	27,731,000	0.1%	3.7%	30231,000	0.1%	3.7%	70640,000	0.3%	5.7%	70640,000	0.3%	5.9%	81702,000	0.2%	5.9%	81702,000	0.2%	6%
Support to Operations	539,21,000	2.4%	71.1%	581,421,000	2.4%	71.8%	802,600,000	2.9%	64.8%	802600,000	2.9%	66.5%	928,286000	2.6%	66.5%	928,286,000	2.7%	66%
Operations	191,052,000	0.9%	25.2%	198,052,000	0.8%	24.5%	364,612,000	1.3%	29.5%	333,028,000	1.2%	27.6%	385,157000	1.1%	27.6%	388,157,000	1.1%	28%
Total	22,311,014,000	100.0%		23,937,380,000	100.0%		28,024,120,000	100.0%		27,643,214,000	100.0%		36,085,209,000	100.0%		34,921,408,000	100.0%	

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

3.1.6 The table also shows that of the total budget allocated to the Central Office, 76% to 96% percent of it is used to fund the Operations of the PNP. General Administration and Support ranges only from 8% to 18%, while Support to Operations is only about 1% to 4 % from 1998 to 2003.

3.1.7 In the Regional Offices, the bulk of the budget goes to Support to Operations, which represents an average of 68% of the total budget of the Regional Offices for years 1998 to 2003. But a large overhead expenditure level which averages at 27% of the total budget of the Regional Office for Support to Operations and 5% for General Administration and Support or a total of 32%; indicating serious inefficiencies in the use of the budget.

ALLOCATION OF THE MOOE BUDGET

3.1.8 Only the total MOOE budget is allocated between Central and Regional Offices. An analysis as to how this is distributed among Central and Regional Offices, and among the different Regional Offices will allow us to see how the PNP really funds its operations.

3.1.9 Table 7.14 shows the distribution between Central Office (CO) and Regional Offices (RO), as well as the distribution among the different Regional Offices. This table is indicative of the fact that even in the distribution of the MOOE budget, the Central Office gets the largest share. For 1998 to 1999, the MOOE budget ratio for CO and RO averages 74:26. By 2000 to 2003, the CO-RO ratio changed to an average of 55:45.

3.1.10 Among the different Regional Offices, the NCRPO gets the largest share. In 1998, the NCRPO share is 5.8% of the total MOOE budget. It increased to 7.2% in 2001 and further increased to 8.4% of the total MOOE budget in 2003. PRO XIII on the other hand, gets the lowest budget over the years. It ranges from 8% in 1999 to 2% in 2003 for a six-year average of only 1.51% of the total MOOE budget of the PNP.

Table 7.14
DISTRIBUTION OF MOOE BUDGET, 1998-2003

Region	1998		1999		2000		2001		2002		2003		Ave.
	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	
CO	1,967431,000	722%	2,606225,000	763%	1,859,940000	600%	1,688384000	583%	1,519187000	521%	1,491278000	516%	6175%
PRO	757994,000	278%	809704,000	237%	1,237,842000	400%	1,206248000	417%	1,395145000	479%	1,398145000	484%	3825%
NCRPO	158471,000	58%	145202,000	43%	215,763000	70%	215763000	75%	239548000	82%	242548000	84%	6.85%
PRO 1	36465,000	13%	40542,000	12%	56,833000	18%	56833000	20%	68731000	24%	68731000	24%	1.84%
PRO CAR	29796,000	11%	31589,000	09%	52,516000	17%	52207000	18%	62384000	21%	62384000	22%	1.64%
PRO 2	32077,000	12%	34401,000	10%	53,658000	17%	53425000	18%	66790000	23%	66790000	23%	1.73%
PRO 3	57727,000	21%	66562,000	19%	96,971000	31%	95921000	33%	110942000	38%	110942000	38%	3.02%
PRO 4	65404,000	24%	72577,000	21%	139,673000	45%	109673000	38%	126842000	44%	126842000	44%	3.60%
PRO 5	40003,000	15%	53207,000	16%	73,515000	24%	73364000	25%	84851000	29%	84851000	29%	2.30%
PRO 6	58300,000	21%	61420,000	18%	79,936000	26%	79851000	28%	92356000	32%	92356000	32%	2.61%
PRO 7	41821,000	15%	46082,000	13%	71,120000	23%	71120000	25%	82258000	28%	82258000	28%	2.22%
PRO 8	48635,000	18%	51482,000	15%	68,717000	22%	68717000	23%	77163000	26%	77163000	27%	2.18%
PRO 9	41022,000	15%	46246,000	14%	69,988000	23%	69625000	24%	80532000	28%	80532000	28%	2.18%
PRO 10	32892,000	12%	35157,000	10%	51,030000	17%	51030000	18%	57025000	20%	57025000	20%	1.60%
PRO 11	33455,000	12%	36023,000	11%	51,942000	17%	51839000	18%	61958000	21%	61958000	21%	1.67%
PRO 12	26513,000	10%	30420,000	09%	49,976000	16%	49976000	17%	57803000	20%	57803000	20%	1.53%
PRO 13	23905,000	09%	26091,000	08%	50,966000	16%	50666000	18%	58600000	20%	58600000	20%	1.51%
PRO ARMM	31507,000	12%	32703,000	10%	58,238000	19%	58238000	20%	67362000	23%	67362000	23%	1.78%
Total MOOE	2,725425,000	1000%	3,415930,000	1000%	3,091,782000	1000%	2,894632000	1000%	2,914332000	1000%	2,889423000	1000%	

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

ALLOCATION OF THE MOOE BUDGET AMONG PROGRAMS/PROJECTS

3.1.11 The biggest slice of the total MOOE budget, as shown in Table 7.15, goes to the Program for Support to Operations. In 1998, it averages 49.82% of the total from a range of 41.6% in 1999 to 55% in 2002 and 2003. Again this allocation sacrifices MOOE requirements for operations in favor of those for support functions.

3.1.12 But attempts are made to correct this. There is a notable shift in the MOOE budget for General Administration and Support. From 1998 to 2001, it ranges from 25.5% to 35.3% of the total. It decreased by more than 20% in 2002 and 2003 which shows an average of only 9.2%. Such reduction in the funding for GAS is transferred to fund the Support to Operations and Operations budget, both of which show an increase in the total proportion for year 2002 and 2003.

Table 7.15
MOOE BUDGET, PER PROGRAM/ PROJECT DISTRIBUTION, 1998-2003

Program / Project	1998		1999		2000		2001		2002		2003		Ave.
	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	
General Admin and Support	694238000	255%	1205884000	353%	878700,000	284%	846214000	293%	268532000	92%	268218000	93%	2282%
Support to Operations	1,409143000	517%	1421002000	416%	1494231000	483%	1369661,000	473%	1602853000	550%	1588226000	550%	4982%
Operations	622044000	228%	789044000	231%	718851,000	233%	678257000	234%	842947000	289%	1032979000	358%	2621%
Locally-funded Projects	-	0.0%	-	0.0%	-	0.0%	-	0.0%	200000000	6.9%	-	0.0%	1.14%
Total	2,725425000	1000%	3,415930000	1000%	3,091782,000	1000%	2894632000	1000%	2914332000	1000%	2,889423000	1000%	

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

3.1.13 A closer look at the Regional MOOE distribution reveals that most of the MOOE budget allocation also goes to Support to Operations which accounts for 71% in 1998 and 1999 to 65%-66% in 2000 to 2003. The MOOE budget for the Program for Operations accounts only an average of 26% in 1998 to 2003. The General Administration and Supervision, on the other hand, accounts for only 3.7% to 5.8% in the same period.

3.1.14 Disaggregating the programs into Central and Regional Offices budget (Table 7.16), it can be gleaned that for years 1998 to 2001, the Central Office holds a larger MOOE share for General Administration and Support than the Operations and Support to Operations. This, however, was changed in 2002-2003, when the Operations and Support to Operations got the bigger slices of the budget and GAS was reduced to only 12%.

3.1.15 For the Regional Offices, however, there is no significant change in the allocation of the budget among these programs.

Table 7.16
BREAKDOWN, MOOE BUDGET PER PROGRAM,
PER CENTRAL AND REGIONAL OFFICES, 1998-2003

Program/ Project	1998			1999			2000			2001			2002			2003		
	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO
Central Office	1,967,431,000	72.2%	100.0%	2,606,226,000	76.3%	100.0%	1,853,940,000	60.0%	100.0%	1,688,384,000	58.3%	100.0%	1,519,187,000	52.1%	100.0%	1,491,278,00	51.6%	100.0%
Gen. Admin and Support	666,507,000	24.5%	33.9%	1,175,653,000	34.4%	45.1%	808,060,00	26.1%	43.6%	776,074,00	26.8%	46.0%	186,830,00	6.4%	12.3%	186,516,00	6.5%	12.5%
Support to Operations	869,932,000	31.9%	44.2%	839,581,000	24.6%	32.2%	691,634,00	22.4%	37.3%	567,060,00	19.6%	33.6%	674,567,00	23.1%	44.4%	659,940,00	22.8%	44.3%
Operations	430,992,000	15.8%	21.9%	590,992,000	17.3%	22.7%	354,246,00	11.5%	19.1%	345,249,00	11.9%	20.4%	457,790,00	15.7%	30.1%	644,822,00	22.3%	43.2%
Locally-funded Projects	-	0.0%	0.0%	-	0.0%	0.0%	-	0.0%	0.0%	-	0.0%	0.0%	200,000,00	6.9%	13.2%	-	0.0%	0.0%
Regional Offices	757,994,000	27.8%	100.0%	809,704,000	23.7%	100.0%	1,237,842,000	40.0%	100.0%	1,206,248,000	41.7%	100.0%	1,395,145,000	47.9%	100.0%	1,396,14,00	48.4%	100.0%
Gen. Admin and Support	27,730,00	1.0%	3.7%	30,230,00	0.9%	3.7%	70,640,00	2.3%	5.7%	70,640,00	2.4%	5.9%	81,702,00	2.8%	5.9%	81,702,000	2.8%	5.8%
Support to Operations	539,211,000	19.8%	71.1%	581,421,000	17.0%	71.8%	802,60,00	26.0%	64.8%	802,60,00	27.7%	66.5%	928,28,00	31.9%	66.5%	928,28,00	32.1%	66.4%
Operations	191,052,000	7.0%	25.2%	198,052,000	5.8%	24.5%	364,60,00	11.8%	29.5%	333,00,00	11.5%	27.6%	385,15,00	13.2%	27.8%	388,157,00	13.4%	27.8%
Total	2,725,425,000	100.0%		3,415,930,00	100.0%		3,091,78,00	100.0%		2,894,63,00	100.0%		2,914,33,00	100.0%		2,888,23,00	100.0%	

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

3.1.16 For both Central and Regional Offices, Support to Operations gets the largest share of the MOOE budget. In the Central Office, it ranges from 32% to 44%, while in the Regional Offices, it accounts for 66% to 71% over the years 1998 to 2004. The Operations budget, on the other hand, ranges from 19% to 43% in the Central Office and 25% to 29% in the Regional Offices.

ALLOCATION OF MOOE SUPPORT TO OPERATIONS BUDGET

3.1.17 The Program for Support to Operations is consists of the budget for Material Development, Health Services and Logistical Services (Table 7.17). For 1998 to 1999, the Central Office holds the larger share of the budget which accounts for 61.7% and 59.1%, respectively. From 2001 to 2003, the bigger share of budget was allotted to the Regional Offices which ranged from 53.7% to 58.6%.

Table 7.17
BREAKDOWN OF MOOE SUPPORT TO OPERATIONS BUDGET, 1998-2003

Program/ Project	1998			1999			2000			2001			2002			2003		
	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO
Central Office	869932000	61.7%	100.0%	839681000	59.1%	100.0%	661631,000	46.3%	100.0%	587,061000	41.4%	100.0%	674567000	42.1%	100.0%	659940000	41.8%	100.0%
Material Services	6760000	0.5%	0.8%	7260000	0.5%	0.9%	8364,000	0.6%	1.2%	8,368,000	0.6%	1.5%	0,097,000	0.6%	1.5%	10297000	0.6%	1.5%
Health Services	77,754000	5.5%	8.9%	56930000	4.0%	6.8%	46529,000	3.1%	6.7%	46529,000	3.4%	8.2%	56,170,000	3.5%	8.3%	56170000	3.5%	8.5%
Logistical Services	785418000	55.7%	90.3%	775381000	54.6%	92.4%	636738,000	42.6%	92.1%	512,168,000	37.4%	90.3%	688,300,000	38.0%	90.2%	593873000	37.4%	90.0%
Regional Offices	539211000	38.3%	100.0%	581421,000	40.9%	100.0%	802,600,000	53.7%	100.0%	802,600000	58.6%	100.0%	925286000	57.9%	100.0%	925286000	58.4%	100.0%
Material Services	-	0.0%	0.0%	-	0.0%	0.0%	-	0.0%	0.0%	-	0.0%	0.0%	-	0.0%	0.0%	-	0.0%	0.0%
Health Services	21,025000	1.5%	3.9%	27703000	1.9%	4.8%	35769,000	2.4%	4.5%	35769,000	2.6%	4.5%	41,368,000	2.6%	4.5%	41368000	2.6%	4.5%
Logistical Services	518166000	36.8%	96.1%	553718000	39.0%	95.2%	766831,000	51.3%	95.5%	766831,000	56.0%	95.5%	885,915,000	55.9%	95.5%	885918000	55.8%	95.5%
Total	1,409,143000	100.0%		1,421002000	100.0%		1,494231,000	100.0%		1,369,668,000	100.0%		1,602,853,000	100.0%		1,588226000	100.0%	

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

3.1.18 For both Central and Regional Offices, more than 90% of the total MOOE Support to Operations Budget goes to Logistical Services for years 1998 to 2003. In the Regional Offices, it averages to 95% of the total MOOE Support to Operations Budget. Logistical services consist of budget for procurement, transport, storage and distribution of supplies and materials, including the maintenance of equipment and facilities.

3.1.19 Table 7.18 below shows the Logistical Accomplishment Report for MOOE of the PNP for fiscal years 1999 and 2000.

Table 7.18
Logistical Accomplishment – MOOE

PARTICULARS	2000				1999			
	PRO	NHQ PNP	TOTAL		PRO	NHQ PNP	TOTAL	
			Amount	% of Total			Amount	% of Total
Procurement of petroleum oil and lubricants (POL)	329070000	166520000	495590000	35.31%	268283000	173866000	442,149000	36.51%
Procurement of Ammunition, police individual equipment (PIE) and quator master (QM) items spare parts for vehicles/ assorted equipment and assorted tires and batteries	126220000	201859000	328079000	23.37%	56475,000	282139000	338,612000	27.96%
Maintenance of assorted signal equipment, aircraft, watercraft and payment of fitting ots	13747000	67317000	81064000	5.78%	-	4820000	4,820000	0.38%
Registration/insurance of of assorted vehicles aircraft and buildings	13237000	15035000	28272000	2.01%	-	8,416000	8,416000	0.69%
Shipment of cargoes to Visayas and Mindanao areas	-	5,948,000	5,948000	0.42%	1,036,000	6,724000	7,760000	0.64%
Repairs and Maintenance of facilities	28295000	11888000	40,183000	2.86%	5,874,000	14337000	20,211000	1.67%
Repairs and Maintenance of assorted vehicles	61,388000	35294000	96682000	6.89%	18465,000	79715000	98,180000	8.11%
Payment for light and watr services of PNP units/offices	14509,1000	70939000	216030000	15.39%	93,181,000	71516000	164,697000	13.60%
Payment of telephone communication services of different PNP units/offices	39876000	29960000	69836000	4.98%	29911,000	40270000	70,181000	5.79%
Payment of rentals of buildings equipment and other facilities rented by PNP	5,618000	21520000	27,138000	1.93%	5,084,000	18487000	23,571000	1.95%
Payment of taxes	-	10,000,000	10000000	0.71%				
Payment of traveling expenses	2,806000	456,000	3,264000	0.23%	2,400,000	380000	2,780000	0.23%
Payment for Contingency/emergency services	1,483000	-	1,483000	0.11%				
Other services/expenses of different PNP units/offices					12261,000	17653000	29,914000	2.47%
TOTAL	766831000	636738000	1,403569000	100.00%	492968000	718123000	1,211,091000	100.00%
% of Total for the Year	54.63%	45.37%	100.00%		40.70%	59.30%	100.00%	

Source: PNP Annual Accomplishment Report, 1999 and 2000

3.1.20 Of the total expenditures for the years 1999 and 2000, the largest expense goes to the procurement of petroleum and lubricants which averages 36% for two years. Procurement for ammunitions, police individual equipment, quartermaster and other assorted equipment gets a share of 27.96% and 23.37% for 1999 and 2000, respectively. The third largest expense under logistics services is the payment for light and water services of PNP units/offices which is 13.60% of the total in 1999 and 15.39% in 2000.

3.1.21 The expenditure for the shipment of cargoes to Visayas and Mindanao is quite big in terms of nominals, even if it is minimal in terms of percentage of the total which is measly 0.64% in 1999 and 0.42% in 2000. An average of P6 million or P7 million a year for shipment is too much, while police stations even located here in Metro Manila receives only P12,000 to P15,000 for MOOE. The same could have been used to further augment the funds needed for police operations.

ALLOCATION OF MOOE OPERATIONS BUDGET

3.1.22 The Program for Operations refers to the conduct of operations and other related confidential activities against dissidents, subversives, lawless elements and organized crime syndicate and campaign against kidnapping, trafficking of weapon and minors, smuggling, carnapping, gunrunning, illegal fishing and trafficking of illegal drugs.

3.1.23 Looking at the MOOE budget of the Program for Operations (Table 7.19), most of the budget allocation goes to the Central Office. Except for year 2000, the Central Office gets the majority share of the MOOE which ranges from 69.3% in 1998 to 74.9% in 1999 to 62.4% in 2003. The Regional budget allocation for operations only ranges from 25.1% to 50.7% in the last 6 years.

Table 7.19
BREAKDOWN OF MOOE OPERATION BUDGET, 1998-2003

Program/ Project	1998			1999			2000			2001			2002			2003		
	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO	Amount	% of Total	% of CORO
Central Office	430992000	69.3%	100.0%	590992,000	74.9%	100.0%	354249,000	49.3%	100.0%	345249,000	50.9%	100.0%	457,790000	54.3%	100.0%	644,822000	62.4%	100.0%
Operations	108218000	17.4%	25.1%	197218,000	25.0%	33.4%	180275,000	25.1%	50.9%	171275,000	25.3%	49.6%	244,268000	29.0%	53.4%	234,838000	22.7%	36.4%
Intelligence	258677000	41.8%	60.0%	210677,000	26.7%	35.6%	47136,000	6.6%	13.3%	47136,000	6.9%	13.7%	56903,000	6.8%	12.4%	256,762000	24.9%	39.8%
Police Relations	15983000	2.6%	3.7%	17983000	2.3%	3.0%	49970,000	7.0%	14.1%	49970,000	7.4%	14.5%	63825,000	7.6%	13.9%	63,375000	6.1%	9.8%
Investigations	48114000	7.7%	11.2%	165114,000	20.9%	27.9%	76868,000	10.7%	21.7%	76868,000	11.3%	22.3%	92796,000	11.0%	20.3%	89,846000	8.7%	13.9%
Regional Offices	191052000	30.7%	100.0%	198052,000	25.1%	100.0%	364602,000	50.7%	100.0%	333008,000	49.1%	100.0%	385,157000	45.7%	100.0%	388,158000	37.6%	100.0%
Operations	93946000	15.1%	49.2%	94946000	12.0%	47.9%	200222,000	27.9%	54.9%	185222,000	27.3%	55.6%	214,229000	25.4%	55.6%	217,228000	21.0%	56.0%
Intelligence	64064,000	10.3%	33.5%	65,064000	8.2%	32.9%	89,777000	12.5%	24.6%	82,183000	12.1%	24.7%	95053000	11.3%	24.7%	95053000	9.2%	24.5%
Police Relations	14464000	2.3%	7.6%	15464000	2.0%	7.8%	22295,000	3.1%	6.1%	22295,000	3.3%	6.7%	25785,000	3.1%	6.7%	25,785000	2.5%	6.6%
Investigations	18578000	3.0%	9.7%	22578000	2.9%	11.4%	52308,000	7.3%	14.3%	43308,000	6.4%	13.0%	50090,000	5.9%	13.0%	50,094000	4.8%	12.9%
Total	622044,000	100.0%		789,044000	100.0%		718,851000	100.0%		678,257000	100.0%		842947000	100.0%		1,033279000	100.0%	

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

3.1.24 Table 7.19 also shows that of the total Operations budget for the Central Office, the major portion of the budget is allocated to between Operations, Intelligence and Investigation services. For 1998, 60% of the total budget goes to Intelligence, and 25% goes to Operations. However, in 2000, only 13% goes to Intelligence services and 50% goes to Operations. In 2003, the Operations and Intelligence services budget is almost equal. The budget for investigation, on the other hand, ranges from 11% to 27% for the six-year period.

3.1.25 In the Regional Offices, the biggest slice of the budget goes to Operations. From 2000, the budget allocation for operations had been increasing from 49.25% in 1999 to 56.0% in 2003. The second largest budget allocation for the Regional MOOE appropriations goes to intelligence services. It ranges from 24% to 33% for years 1998 to 2003. The investigation services budget ranges only from 9% to 14%.

3.1.26 Police relations services of the PNP is given less emphasis in the operations of the PNP. It gets the least allocation for both Central and Regional Offices.

ALLOCATION OF THE MOOE AND PS BUDGET

3.1.27 The efficiency of budget allocation and spending between Central and Regional Offices and among Regional Offices will be analyzed well if the total picture of the budget is shown. Since the data provided by the PNP is limited as to the disaggregation for the PS budget, this analysis made use of per capita PS budget were the total budget of the PNP is divided into the total number of uniformed personnel (Table 7.20). Thus the following figures are derived:

Table 7.20
PS BUDGET OF UNIFORMED PERSONNEL

Year	PS Budget for Uniformed Personnel	Authorized No. of Uniformed Personnel	PS Per Uniformed Personnel
1998	18,588,734,000	111,243	167,100
1999	19,743,047,000	111,743	176,683
2000	23,504,659,000	111,743	210,346
2001	22,661,373,000	111,743	202,799
2002	28,538,308,000	113,743	250,902
2003	31,132,976,000	119,893	259,673

Source: Uniformed Personnel as of December 31 - DPRM, PNP
PS Budget for Uniformed Personnel- PNP

3.1.28 In order to come with the profile for the PS budget between Central and Regional Offices, the PS per uniformed personnel is multiplied by the actual number of Uniformed Personnel in the Offices in the Central and Offices as well as the actual number of Uniformed Personnel in the Regional Offices. The PS and MOOE distribution, therefore of the PNP budget for years 1998 and 2003 (Table 7.21) are as follows:

Table 7.21
PS AND MOOE BUDGET, CENTRAL AND REGIONAL OFFICES, 1998-2003
(in Philippine Pesos)

Particulars	1998		1999		2000		2001		2002		2003		Ave.
	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	Amount	%	
Personal Services	18588734000	100.0%	19,743,047,000	1000%	23,504,659000	1000%	22861373000	1000%	28538308,000	1000%	31,132,976000	1000%	1000%
Central Office	2717080516	146%	2,911020,710	147%	3,686,255467	157%	3428837364	151%	4729348,268	166%	5,498,126,769	176%	15.7%
Regional Offices	15871653,484	854%	16,832,026,290	853%	19818,403533	843%	19232535,636	849%	23808959,732	834%	25639849231	824%	84.3%
MOOE	2,725425000	1000%	3,415930,000	100.0%	3,091,782,000	1000%	2,894632,000	1000%	2,914332,000	1000%	2,889423000	1000%	1000%
Central Office	1967431000	722%	2,606226,000	763%	1,853,940000	600%	1688384,000	583%	1519187,000	521%	1,491,278,000	516%	61.8%
Regional Offices	757994000	278%	809,704000	237%	1,237,842000	400%	1206248,000	417%	1395145,000	479%	1,398,145,000	484%	38.2%
Total PS and MOOE	21314159000	1000%	23,158,977,000	1000%	26596,441,000	1000%	25556,005,000	1000%	31,452,640,000	1000%	34022399000	1000%	1000%
Central Office	4684511516	220%	5,517,246,710	238%	5,540,195467	208%	5,117221,364	200%	6,248535,268	199%	6,984,404,769	205%	21.2%
Regional Offices	16629647,484	780%	17,641,730,290	762%	21056,245533	792%	20438,783,636	800%	25,204,104,732	801%	27037994231	795%	78.8%

Source: MOOE - General Appropriations Act, 1998, 1999, 2000, 2002, 2003
PS - PS of Uniformed Personnel, PNP

3.1.29 The table above shows that for years 1998 to 2003, the personnel strength deployed in the Regional Offices, as indicated in the PS budget, averages to 84.3% while at the Central Office an average of 15.7% of the total personnel strength is observed. It can be noted that while the total PS accounts for only 15.7% of the total on the average, the funding for operational requirements as stated in the MOOE budget for the Central Offices is much higher than that of the Regional Offices. It (Central Offices') accounts for 61.8% on the average while that of the Regional Offices is only 38.2% of the MOOE budget.

3.1.30 In total, the PS and MOOE budget of the Central Office is equal to 21.2% of the total budget and that of the Regional offices amount to 78.8%.

3.1.31 In terms of Regional distribution, the following are observed:

Table 7.22
REGIONAL PER CAPITA DISTRIBUTION OF THE PNP BUDGET

Regions	1998			1999			2000			2001			2002			2003		
	Population	Budget Per Capita	Crime Solution Rate	Population	Budget Per Capita	Crime Solution Rate	Population	Budget Per Capita	Crime Solution Rate	Population	Budget Per Capita	Crime Solution Rate	Population	Budget Per Capita	Crime Solution Rate	Population	Budget Per Capita	Crime Solution Rate
NCRPO	10,001,139	250	87.39%	10,194302	262	9154%	10387991	302	88.46%	10,558447	328	8941%	10,728,904	388	94.67%	10,898,361	378	9547%
PRO 1	4,004,646	215	9326%	4,075569	224	9080%	4,146687	253	91.02%	4,215590	235	87.53%	4,284,494	256	87.50%	4,353393	315	8755%
PRO CAR	1,341,856	497	91.74%	1,372666	503	6178%	1,403570	575	93.95%	1,435013	514	93.80%	1,466,456	622	87.85%	1,497900	609	8880%
PRO 2	2,698,874	258	9504%	2,756559	272	9576%	2,814299	312	94.27%	2,968903	277	94.63%	2,923,514	369	87.73%	2,978115	377	9208%
PRO 3	7,391,056	173	9324%	7,538992	181	9283%	7,687356	203	93.63%	7,841767	201	92.39%	7,996,979	243	90.22%	8,146791	236	9189%
PRO 4 - A	10,755,216	148	92.08%	11040036	153	9328%	11324834	176	94.92%	11,631562	169	9485%	11938,485	214	94.89%	12245407	221	9414%
PRO 4 - B			0.00%			0.00%			0.00%			0.00%			91.85%			9334%
PRO 5	4,575,709	195	8955%	4,665612	205	8515%	4,755078	234	83.72%	4,836216	207	73.01%	4,917,361	267	91.56%	4,998502	260	9156%
PRO 6	6,099,757	188	9658%	6,214068	196	9675%	6,328666	219	95.73%	6,440957	206	93.86%	6,553,250	252	95.09%	6,665541	252	9560%
PRO 7	5,325,668	196	8633%	5,434790	204	8647%	5,544211	229	90.25%	5,650625	215	93.71%	5,757,032	264	89.59%	5,863447	275	7722%
PRO 8	3,550,444	264	9492%	3,668236	271	9557%	3,746241	307	95.43%	3,824326	288	94.82%	3,902,407	361	95.38%	3,980492	345	9499%
PRO 9	3,005,256	382	9341%	3,079990	394	9477%	3,153922	466	94.61%	3,153922	430	96.12%	3,302,889	575	91.85%	3,377388	560	9463%
PRO 10	2,698,008	224	8690%	2,714412	226	9280%	2,774977	269	91.82%	2,774977	248	93.99%	2,894,008	434	93.24%	2,953506	419	9264%
PRO 11	4,975,010	163	8509%	5,106837	164	8877%	5,238014	189	93.55%	5,238014	185	91.76%	5,504,750	225	93.77%	5,638138	218	9285%
PRO 12	2,535,368	280	9174%	2,596484	286	8917%	2,661179	305	89.41%	2,661179	320	87.50%	2,795,734	379	90.26%	2,846009	373	9182%
PRO 13	2,084,677	237	9174%	2,134454	246	9112%	2,184383	321	86.25%	2,184383	281	89.80%	2,288,814	349	93.24%	2,341039	335	8389%
PRO ARMM	2,115,413	426	91.72%	2,151328	494	9224%	2,186943	690	92.77%	2,186943	580	94.52%	2,256,520	745	88.62%	2,294459	741	9182%
Total	73,147,804	223		74745787	232		76348149	259		77,808224	257		79,503,748	315		81,081,460	314	

Source: Population - 2003 PNI Statistical Yearbook
Crime Volume & Crime Solution Rate - PNP
Budget Per Capita = (Estimated PS of the Region + MOOE budget of the Region)/Population of the Region, in PNI Pesos

3.1.32 The budget per capita was computed at the estimated PS and MOOE budget over the total population in the area. Looking at the table, we can see that the ARMM gets the highest per capita budget over the last six years, which doubles and/or triples of the per capita budget of some of the other regions. It is also worthy to note that while the ARMM budget for policing a single person in the region is higher than that of the other regions, the difference in the Crime solution rate in ARMM with that of the other regions is very minimal. We can conclude therefore, that the budget has no direct correlation with the efficiency of the police in terms of solving crimes.

3.1.33 We can also note from the above chart that the budget provided by the National Government is not dependent on the population of the area. In fact, while the population increases over the years, the increase in budget per population is fluctuating. In contrast to indications made that the budget of the PNP is dependent on the population of the area (noted during interviews), the graphical presentation above shows otherwise.

3.2 Resource Management Efficiency

3.2.1 In the context of Resource Management efficiency, the PNP must be able to properly spend the appropriations given to it by the National Government to meet its goals and objectives for the year. However, how the PNP spends its budget also depends on the releases to it by the DBM. The following table shows the total appropriations available to the PNP as against released allotment; and based on the released allotment, how much is actually spent.

Table 7.23
COMPARISON OF ACTUAL OBLIGATIONS AGAINST TOTAL AVAILABLE APPROPRIATIONS
(in thousand Pesos)

	1999	2000	200 1	2002	2003
Total Available Appropriations	25,806,789	30,097,176	34,151,493	38,557,317	42,475,320
Allotment Received		30,041,176	33,776,434	38,052,517	42,472,771
Allotment Obligated	24,687,986	30,037,206	33,077,561	37,985,676	41,994,137
% of Allotments received from Available Appropriations		99.81%	98.90%	98.69%	99.99%
% of Allotments Actually Obligated		99.99%	97.93%	99.82%	98.87%
% of Obligations against Available Appropriations	95.66%	99.80%	96.86%	98.52%	98.87%

Source: NEP, 2001, 2002, 2003, 2004, 2005

3.2.2 Total available appropriation refers to the general fund appropriations (as indicated in the GAA), automatic appropriations (which pertains to retirement and life insurance premiums), continuing appropriations (which refers to the unreleased appropriations and unobligated appropriations of the previous years), supplemental appropriations and transfers from other government agencies.

3.2.3 In 1999, only 95.66% of the total available appropriations of the PNP are actually obligated, leaving an unobligated balance of 4.34% or P1.12 billion. While it was able to spend almost 100% of the total allotments released to it 2000. For 2001, only 97.93% is actually obligated leaving an unobligated allotment of P699 million. In 2002, the unobligated allotment amounted to P67 million and in 2003 it amounted to P479 million.

3.2.4 The following table (Table 7.24) shows in aggregate the total unused appropriations of the PNP. While the amount is relatively minimal compared to the total available appropriations, it has an impact on resources made available to police operations, especially those at the station level, which relatively receives only an MOOE of about P15,000 to P20,000 a month.

Table 7.24
UNUSED APPROPRIATIONS, 1999-2003
(in thousand Pesos)

Year	Total Available Appropriations	Unused Appropriations	% of Unused against Total Available
1999	25,806,789	1,118,803	4.34%
2000	30,097,176	59,970	0.20%
2001	34,151,493	1,073,932	3.14%
2002	38,557,317	571,641	1.48%
2003	42 ,475,320	4 81,183	1.13%

Source: NEP, 2001 2002, 2003, 2004, 2005

3.2.5 The Financial Statements as reported to the Commission on Audit at the end of the fiscal years (1999-2003), shows the following status of appropriations and allotments.

Table 7.25
STATUS OF APPROPRIATIONS AND ALLOTMENTS

PARTICULARS	1999	2000	2001	2002	2003
Total Appropriations	23,937,380,000	28,024,120,000	27,643,214,000	36,085,209,000	34,921,408,000
Total Allotments Received	23,418,037,519				
Allotments received		25,408,516,681	27,726,957,539		
Continuing Appropriations		298,670,004	10,000,000		
Obligated	19,956,692,320	25,669,842,569	27,184,573,772		
Reverted	35,368,112	4,295,760	3,617	1,067,179,264	86,926,181
Unexpended Balance	298,670,004	10,000,000	550,380,150		
NCA Received				41,511,174,316	42,163,408,174

Source: PNP Financial Statements - COA reports - 1999 to 2003, COA website
GAA 1999 to 2003

3.2.6 It is quite disconcerting that the financial statements prepared by the PNP and audited by the COA shows a balance of obligated allotments different from that as stated in the actual figures of NEP.

3.2.7 Table 7.25 also shows that at the end of the year, except for year 2001, the statements posted reversions of the budget to the National Treasury.

EFFICIENCY OF THE BUDGET IN CURBING CRIMINALITY

3.2.8 Rationalizing the budget as a significant factor in maintaining peace and order, and measuring peace and order as a result of decreased criminality in any given locality, we can say that over the years, the cost of criminality is increasing. The following table illustrates this premise. From 1998 to 2003, the cost of reported crime as against actual obligations incurred by the PNP, the cost of 1 reported crime increased from P317,350 in 1998 to P501,700 in 2003 (Table 7.26).

3.2.9 Cost of solved crime amounts to about P347,760 per crime in 1998 and increased to about P550,770 in 2003.

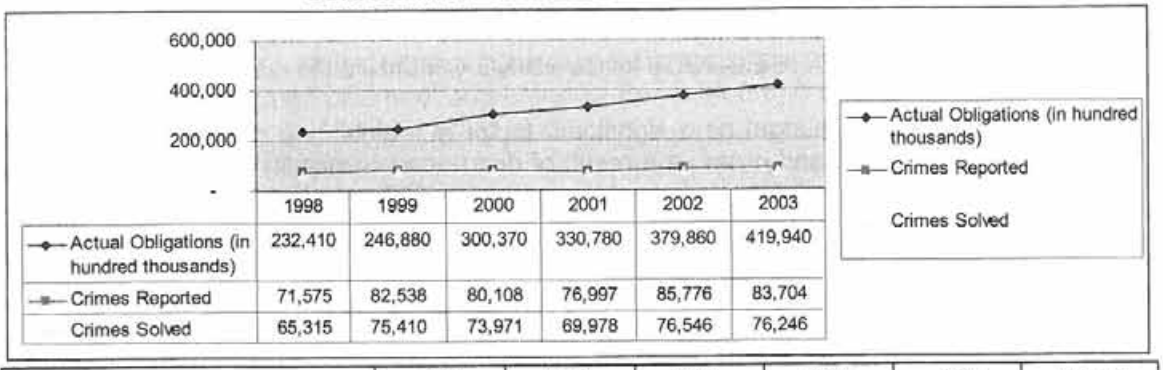
Table 7.26
COST OF REPORTED AND SOLVED CRIME, 1998-2003

PARTICULARS	1998	1999	2000	2001	2002	2003
No. of reported crime	71,575	82,538	80,108	76,997	85,776	83,704
No. of solved crime	65,315	75,410	73,971	69,978	76,546	76,246
Actual Obligation (in thousand Pesos)	22,714,183	24,687,986	30,037,206	33,077,561	37,985,676	41,994,137
Cost per reported crime (in thousand Pesos)	317.35	299.11	374.96	429.60	442.85	501.70
% increase/decrease		-6%	25%	15%	3%	13%
Cost per solved crime (in thousand Pesos)	347.76	327.38	405.07	472.69	496.25	550.77
% increase/decrease		-6%	24%	16%	5%	11%

Source: Actual Obligation - BESF 2000, NEP 2001 2002, 2003, 2004, 2005
Crime Statistics - PNP

3.2.10 While the actual obligations of the PNP increased in the average of 12.58% for years 1998 to 2003, the crime solvency rate increased only by an average of 3.43%. This only goes to show that the budget given to the PNP has no impact on the occurrence of criminality and even to the solvency of crime.

Figure 7.9
CORRELATION OF BUDGET AND CRIMINALITY



	1998	1999	2000	2001	2002	2003
Actual Obligations (in hundred thousands)	232,410	246,880	300,370	330,780	379,860	419,940
Crimes Reported	71,575	82,538	80,108	76,997	85,776	83,704
Crimes Solved	65,315	75,410	73,971	69,978	76,546	76,246

	1999	2000	2001	2002	2003	Average
Increase in Obligations	6.23%	21.67%	10.12%	14.84%	10.55%	12.68%
Increase (Decrease) in Crimes Reported	15.32%	-2.94%	-3.88%	11.40%	-2.42%	2.91%
Increase (Decrease) in Crimes Solved	15.46%	-1.91%	-5.40%	9.39%	-0.39%	3.43%

3.2.11 It has been noted, even in international studies, that crime rates are generally unreliable as indicator of police productivity.

4 KEY ISSUES

ALLOCATION BETWEEN MAJOR EXPENSES CLASSES IS COMPARATIVE TO INTERNATIONAL STANDARDS

4.1.1 The allocation of the budget as to the major expenses, PS, MOOE and CO is within the standards of international allocation of Police Budget. For the last six years, 1998 to 2003, the PS average budget allocation is 88.53%, 10.72% and 0.75% for PS, MOOE and CO, respectively. This is comparative to the budget distribution of the following states/countries:

Table 7.27
BUDGET DISTRIBUTION IN OTHER STATES/COUNTRIES

	PS	MOOE	CO
Detroit Police, USA – 1985-86	94.42%	4.66%	0.92%
North Carolina PD – 1985-1986	82.39%	14.17%	3.42%
Houston, Texas PD - 1984	90.42%	9.32%	0.26%
Seattle – Police budget - 1990	96%		
New York – Police budget - 1990	94%		
Canada – cost of policing - 1988	82%		
Toronto – 1990	85%		
Vancouver – 1990	90%		
Montreal – 1990	95%		

Source: Police Administration, 2nd Edition by Swanson, Territo, and Taylor

4.1.2 The PS budget has always been given the highest share of the total budget internationally. This is because, policing is to a greater extent, labor intensive. Police are not given remuneration as they deem necessary, they are given personnel and are told to use them as best as they can in order to maintain peace and order and safety.

INEQUITABLE CENTRAL AND REGIONAL OFFICES BUDGET DISTRIBUTION

4.1.3 While we can say that the budget is efficiently allocated among the major expenses classes, i.e., the PS, MOOE and CO, the distribution of the budget of the PNP as to Central and Regional Offices is inequitable in terms of MOOE. For the last six years, that is, 1998-2003, the Central Office was given the bigger percentage compared to summation of the budget of the 17 Regional Offices.

4.1.4 The need for greater budget allocation to the Regional Offices is grounded on the fact that policing services are undertaken by the different police stations under the administrative and operational management of the Police Regional Offices.

4.1.5 Complaints from various police stations in Metro Manila and even in the Regions reveal that the budget given to them are not sufficient to meet their day to day operations. Such that, without the aid of their respective Local Governments, police operations could be hardly sustained.

4.1.6 While this shortage in fund is experienced at the most basic operational levels, the Central Offices enjoys the greater slice of the pie. The Central Office Operations pertain mostly to the administrative part of policing and is composed of only the 10 Directorates and 20 NSUs and the Command Group. On the other hand, the Regional Offices budget for 17 Regional Police Offices, with 1,651 police stations spread nationwide, and with manpower complement as of December 2003 of 92,657 is much larger compared to the 19,851 manpower complement at the Central Offices.

4.1.7 The indicative larger slice of budget is used for maintaining the highly bureaucratic organization of the PNP, with 10 highly-staffed Directorates and 20 highly-manned NSUs. We can therefore say, that so much of the budget only goes to administration where the greater requirement is for the police operations.

INEFFICIENT DISTRIBUTION OF BUDGET AMONG PROGRAMS

4.1.8 Looking at the allocation of the budget among major programs (Table 7.13), where GAS gets 13.07%, Support to Operations 5.27% and Operations 81.52%, as the average for years 1998 to 2003, we can say that the budget is fairly distributed. The program for operations got the largest share of the budget which should really be since the PNP services is direct delivery.

4.1.9 However, looking at the MOOE budget distribution of the 3 major programs by Central and Regional Offices (Table 7.17), we can note that most of the MOOE budget is allocated to the Central Office, while the most ideal should have been that the Regional Offices get the larger share as it is the Regional Offices which administers the operations of the different police offices and stations.

4.1.10 While the PNP may contest that the Central Office also holds the budget of the different Regional Offices of the NSUs, it should be made clear that the manpower complement of the these Regional NSUs are not as many as that of the different Regional Offices. We can say therefore, that most of the MOOE budget is allocated to the Central Office activities, most of which are administrative in nature.

4.1.11 Table 7.19 of the previous section also shows that for the MOOE Operations budget, which pertains to the funding for the conduct of Operations, Intelligence, Police Relations and Investigations services, the Central Office still gets the bigger share over that of the Regional Offices, when in fact, it is the Regional Offices which is the delivery arm of police services through the various police stations.

4.1.12 For this reason, the various police stations makes-do with the measly budget it gets, which encourages the officers in the police stations to resort to corruption, though it may be petty in nature, just to get by and produce the output required of them. While the PNP is very critical as to the output of the police stations and police commanders, in particular, the budget allotted to it is very minimal.

4.1.13 We can therefore conclude that the budget, MOOE in particular, is inequitably distributed among units for operations and units for administrations.

RESOURCE MANAGEMENT EFFICIENCY

4.1.14 The assessment of how the available resources are managed cannot be made complete as hard facts needed for the establishment of the same were not made available. For one, data for the released allotments and actual expenditures per office, per Directorate, per NSU and per Region were not provided, such that analysis for the same is quite limited. We made do with the data we gathered from the NEP and COA reports which are both aggregate in nature.

4.1.15 Based on the available data, the following are the major observations:

a) At the end of the year, there are unused allotments and unused appropriations, which, though minimal in terms of percentages, the actual nominal value reaches millions and billions, which when used up efficiently for the year, should have helped improve the conditions of the police stations and offices and further boost up there performance.

b) At the end of the year, some of the released allotments and released NCAs are reverted to the National Treasury, for reasons not made known. Reversions are usually made for unused portions of allotments that are not obligated at the end of the year, or for projects completed appropriations for which exceeded the actual cost. Whatever reasons it may be, reversions of released allotments and NCAs have implications on the efficiency on the management of the available resources, or on the programming of the budget, which eventually, will impact on the effectiveness of police operations.

THE NUMBER OF PERSONNEL AND THE SUFFICIENCY OR INSUFFICIENCY OF BUDGET DOES NOT IMPACT ON THE CRIMINALITY AND CRIME SOLVENCY OF A GIVEN PLACE

4.1.16 While we say that police operations is labor intensive, we can also conclude, based on the analyses made in the previous section, that there is no connection between the number of police and criminality and solvency of crimes.

4.1.17 It has been a practice to consider the number of population as well as crimes of a given area as a determinant of the police budget. The police to population ratio were usually the basis for determining the number of police officers needed, which in turn affects the totally of the budget of that place.

4.1.18 Aside from the population, the crime rates of the localities are also used as determinants for increasing/decreasing their budget, such that, the high rates of criminality encourage greater budget allocation, and low rates less. This is illustrated in Table 7-22 of the previous section wherein the CAR and ARMM region get the biggest per capita budget, ARMM being noted to be an area infested with high rates of criminality due to subversions and greater number of lawless elements. However, even if both gets the highest per capita, the crime solvency rate is almost equal to those regions whose budget is two-times or three-times lower than its budget.

4.1.19 Figure 7.9 also shows the scenario wherein the number of crimes reported and the rate of solvency of crimes is not in any way related to the financial resources given to it.

5 IMPLICATIONS FOR REFORM

5.1 Need to decentralize operations to achieve better impact and expenditure efficiency

5.1.1 Crimes are location-specific. Peace and order and public safety are also location-specific. The delivery of police operations are done at the ground level. Financing police operations shall therefore give higher weight to those that are at the ground level.

5.1.2 National Support Units, administrative and operational operations of which are lodged at the central office, operates even at the regional levels. The maintenance of the units is duplicative to that of the National and Regional Command, therefore eating up too much of the resources which would otherwise support the direct operational requirements of the police at the station level. NSUs shall therefore be abolished and operations of which shall be given to the regional command.

5.2 Limit oversight units to oversight functions

5.2.1 National Support Units operations shall be limited only to the national and transnational crimes. A lean and mean organization for specialized activities shall be set-up in lieu of the overstaffed National Support Units.

5.3 Improving the overall organizational efficiency rather than increasing the number of police forces

5.3.1 The increases in the budget over the years are mainly due to the increases in the number of police forces. The performance of the police, however, has remained the same, the grievances of police personnel as corruption, abuse of authority, factionalism, lack of discipline, lack of resources, and lack of support and negative perceptions of the community to the police force. These same issues had been hurling the PNP organization over the years may be resolved by improving the overall organizational efficiency through the improvement of the various systems, processes and procedures, and amending, if necessary, the various laws and enabling instruments that governs the PNP operations.

5.4 Improve the allocation of budget resources by shifting priorities from general overhead expenditures to police operations in the police stations

5.4.1 Considerable efficiencies in the limited resources of the government can be achieved by shifting expenditures from general overhead to the operations in the police stations. But this will require substantial political will of the PNP management and will involve not only direct budgetary reallocations but also fundamental changes in the structure and internal processes in the PNP organization.

SECTION 3
Assessment of PNP Financial Management Systems

1 INTRODUCTION

1.1.1 The financial management system of the PNP covers the policies and practices regarding financial planning, programming, accounting, reporting, auditing, funding, organization, and personnel assigned to undertake the overall financial management activities of the PNP.

1.1.2 Thus, this study will look into the institutional arrangement both internal and oversight; the policies and processes as well as rules and regulations governing fiscal management operations; actual practices within the PNP; and the personnel involved in the financial management operations undertaking the functions of resource management, budgeting, cash management, and accounting.

2 DELIMITATIONS OF THE STUDY

2.1.1 The analyses for the financial management system and of the financial and physical resources are all data dependent, such that any deficiency in the data provided by the organization impacts on the depth the study.

2.1.2 The offices that were tapped to aid in the development of the study, basically those that are involved in the financial management systems, had been assistive in providing basic information. Some information, however, which may be relevant to the study were not made available.

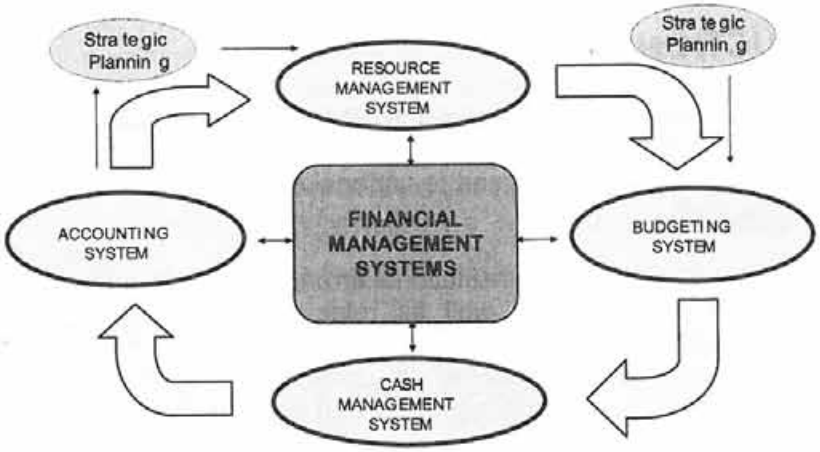
3 FINANCIAL MANAGEMENT SYSTEMS FRAMEWORK

3.1.1 The Philippine National Police is one of the largest agencies within the bureaucracy that is tasked to maintain peace and order in the community. PNP is mandated to enforce all laws and ordinances relative to the protection of lives and properties, maintain peace and order and public safety, and investigate and prevent crimes, among others.

3.1.2 For the PNP to effectively carry on its mandate of maintaining the peace and order in the society, it must have a set of organizational systems which must be seamlessly integrated to make the PNP a capable, effective, and credible institutions.

3.1.3 Among the many other systems needed to make the PNP effective in its operation is the Financial Management Systems. A complete financial management system is depicted in the following diagram.

Figure 7.10
FINANCIAL MANAGEMENT SYSTEMS FRAMEWORK



3.1.4 Financial Management System is a set of policies, rules, processes and procedures that governs fiscal and financial transactions of an organization. It composed of integrated systems of a) resource management, b) budgeting, c) cash management, and d) accounting. It must also be properly linked with the strategic planning activity of an organization.

3.1.5 Strategic planning is a process by which leaders of an organization envision its future and develop the necessary procedures and operations to achieve that future.[16] It is not a clean, step-by-step process, but an iterative process that requires hard work and dedication from key people in the organization. Strategic planning defines clearly what the organization wants, what it is all about, what it intends to get out of its efforts and how specifically it should move over time. It is a set of guiding principles, which, put together, would produce the best result-to-effort, outcome-to-task and output-to-input ratios.[17]

3.1.6 Revenue/Resource Management System – this refers to the policies, processes and procedures for the efficient and effective resource planning and mobilization.

3.1.7 Budgeting System – is composed of policies, processes and activities required for the planning, preparation, administration and accounting of the budget. It consists of the following subcomponents:

a) Medium-Term Budgeting – the estimation of the annual revenue and expenditure program over a three-year to six-year time period based on the

[16] Goodstein, Nolan & Pfeiffer, 1992
[17] Strategic Planning, Final Report, ADB TA 3693

objectives and targets of the Strategic Plan and the Medium-term Development Plan.

b) Annual Budget Preparation – a set of policies, processes and procedures for the allocation, prioritization, and distribution among programs and projects, expense class and objects of expenditures, and among all the units of the organization, consistent with the annual performance targets contained in the medium-term plan.

c) Budget Authorization – the set of policies, processes and procedures for the review and approval of the budget.

d) Budget Execution – the set of policies, processes and procedures for the implementation of the approved budget.

e) Budget Monitoring and Accountability – a set of policies, processes and procedures for the monitoring of the status of implementation of the budget and evaluation as well as reporting of its performance.

3.1.8 Cash Management System – this pertains to the policies, processes and procedures of the PNP in planning and controlling the use of cash. It embodies the various policies and processes for the receipts and disbursements of cash.

3.1.9 Accounting System – it is the process of analyzing, recording, classifying, summarizing and communicating all transactions involving receipt and disposition of the overall funds and property of the organization, and interpreting the results thereof.

4 DESCRIPTION OF INSTITUTIONAL FRAMEWORK[18]

4.1 Summary of Internal organizational arrangements

4.1.1 The major functions of managing the financial resources of the PNP is placed under the Directorate for Comptrollership, with the assistance of 2 National Administrative Support Units, the Financial Service and Computer Service, which are directly under its functional grouping.

4.1.2 The following table shows the functions and roles played by the different institutions and organizations that are internal and external in all PNP financial management transactions.

[18] This section describes the institutional framework for financial management as a way of putting in context the assessment of polices and processes. The assessment of the financial management institutional framework is part and parcel of the overall institutional review contained in the previous chapter.

Table 7.28
INSTITUTIONS/OFFICES INVOLVED IN THE FINANCIAL MANAGEMENT SYSTEM OF THE PNP

INTERNAL TO THE PNP		EXTERNAL TO THE PNP	
Chief, PNP	Approves all the financial transactions of the PNP.	NAPOLCOM	Reviews the budget of the PNP during the budget preparation phase.
TCDS	Heads the Operating Plan and Budget Committee (OPBC).	DILG	Provides Operational Guidelines to the PNP and conducts Technical Budget Hearing
OPBC	Formulates, reviews, and develops the PNP's annual operating program	DBM	Manages and Controls the financial resources provided by the National Government to the PNP through various policies, rules and guidelines in the preparation, execution and monitoring of the budget
Directorates	As members of the OPBC and as Program Directors, prepares objectives and policy guidelines and monitors the implementation of the control programs peculiar to their respective staff responsibilities.	COA	Audits the financial transactions of the PNP
DC	Manages all the financial resources and other financial management transactions of the PNP.	Congress	Reviews and approves the budget of the PNP
DPL	Heads the Sub-Committee on Operating Plan of the OPBC. Formulates the OPBG, POPB, OPB.		
FS	Manages the cash transactions of the PNP. Responsible for the formulation of policies and implementation of various cash management activities such as receipts and disbursements.		
CS	Assists the DC and FS in Personnel Services transactions, specifically on the printing of CFCs and payslips of all PNP personnel.		
NSUs	Prepares and administers the budget pertaining to the units' financial transactions.		
PROs	Prepares and manages the budget and all other financial management transactions of the region, including the DOs, PROs, City Polic Stations and Municipal Police Stations and substations.		
RFSOs	Performs all the cash management transactions of the Police Regional Offices and NSUs with Regional Offices		
PPOs, PDOs, City and Municipal Police Stations	Provides inputs to the Police Regional Offices, in the preparation of the Budget. Manages the funds provided by the Regional Offices for the operating expenses of the province, district, city and municipality stations and substations		

4.2 Directorate for Comptrollership

4.2.1 The Directorate for Comptrollership is the office that is principally responsible for the management of the financial resources of the PNP. The controllership function involves planning, objective setting, program costing and integration, budget harmonization, financial accounting, cost effectiveness evaluation, performance analysis and resource management improvement. The Director for Comptrollership is the principal liaison officer to the Executive Department and other government offices and agencies on fiscal matters.

4.2.2 NAPOLCOM Resolution No. 95-043 and PNP Circular No. DPL-001-95 gives the DC the power to control specified processes, practices and other matters relative to its responsibilities.

4.2.3 It is mandated to undertake the following specific functions:

a) Prepares the Annual PNP budget;

b) Initiates projects in the furtherance of management improvement programs of the Command;

c) Plans and supervises the implementation of policies and procedures pertaining to auditing, accounting, and statistical reporting in management activities;

d) Coordinates with the Directorial Staff of NHQ-PNP for the supervision and preparation of different PNP projects and programs and in the integration of such projects and programs to the overall PNP program;

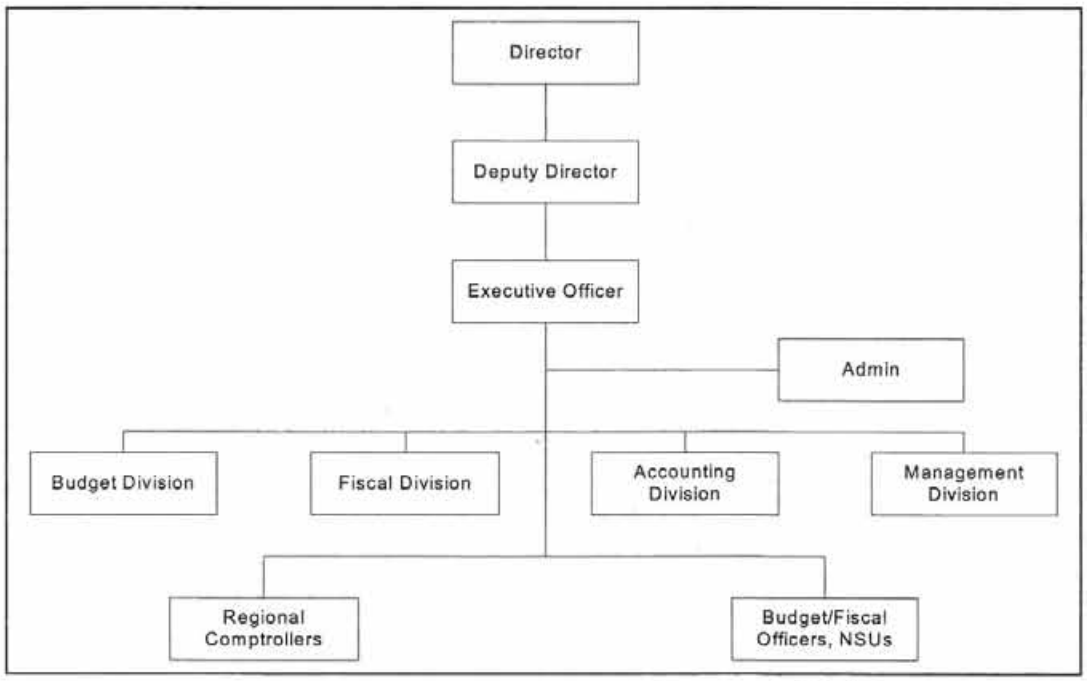
e) Supervises and manages the preparation of the PNP Budget estimates based on the data submitted by Program Directors and justifies the same to the reviewing authorities;

f) Plans, implements and manages all policies and procedures concerning financial management, program review and analysis in management engineering and improvement activities of the organization; and

g) Performs other official duties or functions as the Chief, PNP and higher authorities may direct from time to time.

4.2.4 The organizational structure, designed to undertake the functions enumerated above, is as follows:

Figure 7.11
ORGANIZATIONAL STRUCTURE OF THE DIRECTORATE FOR COMPTROLLERSHIP



BUDGET DIVISION

4.2.5 There are four sections under the Budget Division. The 1) Personnel Services Section, 2) MOOE Section, 3) Capital Outlay Section and 4) NCA Section. Each section undertakes specific tasks relative to it. In general, the function of the Budget Division is to undertake the following:

a) Attends DBM meetings/conferences on budgetary and fiscal guidelines/ strategies in the preparation of the PNP Budget Proposal;

b) Calls for the conduct of the Operations, Plan and Budget Committee (OPBC) conferences to discuss the preparation of the Preliminary Operating Plan and Budget Guidelines;

c) Prepares the internal budget forms for the use of the OPBC and the different PROs;

d) Conducts seminars for controllers and budget officers regarding budgetary procedures, techniques, and innovations on budgetary concepts;

e) Calls for the conduct of conferences among members of the Jr. OPBC regarding budgetary procedures and fiscal guidelines in the PNP Budget preparation;

f) Consolidates the Annual PNP Budget Proposal of Directorates and other units;

g) Assists the Director for Comptrollership during the preparation of the Budget Proposals before the OPBC, CPNP, and SILG/C, NAPOLCOM;

h) Submits to DBM the PNP Budget Estimates in accordance with the Budget Forms prescribed in the Budget Call;

i) Prepares the briefing/presentation of the DC before the members of the DBM Technical Panel, as well as the PNP Budget estimates;

j) Assists the CPNP/DC in the presentation of the PNP Budget proposal before the DBM Budget Technical Committees, House of Representatives Plenary sessions and Senate Budget Technical Committee Budget Hearings; and

k) Revises the proposed budget to conform to DBM ceiling/Presidents Budget.

FISCAL DIVISION

4.2.6 The Fiscal Division also has four sections undertaking specific fiscal activities. These are 1) Personnel Services Section, 2) MOOE/CO Section, 3) Prior Years Claims Section, and 4) Pension and Retirement which in the overall is tasked to undertake the following:

a) Provides fiscal services to the PNP;

b) Administers the pension, retirement, and benefit funds;

c) Administers fund releases of HPNP and PROs;

d) Advises the Comptroller on all matters pertaining to PNP Budget Execution; and

e) Acts on referrals from other units pertaining to fiscal matters.

ACCOUNTING DIVISION

4.2.7 The Accounting Division has the following functions:

a) Develops and implements plans and policies on accounting of appropriated and non-appropriated funds;

b) Maintains basic accounting records and Books of Accounts to reflect accurately the updated financial condition of the agency; and

c) Certifies the availability of funds.

4.2.8 The Accounting Divisions has the following five Sections: 1) Personnel and Records Section, 2) Funding Section, 3) Disbursement Section, 4) Bookkeeping Section, and 5) Reconciliation Section.

MANAGEMENT DIVISION

4.2.9 The Management of the Division is tasked to undertake the following:

a) Develops plans and policies to improve resource management of the PNP;

b) Initiates means for simplification and standardization of operations of offices/units;

c) Formulates plans, policies and procedures for internal auditing and control;

d) Conducts management audit of the PNP resources;

e) Issues appropriate guidance in liquidation of fund and property accountability of the PNP personnel;

f) Conducts inspection of deliveries; and

g) Conducts pre-audit of POs, WOs, JOs and DVs.

4.2.10 The Management Division is composed of the following sections: 1) Internal Control and Inspection Section, 2) Accountability and Assistance Section, 3) Management Improvement Section, and 4) Claims and Examination Section.

REGIONAL COMPTROLLERS

4.2.11 There are Regional Comptrollers in each of the Police Regional Offices that functions the same as the Directorate for Comptrollership, with four Divisions undertaking the budgeting, fiscal, accounting and management services. Together with the Regional Finance Service, it services financial operation requirements of the region which covers the Provincial, District, City and Municipal Offices, as well as the different Support Units deployed in the Region.

BUDGET/FISCAL UNITS

4.2.12 The Budget/Fiscal Units of the different Command Group, Directorates and National Support Units prepares the budget and manages the fiscal matters relative to the office.

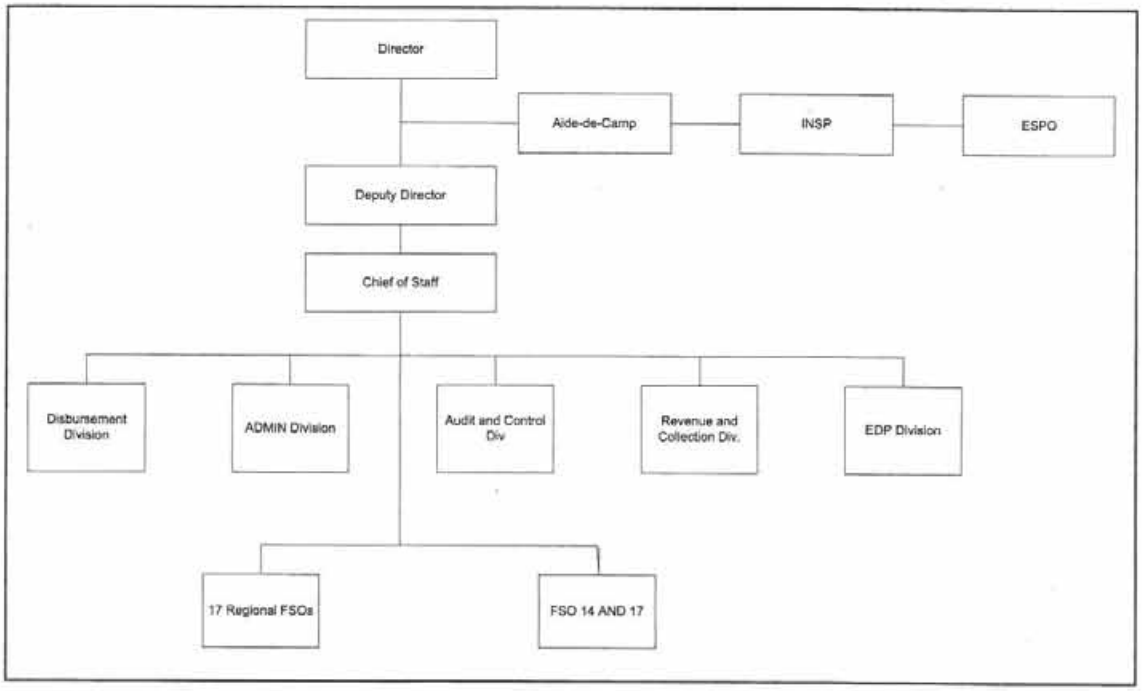
4.3 Finance Service

4.3.1 The Finance Service, one of the 10 National Administrative Support Units, undertakes the function of administering the cash transactions of the PNP, specifically that of receipts and disbursements.

4.3.2 It is operating with seventeen (17) Regional Finance Services Offices servicing all Police Regional Offices and National Support Units thereat, and two (2) Finance Service Offices which cater to the financial services requirements of the NHQ and those personnel assigned at the Philippine Public Safety College (PPSC), Philippine National Training Institute (PNTI) and Special Action Force (SAF).

4.3.3 The Organizational Structure of the Finance Service is as follows:

Figure 7.12
ORGANIZATIONAL STRUCTURE OF FINANCE SERVICE



4.3.4 The Finance Service is created to undertake the following functions:

a) Recommends policies regarding procedures in the disbursement and accounting of PNP funds;

b) Implement plans, policies, rules and regulations governing disbursement and collection of funds for the PNP;

c) Maintains and supervises the operations of the Modified Disbursement Scheme (MDS) Account units in the PNP;

d) Coordinates with other offices/units concerning the preparation and distribution of the pay and allowances of uniformed and non-uniformed personnel of the PNP;

e) Processes and settles claims for pay and allowances/salaries, travel allowances and commutation of leave of PNP Personnel;

f) Maintains financial records of the pay and allowances of uniformed and non-uniformed personnel and other PNP Obligations;

g) Supervise and/or recommend the training, assignment, designation, transfer and relief of finance/disbursing officers, collecting officers, agent officers/tellers and their immediate bonding;

h) Conduct training of PNP personnel for respective assignment to finance units in various PNP units;

i) Provide technical support and assistance to PNP units on matters pertaining to financial management of PNP units;

j) Conduct studies and research to upgrade and enhance the effectiveness of PNP units on matters pertaining to financial management; and

k) Perform such other functions as the Chief, PNP may direct.

4.3.5 The specific functions of the different divisions under it are as follows:

REVENUE AND COLLECTION DIVISION

4.3.6 Collects, remits, and maintains records of authorized deductions of PNP Personnel as well as tax withheld and acts as custodian of trust receipts collections. It is composed of the following sections:

a) Trust Receipt Section

b) Collection and Remittance Section

c) Withholding Tax Section

AUDIT AND CONTROL DIVISION

4.3.7 Conducts periodic management audit on the different FSOs to ensure proper handling and disposition of PNP funds and properties and monitors extent of performance and accomplishment against targets and goals and recommends measures to improve operations. It is supported by the following sections:

a) Audit and Clearance Section

b) Bonding Section

ELECTRONIC DATA PROCESSING DIVISION

4.3.8 Plans, develops and maintains programs to enhance the accuracy and reliability of computerized data needed by PNPFS in its operation. The sections undertaking the specific functions are as follows:

a) Computer Operation Section

b) Data Control Section

c) Information/Records Section

DISBURSEMENT DIVISION

4.3.9 Takes charge of the preparation, consolidation and verification of reports in the pay and allowances and authorized deductions of PNP Personnel and processes other claims against authorized PNP Appropriations and perform other functions related to there. The sections undertaking the specific functions are as follows:

a) Pay and Allowances Section

b) Checking Account Section

c) Claims and Examination Section

d) Allotment Section

e) Pension and Gratuity Section

ADMINISTRATIVE DIVISION

4.3.10 Plans and coordinates all administrative matters affecting the office to ensure its efficient and smooth functioning; enforces discipline among all the office personnel; responsible for the control and custody of classified equipment and documents.

4.3.11 Maintains and operates an office communication center and records filing system, procures, stores, issues and maintains necessary office supplies and equipment. Acts as security officer and morale and welfare officer of the office and is responsible for the general upkeep of the office, and supervise the maintenance and upkeep of the official vehicles issued to the Finance Service.

4.4 Computer Service

4.4.1 Another National Administrative Support Unit that is under the functional authority of the Directorate for Comptrollership is the Computer Service. The financial management function of the Computer Service is basically the printing of Continuous Flow Checks (CFCs) and printing of all PNP personnel.

4.4.2 The Computer Service maintains the roster of personnel that shall be provided with salaries and wages on a regular basis. Such information is provided by the Directorate for Personnel and Records Management.

4.4.3 The data that will be used by the Computer Service for the preparation of the CFCs and payslips originates from the Financial Service.

4.5 External agencies involved in PNP financial management

National Police Commission

4.5.1 Section 6, Article XVI of the 1987 Philippine Constitution provides that "the State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. . . " This is the basis for which the National Police Commission (NAPOLCOM) is created.

4.5.2 One of the many functions of NAPOLCOM, as provided under Section 5 of R.A. 8551, is to exercise administrative control and operational supervision of the PNP. Specifically related to the monitoring of the financial management systems of the PNP, NAPOLCOM is mandated to undertake the following:

a) "Develop policies and promulgate police manuals prescribing rules and regulations for efficient organization, administration and operation. . ."

b) "Examine and audit, and thereafter establish standards for such purposes on a continuing basis, the performance, activities and facilities of all police agencies, throughout the country."

c) "Conduct an annual self-report survey and compile statistical data for the accurate assessment of the crime situation and the proper evaluation of the efficiency and effectiveness of all police units in the country."

d) Approve or modify plans and programs on education and training, logistical requirements, communications, records, information systems, crime laboratory, crime prevention and crime reporting."

e) Prescribe minimum standards for arms, equipment, and uniforms. . ."

f) Inspect and assess the compliance of the PNP on the established criteria for manpower allocation, distribution, and deployment and their impact on the community and the crime situation, and thereafter formulate appropriate guidelines for maximization of resources and utilization of the PNP personnel."

4.5.3 In the exercise of this function, the NAPOLCOM reviews the various plans and programs of the PNP as well as their annual budget and requires justification and modifications thereof on a case to case basis. Standards for procurement of various logistical requirements also go to the NAPOLCOM for review and approval.

4.5.4 NAPOLCOM also conducts inspection and audit of all the police stations throughout the country, on an annual basis.

Department of Interior and Local Government

4.5.5 The Secretary of the Department of Interior and Local Government (DILG), DILG being the mother agency of the PNP and NAPOLCOM, is the ex-officio chairman of the NAPOLCOM.

4.5.6 As SILG, he exercises the following mandated powers and functions:

a) Prepares and submits periodic reports, Quarterly Anti-Crime Operations Report and such other reports as the President and Congress may require;

b) Acts as Chairman and Presiding Officer of the NAPOLCOM; and

c) Delegate authority to exercise any substantive or administrative function to the members of the NAPOLCOM or other officers of rank within the Department.

4.5.7 Relative to the financial management operations of the PNP, the DILG provides operational guidelines and programs to the PNP and with which PNP strives to achieve and work on in their ensuing activities. These operational guidelines and programs are used by the PNP as basis for the formulation of their budget requirements.

4.5.8 The budget formulated by the PNP is being reviewed by the DILG in its annual technical budgeting hearing prior to the submission of the budget to the DBM and Congress.

Department of Budget and Management

4.5.9 The Department of Budget and Management (DBM) is responsible for the formulation and implementation of the National Budget with the goal of attaining national socio—economic plans and objectives. It is responsible for the efficient and sound utilization of government funds and revenues to effectively achieve the country's development objectives.

4.5.10 It functions to assist the President in the preparation of the national resources and expenditures budget, preparation, execution and control of the National Budget, preparation and maintenance of accounting systems essential to the budgetary process, achievement of more economy and efficiency in the management of government operations, administration of compensation and position classification systems, assessment of organizational effectiveness and review and evaluation of legislative proposals having budgetary or organizational implications.

4.5.11 As such, the DBM controls the National Government budget allocation to the PNP, from the budget preparation to execution, to monitoring and accounting thereof. The DBM provides the policies and guidelines on the entire budgeting process and the provision of funds to the PNP along with the other government agencies.

Congress

4.5.12 The Congress which is composed of the House of Representatives and the Senate undertakes a detailed review of all the budget of the national government agencies. Such review or budget hearing is a necessary activity for the Congress in order to enact the law which would cover the expenditure of the national government for a particular budget year. The legislative act is the one we know as the General Appropriations Act.

4.5.13 Thus, the budget proposal of the PNP is being reviewed in detail by the Congress before such can be used by the PNP for the implementation of its various programs and projects.

Commission on Audit

4.5.14 The Commission on Audit is responsible for the determination of whether or not the fiscal responsibility that rests directly with the head of the government agency has been properly and effectively discharged; development and implementation of a comprehensive audit program that shall encompass an examination of financial transactions, accounts and reports, including evaluation of compliance with applicable laws and regulations; institution of control measures through the promulgation of auditing and accounting rules and regulations governing the receipts and disbursements, and uses of funds and property, consistent with the total economic development efforts of the Government; and promulgation of auditing and accounting rules and regulations so as to facilitate the keeping, and enhance the information value of the accounts of the government.

4.5.15 The PNP, as one of the government agencies, from time to time, is being examined by the COA. The COA conducts post-audit activities of all financial transactions of the PNP. The accounting system that is being adopted by the PNP is the National Government Accounting System which is prescribed by the COA for all government agencies to follow.

Local Government Units

4.5.16 Article Two, Chapter 3, of Title One of the General Provisions of the Local Government Code provides the relations of the Local Government Units with the PNP.

4.5.17 The provision basically defines the extent of the operational supervision and control of the local chief executives over the police force pursuant to R.A. 6975, "An Act Establishing the Philippine National Police under a Reorganized Department of Interior and Local Government, and for other purposes". This act is amended by R.A. 8551, "An Act Providing for the Reform and Reorganization of the PNP and for other Purposes".

4.5.18 Section 51(b)(2) of R.A. 6975 provides that "the municipality/city mayor shall, in coordination with the local peace and order council with which he is the chairman pursuant to E.O. 309, as amended, develop and establish an integrated area/community public safety plan embracing priorities of action and program thrusts for the local PNP stations. It shall be the duty of the city or municipal mayor to sponsor periodic seminars for members of the PNP assigned or detained in his city or municipality in order to update them regarding local ordinances and legislations."

5 REVENUE/RESOURCE MANAGEMENT SYSTEM

5.1 National Government Budget Support

5.1.1 The financial resources needed by the PNP to undertake its mandated functions generally come from the National Government budget support. The annual budget provided to the PNP already covers the salaries and wages and all other allowances of all personnel assigned to the PNP. Total personal services budget of the PNP is about 90% of its total budget. Thus, only 10% of the budget is left for the PNP to administer for its maintenance and operating expenses and capital outlay. The budget provided by the national government, as administered by the DBM, is limited and constrained as to the priorities of the national government.

5.1.2 Over the last six years (1998-2003), the following is the total resources provided by the national government to the PNP:

Table 7.29
PNP Budget, 1998-2003
(in million Pesos)

Year	PS	MOOE	CO	TOTAL
1998	19,166	2,725	420	22,311
1999	20,453	3,416	68	23,937
2000	24,866	3,092	66	28,024
2001	24,743	2,895	5	27,643
2002	32,532	2,914	639	36,085
2003	31,932	2,889	100	34,921

Source: General Appropriations Act, 1998, 1999, 2000, 2002, 2003

5.1.3 The management of the PNP budget from the national government is not very flexible. Various processes and control procedures have already been instituted by the national government through the DBM and COA so that the administration of these funds are controlled and facilitated.

5.1.4 The national government budget given to the PNP is in itself, an authorization to spend for the PNP. It is therefore, imperative upon the PNP to maximize its use to ensure that at the end of the year, what is mandated is actually spent. So that the programs and projects of the PNP down to the station levels are actually funded to ensure better performance.

5.1.5 However, as shown in the Expenditure Management Chapter of this report, the PNP was not able to fully maximize the use of its resources, as follows:

Table 7.30
ANALYSIS OF UNUSED APPROPRIATIONS, 1999-2003
(in thousand Pesos)

Year	Total Available Appropriations	Unused Appropriations	% of Unused against Total Available
1999	25,806,789	1,118,803	4.34%
2000	30,097,176	59,970	0.20%
2001	34,151,493	1,073,932	3.14%
2002	38,557,317	571,641	1.48%
2003	42 ,475,320	4 81,183	1.13%

Source: NEP, 2001 2002, 2003, 2004, 2005

5.1.6 Total available appropriations represents the appropriations for the year, continuing appropriations and transfers from other government agencies. The table above shows that in 1999, out of the total mandated expenditures, PNP has unused P1.1 billion, in 2001 also P1.1 billion, and P0.57 billion and P0.48 billion, respectively, for years 2002 and 2003. The extent of unused appropriation shows that PNP is not able to maximize its use and is reflective of a not-so-optimal management of available resources.

5.2 LGU Contributions

5.2.1 Peace and order situation, which is the product of police services are location specific. It can be directly attributed to a certain locality. While it is the duty of the state to maintain peace and order, thus provide fully for the requirements of the police force, the resources of the national government is limited. The National Government has priority plans, programs and targets with which the budget is also dependent. The budget support to the PNP, therefore, may be increased or decreased depending on the priority of the national government, provided that the basic requirements for the PNP to undertake its mandated functions are supported.

5.2.2 This is where the role of the local government, which is the direct recipient of the police services, should come in. Local government units, as mandated under R.A. 6895, shall formulate public safety plans for its locality embracing therein the priorities and program thrusts of the local police. The Provincial government, through the Provincial Governor as head of the Provincial Peace and Order Council, shall oversee the implementation of the provincial public safety plan, which is prepared taking into consideration the integrated community safety plans of the various cities and municipalities under it. The development and establishment of the integrated community/safety plans are the responsibilities of the city or municipal mayors.

5.2.3 This community/safety plans which will be undertaken by the police force in the locality is to be funded by the LGUs themselves. As these funding or support to the operations of the police force in the community gets into the custody of the police station, it becomes part of the total resources of the police.

5.2.4 LGU support come in various forms such as cash allowances of PNP personnel; gasoline and oil for police motor vehicles; motor vehicles; office equipment and other logistical requirements of the local police stations.

5.2.5 Since the services of the police force redound to the benefit of the locality, most LGUs are willing to give a portion of their total revenues to the police in their localities. This, however, is not true to all. There are various LGUs, especially those belonging to the lower income bracket, that minimally, if not, do not really provide any kind of support to the police. Sometimes, the support given to the police force is also dependent upon the Police Commanders' ability to properly link up with the LGU Officials to get the kind of support the needs of the station.

5.2.6 The following are highlights of the interviews conducted with local government officials in terms of provision of support to the police forces.

QUEZON CITY

5.2.7 An interview with the Mayor of the Quezon City revealed that for year 2002 alone, it gave the Central Police District which caters to the whole of Quezon City, an estimated total amount of P139 Million broken down as follows:

P 35 Million – for Personnel Services which is given as allowances to the PNP personnel of the CPD at the rate of P1,000.00 per month for uniformed personnel and P500.00 per month for non-uniformed personnel

P 34 Million – for MOOE which is given to the CPD in the form of gasoline allocation and various supplies and materials

P 70 Million – for Capital Outlay which is the worth of about 35 to 40 vehicles for the use of CPD police forces

5.2.8 For 2003, the Quezon City, aside from the allowances to PNP personnel and various supplies and materials and gasoline allocation, provided the CPD police force with 100 pieces short firearms, SWAT vests, SWAT vans and bomb suit.

5.2.9 The Quezon City also formulated a program of rebuilding all the police stations within their locality. It also provides discretionary fund for the intelligence activities of the police in the area.

5.2.10 These programs of the Quezon City to provide for the requirements of the PNP in addition to the funding of the national government, is part of its local development plans and its objective to maintain peace and order and public safety in the locality.

LAGUNA

5.2.11 A focus group discussion with the Chief of the Provincial Police Office and Heads of Divisions in the Police Provincial Office of Laguna revealed that the Provincial Governor's Office is assisting the police operations within their area by providing 2,000 liters of gasoline allocation per month, rice provision for police officials, computers for the provincial office and support funds for the repairs and maintenance of vehicles.

5.2.12 Since the PNP itself provides only very limited supply as against the much needed logistical requirements of the police stations, basically for them, it is the local government support that sustains most of the police operations.

ILOILO

5.2.13 The Iloilo City, as revealed by an interview with the Mayor, provides support to the police forces on a regular basis. It is included in their annual budget as a fixed percentage of their total Internal Revenue Allotment.

5.2.14 The support is given as augmentation of their MOOE requirements in the form of gasoline and oil allocation, office supplies and materials, maintenance of vehicles, trainings, and monthly cash allowance of P550.00 per uniformed personnel.

5.2.15 For 2003, the support given by the City to the police stations within its jurisdiction amounts to P2,395,800.00.

5.2.16 The Provincial Office of Iloilo also provides logistical support for the police operations of the province. But unlike the City where it is part of their regular budget, the support given by the Governor's Office is not regular. It is taken from the Discretionary Fund of the Governor's Office and allocation of which is dependent on the operations directed by the Governor.

5.3 PNP Fees and Charges

LEGAL BASIS

5.3.1 Administrative Order No. 257 dated December 27, 1991 authorizes the PNP to continue collecting fees and charges that used to be collected by agencies absorbed by the PNP in the exercise of regulatory, statutory functions and collections from the use of equipment and facilities, treating the same as trust receipts and granting the Chief, PNP the authority in the use thereof, subject to the approval of the Secretary of DILG.

5.3.2 Joint Circular No. 1-92 of the DBM and DILG dated May 8, 1992 prescribed the rules and regulations in the implementation of the Administrative Order.

5.3.3 Executive Order No. 256 dated December 21, 1995 rationalized the fees and charges on firearms, ammunition, spare parts, accessories, components, explosives, explosive ingredients, pyrotechnics and firecrackers. The revision of the rates and the imposition of new ones was, as enunciated in E.O., done to provide the necessary financial support to meet the increasing administrative and service cost of regulation by the Firearms and Explosives Office of the Philippine National Police.

5.3.4 On January 13, 2000, Executive Order No. 197 directed all departments, bureaus, commissions, agencies, offices and instrumentalities of the national government, including government-owned and controlled corporations, to increase their rates of fees and charges by not less than 20%.

TRUST RECEIPTS

5.3.5 The following are the list of activities/items collected by the PNP as income from operations and statutory/regulatory functions:

a. Income-producing activities of the PNP:

1. Treatment or hospitalization of non-PNP members in PNP Hospitals and Dispensaries
2. Reimbursement from Medicare except professional fees
3. Testing and analysis conducted by PNP Crime Laboratory Service
4. Utilization of unused portion of the PNP camps, reservations and installations
5. Rentals of PNP equipment and facilities such as aircraft, vessels, engineering equipment, land vehicles, etc.
6. Collections from rent of concessionaires
7. Fees for navigational aids

b. Collections/fees in the exercise of statutory/regulatory functions of the PNP pertaining to:

1. Security Agency License
2. Security Guard License
3. Firearms License
4. Licenses/certificates issued by PNP for maritime officers rating
5. Permit to purchase, store, import or transport explosives and explosive ingredient
6. Motor Vehicle Clearance
7. Police Security clearance
8. Station Police Clearance
9. Fines imposed by the PNP Maritime Command on any violation of marine laws, rules and regulations including illegal cargoes
10. All other fines/penalties/permits required by PNP

GUIDELINES ON THE USE OF THE REVENUES

5.3.6 All income from operations and the implementation of statutory and regulatory functions including the use of PNP equipment and facilities as enumerated above shall be available for use by the PNP subject to the approval of the Secretary of Interior and Local Government (SILG).

5.3.7 The net proceeds, equivalent to 25% of the firearms and license fees (as defined in Section IA, EO 256, to the exclusion of other fees and charges required/collected by the Firearms and Explosives Division, CSG) shall be remitted to the Scholarship Fund pursuant to R.A. 6393 in accordance with the following allocations:

PNP	-	40%
AFP	-	30%
BFP	-	20%
BJMP	-	10%

5.3.8 Collections for light and water, telephone services, and other utilities from tenants of PNP camps shall be treated as *Trust Liabilities* and shall be used for the payment of utility bills of the PNP and its various units.

5.3.9 Collections from rentals of PNP quarters/housing shall be remitted to the PNP Housing Board.

5.3.10 Trust Receipts shall not be utilized for payment of additional compensation to employees in the form of allowances, incentive pay, bonuses or other forms of additional compensation except as may be authorized pursuant to PD. 985 or PD 1597 nor shall it be used to create new positions, augment salaries of regular

personnel nor to purchase motor vehicles without the prior approval of the President, pursuant to LOI No. 29, neither shall it be used to fund unauthorized activities.

5.3.11 Availment of the trust receipts shall not be subject to a special budget and disbursements therefrom shall not require the issuance of NCA. However, utilization shall be based on the Program of the Expenditures approved by the Secretary of the DILG. Withdrawals from the depository bank shall be approved by the Chief, PNP or his duly authorized representative(s) and shall be made with the existing accounting and auditing rules and regulations.

5.3.12 The Firearms and Explosives Division (FED) and other PNP offices/units involved in the processing of documents and monitoring of firearms and explosives shall retain 20% of the total collections for firearms and explosives fees and charges to fund direct operational expenses, pursuant to Section 3 E.O. 256.

5.3.13 Forty-five percent (45%) of other Trust Receipts collections (less light and water collections) shall be retained by the following units in accordance with the corresponding percentage shares:

DI	-	15%
HSS	-	10%
FS	-	15%
TMG	-	15%
SAGSD	-	10%
HS	-	10%
CL	-	10%
CS	-	10%
MG	-	5%

TRUST RECEIPTS COLLECTIONS

5.3.14 There are two (2) methods of Collections and remittance for the trust receipts of the PNP. One is through collections by Authorized Government Depository Banks which makes use of Special Bank Receipts (SBR) as evidence of payments and the other is through collecting officers in the NHQ and PROs.

5.3.15 The collections through the banks are limited to :

a. Fees and charges imposed by the Firearms and Explosive Division (FED) and Security Agency and Guards Supervision Division (SAGSD) of the Civil Security Group (CSG).

b. Fees and charges imposed by the Crime Laboratory Group

c. Fees and charges imposed by the Traffic Management Group

5.3.16 The collection and remittance procedures will be discussed in detailed in the Cash Management Section of this report.

5.3.17 The total collections and deposits recorded by the Finance Service showed a total of P1.903 billion for years 1998 to 2003.

Table 7.31
Total Annual Receipts

FUND/ACCOUNT	1999	2000	2001	2002	2003	TOTAL
PNP Firearms License Fund	158,251,544.11	132,010,184.62	248,534,317.89	227,381,131.18	214,716,773.02	980,893,950.82
PNP Trust Fund	41,983,770.10	129,428,954.66	237,692,188.24	240,518,967.06	257,988,622.82	907,612,502.88
PNP Housing Board Fund	3,137,680.89	3,440,103.61	2,521,117.90	3,088,299.34	3,045,783.18	15,232,984.92
Total	**203,372,995.10**	**264,879,242.89**	**488,747,624.03**	**470,988,397.58**	**475,751,179.02**	**1,903,739,438.62**

Source: PNP Finance Service

5.3.18 The data gathered from the Directorate for Comptrollership, on the other hand, posted a total of P1.827 billion for the same period.

Table 7.32
Trust Receipts Collections

Year	Total Recorded Collections
1999	149,990,019.57
2000	251,949,318.76
2001	485,042,244.33
2002	467,900,098.34
2003	472,705,395.84
TOTAL	1,827,587,076.84

Source: Directorate for Comptrollership

DISBURSEMENTS FROM TRUST RECEIPTS COLLECTIONS

5.3.19 The net programmable amount of the trust receipts shall be made available to the Chief, PNP to fund PNP programs and projects. However, the utilization shall be based on the Program of Expenditures duly approved by the SILG.

5.3.20 A detailed discussion on the disbursement procedures for the trust receipts will be discussed in the Cash Management System section of this report.

5.3.21 For 1998 to 2003, the total disbursements made out of the total collections as recorded by the Finance Services are as follows:

Table 7.33
TOTAL ANNUAL DISBURSEMENTS

FUND/ACCOUNT SOURCE	1999	2000	2001	2002	2003	TOTAL
PNP Firearms License Fund	110,590,223.84	32,129,033.11	191,436,868.74	281,940,185.31	226,359,080.75	842,455,391.75
PNP Trust Fund	26,119,315.94	9,891,507.24	157,836,262.22	138,016,702.24	93,565,998.87	425,429,786.51
PNP Housing Board Fund	162,203.33	5,349,010.56	4,063,064.18	2,694,596.00	2,364,870.10	14,633,744.17
PNP TMG-Motor Vehicle/Clear				122,780,214.59	102,851,058.71	225,631,273.30
PNP Crime Laboratory Service				11,810,615.75	4,943,990.38	16,754,606.13
Total	**136,871,743.11**	**47,369,550.91**	**353,336,195.14**	**557,242,313.89**	**430,084,998.81**	**1,524,904,801.86**

Source: PNP Finance Service

5.3.22 A report on the total disbursements made out of the trust receipts per program and project was requested from the Directorate for Comptrollership. The same, however, was denied.

5.3.23 PNP 2003 Year-End Accomplishment Report showed that 5 units of patrol car and 1 unit tow truck with hydraulic lift for the TMG were purchased out of the PNP Trust Receipts.

ISSUES/COMMENTS

5.3.24 The record of the Finance Service and the Directorate for Comptrollership as to the magnitude of collections do not tally. The reports of both offices should have been equal since while the actual collection and preparation of receipts and reports thereon are the responsibility of the Finance Service, reports on collections and deposits are prepared by the same office and submitted to the Accounting Division of DC. Since the reports of both offices do not reconcile and we don't know which of the two offices gives the correct figures, it just shows that the system is not well integrated.

5.3.25 A report on the total disbursements made out of the trust receipts per program and project was requested from the Directorate for Comptrollership. The same, however, was denied for reasons not indicated therein.

5.3.26 The report for Annual Disbursements per type of fund gathered from the Finance Service shows that out of the total collections of P1.908 Billion, P1.524 Billion was expended, leaving a balance of undisbursed funds equivalent to P384 Million at the end of 2003. This amount, however, may be understated since the collections and disbursements for the years 1998 are not included in this analysis.

5.4 Fund Transfers and Donations

FUND TRANSFERS

5.4.1 National government agencies that request for police services to focus on their activities also provide financial support to the PNP. Financial support given to the PNP from other agencies is in the form of fund transfers which the PNP will liquidate in accordance with existing government rules and regulations.

DONATIONS FROM VARIOUS ORGANIZATIONS

5.4.2 Aside from the National Government budget support, LGU Contributions and Fees and Charges imposed for various services, the PNP receives support from organizations such as religious groups, business organizations, private individuals and other concerned parties.

5.4.3 Only donations that are given directly to the PNP and are deposited in the PNP account are accounted for in the books. Donations that are inventoriable such as equipment and vehicles that are reported by the recipient offices to the region and to the NHQ through the Directorate for Logistics are recorded.

5.4.4 All other support received by the PNP from various organizations like private individuals, private organizations like business groups, religious organizations and other similar institutions that are given directly to the PNP Police Stations are not recorded in the books of the PNP.

5.4.5 At times, private individuals or organizations that provides support to the PNP refuses to be identified. In fact, in one of the interviews conducted in a Police Stations in Quezon City revealed that most of the equipment in the station are provided by private individuals and organizations, that prefers to remain anonymous thus not be identified. Most of the time, only the station commander knows who the donors are.

5.4.6 Most of the time also, some of the police goes to the different establishments o requests for donations that they can use in their policing operations.

VEHICLES RECEIVED FROM VARIOUS SOURCES

5.4.7 PNP 2002 Year-End Accomplishment Report enumerated a list of donated/loaned vehicles from various sources with an amount totaling to P101,763,000.00, as follows:

Table 7.34
2002 LIST OF DONATED/LOANED VEHICLES TO PNP

END-USER		TYPE OF VEHICLE	QTY	TOTAL PRICE
NCRPO	CPDO	Toyota Revo	23	17,135,000.00
	EPDO	Isuzu Trooper	3	4,500,000.00
		Motorcycle	2	174,000.00
	Pasig PS2	Motorcycle	4	348,000.00
		Mitsubishi L-300	16	45,000.00
	Mandaluyong P	Toyota Revo	6	4,470,000.00
		Motorcycle	6	522,000.00
	San Juan PS 4	Toyota Revo	5	3,725,000.00
		Motorcycle	2	174,000.00
		Mountain Bike	20	50,000.00
	NPDO			
	Caloocan PS1	Motorcycle	4	348,000.00
	Navotas PS3	Motorcycle	2	174,000.00

END-USER		TYPE OF VEHICLE	QTY	TOTAL PRICE
	Valenzuela PS	Motorcycle	11	957,000.00
		Isuzu Back to Back	5	3,475,000.00
	SPDO			
	Makati PS 2	Toyota Revo	10	7,450,000.00
	LAS Pinas PS 4	Motorcycle	9	783,000.00
	WPDO	Toyota Revo	22	16,390,000.00
		Suzuki Samurai	17	1,360,000.00
		MULTI-CAB	1	80,000.00
		Toyota Corolla	5	3,475,000.00
		Scooter	33	1,188,000.00
		Motorcycle	17	1,479,000.00
			223	***68,302,000.00***
DAVAO	CMG	Tamaraw FX	15	8,400,000.00
CITY	Sta. Ana Pol Stn.	Tamaraw FX	2	1,120,000.00
	San Pedro Pol Stn	Tamaraw FX	2	1,120,000.00
	Talomo Pol Stn	Tamaraw FX	2	1,120,000.00
	Sasa Poli Stn	Tamaraw FX	2	1,120,000.00
	Buhangin Pol Stn	Tamaraw FX	2	1,120,000.00
	Bunawan Pol Stn	Tamaraw FX	2	1,120,000.00
	Paquibato Pol Stn	Ceres Kia	1	480,000.00
	Toril Pol. Stn	Tamaraw FX	2	1,120,000.00
	Tugbok Pol Stn	Tamaraw FX	2	1,120,000.00
	Calinan Pol Stn	Tamaraw FX	2	1,120,000.00
	Baguio Pol Stn	Ceres Kia	1	480,000.00
	Marilog Pol Stn	Ceres Kia	1	480,000.00
			36	***19,920,000.00***
BULACAN	Bulacan PPO	L-300 Van	17	10,965,000.00
		150 cc Motorcycle	28	2,576,000.00
			45	***13,541,000.00***
GRAND TOTAL - per listing			**304**	**101,763,000.00**
Per 2002 Accomplishment Report			**289**	**97,893,000.00**
Difference in the Record			**15**	**3,870,000.00**

Source: 2002 Year-end Accomplishment Report

5.4.8 The table above refers only to donations received during the year 2002 and only for vehicles. Given the limited data above, we can infer that in a given year, the PNP has been receiving a lot of donated equipment, vehicles and other supplies and materials and other logistical requirements that may not be recorded and accounted for in the PNP.

5.5 Major Issues/Findings

THE MANNER OF PROVIDING SUPPORT BY THE LGUS TO THE PNP MAY AFFECT THE INDEPENDENCE OF THE PNP AND ITS OFFICIALS IN ATTENDING TO THE REQUIRED ACTION THAT MAY AFFECT THE INCUMBENT OFFICIALS OF THE LGUS

5.5.1 There is no provision in the Constitution or in the local government code or whatever instrumentality there may be that clearly defines the financial support to be provided by Local Government Units of the PNP. Such that any support provided by the LGU to the PNP in their locality is discretionary upon the incumbent Mayor or Governor.

5.5.2 While other LGUs sees to it that provisions for the augmentation of the PNP budget are included in the budget of the LGUs, such as in the form of % of IRA, or % of their budget the previous year, most of the LGUs gives support only when asked by the PNP Commander in the area, others do not provide at all.

5.5.3 What happens in the case when the budgetary provision of the LGU is discretionary is that the PNP Commanders or any other PNP Official for that matter mat become indebted to the LGU Head, like the Mayor or Governor, or any LGU Official for that matter. Such that if the criminal offense or any disturbance in the public peace and order situation that emanates from the party of the LGU official may not be attended to properly by the PNP Official. Other PNP Officials may even become protectors of the LGU Officials.

5.5.4 This diminishes the independence of the police in attending to his required or mandated duty. Such that aside from covering-up or ignoring any offense that emanates from the party of LGU Officials, PNP Officers may also be at the mercy of the LGU Officials and may be under the LGU Officials beck and call.

THE PROCESS WITH WHICH DONATIONS ARE GIVEN TO THE PNP BY PRIVATE INDIVIDUALS OR ORGANIZATIONS MAY ALSO IMPEDE THE INDEPENDENCE OF THE POLICE

5.5.5 When private individuals or organizations provides support to the PNP, it shows that these private individuals and organizations or business establishments, who are also stakeholders of the PNP, are willing to help and are willing to share in the cost for the maintenance of peace and order in their society, they being the recipient of police services.

5.5.6 This, however, may also have a negative impact in the policing operations. As other private individuals or groups may have other motives in providing support to the PNP. It is a known fact that there are a lot of groups or individuals that are engaged in illegal activities. Support provided by these individuals may be treated as a protection money so that they will not be caught or apprehended.

THERE IS LACK OF TRANSPARENCY ON THE PART OF THE PNP IN GIVING THE DETAILS AS TO THE ACTUAL COLLECTIONS AND EXPENSES MADE FROM THE TOTAL FEES AND CHARGES

5.5.7 The laws, rules and policies that governs the collections and disbursements to be made from the fees and charges of the PNP, had been very clear. Such that, information regarding the same should be made transparent and readily available for the public to look into. However, several attempts had been made the consultants by the consultants, before data is given regarding it. In fact, the very information that was required was not given, the data given was only the totals as presented under the section for PNP fees and charges, which still has discrepancies since the totals given by Finance Service and DC do not reconcile.

5.5.8 The required data which is the aggregation of the total resources received from various revenue sources, and the expenditures made as to program and expense class and object of expenditures were not made available. Thus, it is very clear in this circumstance that the PNP is not transparent in its financial transactions.

6 BUDGETING SYSTEM

6.1 Medium-Term Budgeting

MEDIUM-TERM BUDGETING IS NOT INSTITUTIONALIZED IN THE PNP NOR DOES IT HAVE A STRATEGIC PLAN WITH WHICH THE MEDIUM-TERM BUDGET MAY BE BASED ON

6.1.1 The PNP does not have a medium-term budget. Strategic Planning activity, which is the basis for the preparation of the Medium-term budget, is not institutionalized in their system and therefore there is no mechanism for meaningfully linking budgets with targets and priorities.

6.1.2 The PNP, however, prepares a medium-term plan whenever a new administration takes over. The PNP adopts the program thrusts of the new President and sets operational targets to meet it. The medium-term plan, however, is not supported by budgetary targets, nor does it also take into account the PNP Strategic Plan. It doesn't present with it the measures on how the plan will be executed, and how the necessary funding for such programmed activities will be sourced out.

6.2 Annual Budget Preparation

THE PNP HAS A VERY ELABORATE BUDGET PREPARATION PROCESS

6.2.1 The Philippine National Police, in theory, has a very elaborate budget preparation process. According to the Executive Officer when interviewed about the budget process, the PNP, unlike any other government agency, has a very well-formulated budgeting process. The PNP budget process is even advanced by six months over the budgeting process of the national government.

THE OPBC

6.2.2 To spearhead the entire budgeting process, the PNP organized an Operations Plan and Budget Committee which is composed of all the 10 Directorates (DPL, DPRM, DL, DC, DIDM, DO, DI, DHRDD, DPCR, DRD) and headed by The Chief Directorial Staff (TCDS).

6.2.3 The OPBC orchestrates all budget-related activities. The following are its functions:

a. To ensure proper distribution and utilization of resources available to the PNP by:

1. Analyzing the program and budget guidance from higher authority together with the internal requirements of the group and advising on the development of Preliminary Operating Plan and Budget Guidance (POPBG), the Preliminary Operating Plan and Budget Estimate (POPBE) as well as the Final Operating Plan and Budget;

2. Formulating and revising operating program objectives, resource requirements and probable resource availability in order to ensure consistency and balance within and among major activities;

3. Insuring proper coordination of the operating program, reviewing operating schedules and program schedule changes to ensure the maintenance of balance during program execution;

4. Insuring proper coordination and review of the Work and Financial Plan, Program of Expenditure and supporting schedules as well as the PNP Annual Agency Budget Matrix; and

5. Coordinating and directing the preparation of the mission statements for the command, including mission changes and ensuring that they are kept current.

b. To ensure that the actions of the PNP organization will reflect the total coordinated effort of top management officials insofar as fiscal administration and resource management is concerned.

6.2.4 The OPBC is organized into two (2) sub-committees: the Sub-Committee on Operating Plan, which is chaired by The Director for Plans (TDPL) with the Deputies and the Directorial Staff as members, and the Sub-Committee on Budget chaired by The Directorate for Comptrollership (TDC) with the Budget and Fiscal Officers of the PNP Directorial Staff as members. Following are the responsibilities of the two (2) sub-committees:

a. Sub-Committee on Operating Plan – responsible for the formulation of following:

1. PNP Operating Plan and Budget Guidance (OPBG);

2. PNP Preliminary Operating Plan and Budget (POPB); and

3. PNP Operating Plan and Budget.

b. Sub-Committee on Budget – responsible for the following:

1. Determining the budget component of the OPB;
2. Preparing the PNP Budget Proposal; and
3. Preparing the PNP Net Working Appropriations (NWA)/Program of Expenditures (POE).

PROGRAM DIRECTORS

6.2.5 All the members of the Directorial Staff, except for the TCDS and TDC are Program Directors. They prepare the functional objectives and policy guidance, and monitor the implementation of the control programs peculiar to their respective staff responsibility. They are responsible for the preparation of the Program and Budget Guidance documents and monitors program reviews and analysis.

6.2.6 A Program Director is designated for each PNP Program and has the following tasks responsibilities:

a. Handle planning, coordination, control and supervision of his assigned program, prescribe procedures in the proper implementation and execution of activities under his area of responsibility;

b. Responsible for the preparation and consolidation of the expenditure program of the PNP program assigned to him, including changes that may subsequently be affected;

c. Not be a recipient of allotment advices, unless so stated therein;

d. Maintain sufficient Director's reserve to support unforeseen activities not otherwise anticipated/forecasted and in order to avoid issuance of sub-allotments and realignment of funds; and

e. Request the release of funds in favor of his project administrator.

THE OPBC IS NOT FUNCTIONING AS IT IS DEEMED TO FUNCTION

6.2.7 OPBCs are also organized in the different Police Regional Offices (PROs) as well as in the National Support Units. These OPBCs follow the same set-up and procedures as those at the Central Office level with their respective Regional or Support Unit Comptroller performing functions as those of the Director for Comptrollership.

6.2.8 The OPBC is expected to convene every year at about six (6) months before the actual budget preparation of the national government starts. However, over the past two (2) years or more, the OPBC has never convened. The preparation was done by the DC and the Comptrollers and budget officers of the different PROs and NSUs. The PNP is not preparing anymore the OPGB and POPBE which should have been the basis of the different units in the PNP to formulate its own budget. In the preparation of the budget, the guidelines set by the DBM as enunciated in its National Budget Call is used by the DC and the offices and PROs of the PNP.

6.2.9 At the Regional level, as revealed by the different budget officers from DC and PROs in an interview conducted with them, the OPBC at the regional level do not really convene. Budgets are prepared according to the Strategic Action Plan of the Region for the year which varies from one region to another depending on the regional situation. The Regional Directorial Staff gets guidance in the form of policies and Directives from the Directorates in the Regional Office.

THE PNP BUDGET PROCESS

6.2.10 Accordingly, the PNP Budget Process has five (5) phases, namely:

a. Planning – this is the first step of the budget process where Budget Plan is developed and conceptualized. Specific objectives, work programs, projects and activities of the PNP by functional areas is formulated;

b. Estimating – this is the process whereby the resources required to carry out the programs, projects and activities are determined;

c. Reviewing – this is the phase where budget estimates are analyzed and evaluated;

d. Executing – this is the operational phase of the budget process where the approved PNP budget is allotted to the different recipient units and are utilized; and

e. Reporting and accounting – pertains to the enforcement of fiscal controls set up by the national government and PNP National Headquarters to ensure that financial resources are utilized efficiently and soundly.

6.2.11 In the planning phase, the OPBC integrates all budget references such as the National Thrust and Development Plans, the Security Plan, DBM Fiscal Guidelines, DILG-NAPOLCOM Planning Guidelines, the PNP National Strategic Action Plan, the Medium-term Plans and actual budget inputs from the PNP field units. From these inputs, the OPBC will conceptualize and develop the Budget Plan.

6.2.12 The Budget Plan outlines the specific objectives, work programs, projects and activities of the PNP by functional areas. The plans by functional areas are developed by the members Directorial Staff.

6.2.13 The primary duties of the different Directorial Staff are as follows:

Table 7.35
DUTIES AND RESPONSIBILITIES OF THE DIFFERENT DIRECTORIAL STAFF

DIRECTORATE	RESPONSIBILITIES
Directorate for Personnel and Records Management (DPRM)	Plans the objectives and goals affecting the personnel program of the PNP including the program for the non-uniformed components. Also prepares plans for headquarters management.
Directorate for Intelligence (DI)	Plans the objectives and goals on intelligence, counterintelligence, and police attaché activities.

DIRECTORATE	RESPONSIBILITIES
Directorate for Investigation and Detective Management (DIDM)	Plans the objectives and goals on all matters pertaining to investigation of crimes reported, including the enhancement of PNP's crime solution efficiency and conviction rate.
Directorate for Operations (DO)	Plans the general and specific objectives of the command affecting peace and order; operations to be undertaken including troop and auxiliary force build-up.
Directorate for Logistics (DL)	Plans the logistics and procurement program including equipment and construction build-up.
Directorate for Plans (DPL)	Develops the PNP development plan, multi-lateral and bilateral affairs and other PNP commitments, both domestic and foreign.
Directorate for Police Community Relations (DPCR)	Plans the objectives and goals with regards to the PNP's relationship with the general public including the improvement of the image of the police force.
Directorate for Human Resource and Doctrine Development (DHRDD)	Plans the objectives and goals pertaining to human resource and doctrine development of the PNP on education and training, moral inculcation, sports development, leadership development, doctrine formulation, scholarship grants/studies (local and abroad) and research.
Directorate for Research and Development (DRD)	Plans the objectives and goals in the areas of research and development, test and evaluation and in the administration of the PNP's self-reliant development program, which are of high value to peace and order and public safety.
Directorate for Comptrollership (DC)	Assists the Chief, PNP and the OPBC in carrying out the planning responsibilities; schedules each step in the budget preparation and ensures the compliance of these schedules.

6.2.14 The budget plans of the different Directorates are consolidated to come up with the PNP Preliminary Operating Program and Budget Guidance (POPBG).

6.2.15 In the Regional Offices, they have what is called as Operational Strategic Plan which is the basis of the region in preparing its budget for the given budget year. The Regional Offices do not necessarily wait for the POPBG of the Central Office. It prepares its own plans in accordance to what they deem are required in the given situation of the region. Operational strategic plan varies from one region to another since said plans are made in particular to address the peace and order situation of the Region.

ESTIMATING

6.2.16 After the POPBG has been prepared, the resources required to carry it out is determined through the process they termed as "Estimating". Estimating begins when the PNP receives the National Budget Call from the DBM. The Budget Call details the fiscal policies, the standard methods and procedures, budget thrusts and priorities, schedule of budget hearings and the submission date.

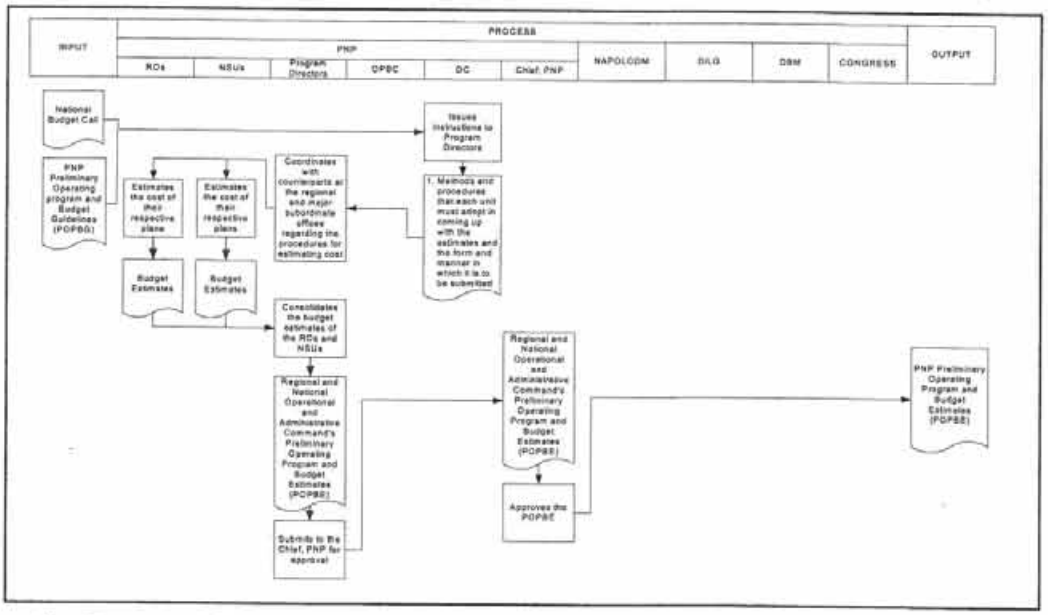
6.2.17 The OPBC coordinates, supervises and consolidates all estimates submitted by each Program Director following prescribed standards in costing. Cost estimates are prepared by program/project/activity and by expense class and object of expenditure.

6.2.18 The PNP Comptrollership Handbook indicated the following steps in estimating the financial resources required to undertake the operations of the PNP.

a. The DC issues instructions to the Program Directors indicating the methods and procedures each unit must adopt in coming up with the estimates and the form and manner in which it is to be submitted.

b. The Programs Directors at the Central Office coordinate with their counterparts at the regional and major subordinate offices regarding the procedures for estimating cost. The regional and national operational and administrative support units will then estimate the cost of their respective plans. The consolidated estimated costs become the Regional and National Operational and Administrative Command's Preliminary Operating Plan and Budget Estimate (POPBE) which is submitted to the Chief, PNP for approval.

Figure 7.13
PNP ANNUAL BUDGETING PROCESS – ESTIMATING

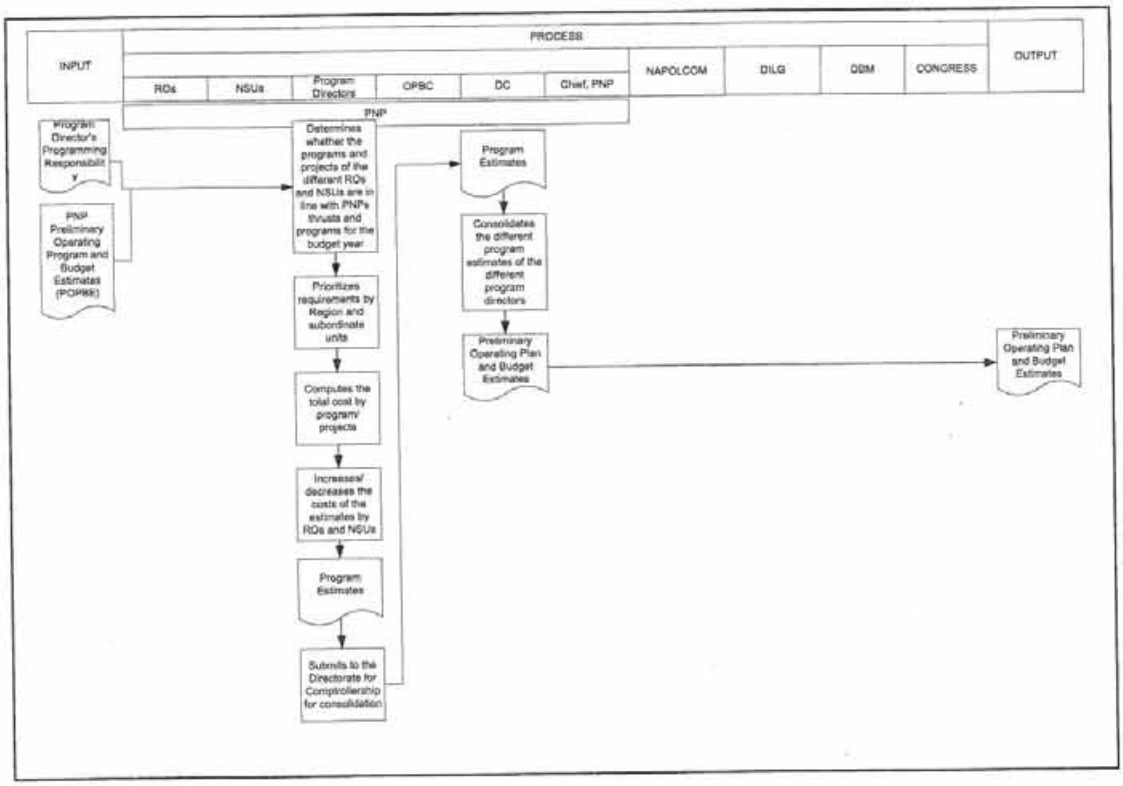


c. The Program Directors at the Central will then extract the estimated cost of the program within their programming responsibility, prioritize requirements by region and subordinate units; and compute the total cost by program/project. Program Directors may add activities not included in the submitted POPBE, and may also increase the cost if the estimate is short. In the same manner, the Program Directors may reduce the cost if they believe it is bloated or some activities are not related to the overall objectives/thrusts for the ensuing fiscal year.

d. The Program Directors submit their nationwide program estimates to the DC for consolidation.

6.2.19 Looking at step B indicated in the chart, we will notice that the budgets submitted by the different Regional Offices and the National Support Units will just be consolidated by the Program Directors. The consolidated budget will then be submitted to the PNP, Chief as a Regional and National Operational and Administrative Command's Preliminary Operating Plan and Budget Estimate (POPBE) approval. Only after the POPBE of the Regional Offices and the NSUs will the Program Directors revisit the budget to check on the applicability of their proposed budget, and adjustments thereon made accordingly (step C).

Figure 7.14
PNP ANNUAL BUDGETING PROCESS – CURRENT - BUDGET ESTIMATION



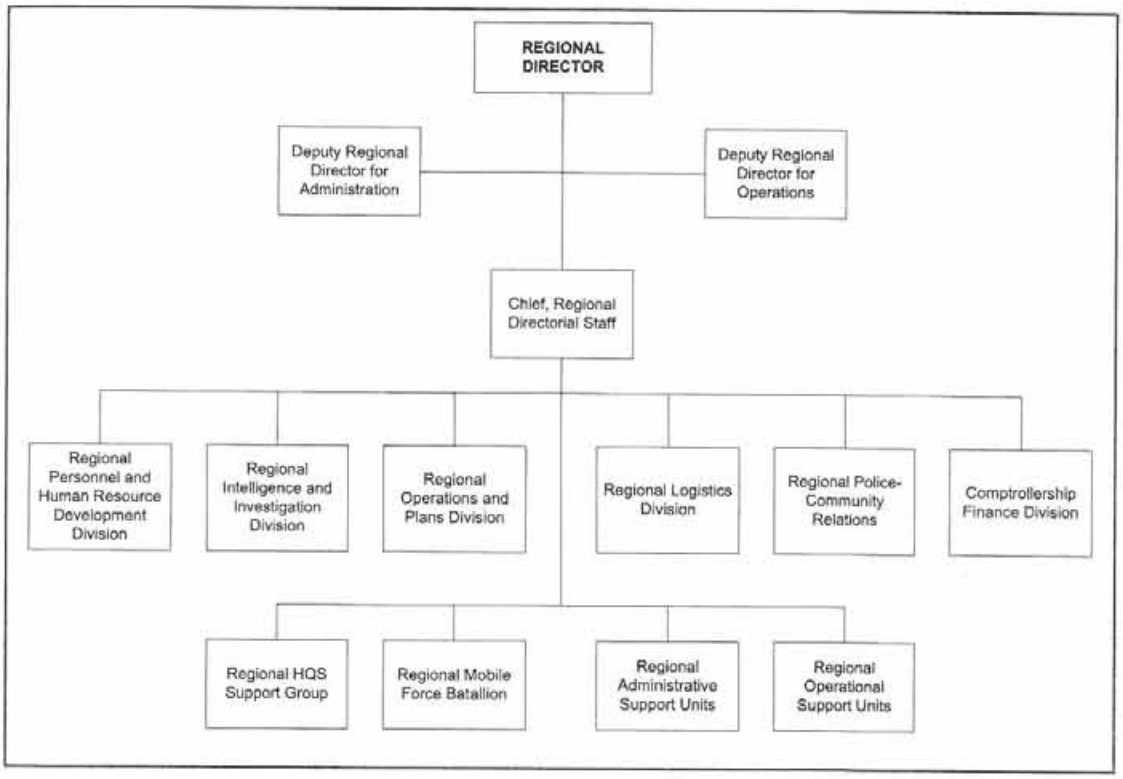
6.2.20 This kind of process is very inefficient since the Chief is required to approve the budget prepared by the Regional Offices and NSUs which are not yet reviewed by the Program Directors. Only after the approval of the Chief of the Regional and NSUs POPBE are the budget reviewed by the Program Directors and adjustments made thereon. The process as illustrated therein does not also provide for the budgeting processes undertaken by the Command Group and the Directorates themselves.

ESTIMATING THE BUDGET AT THE REGIONAL LEVEL

6.2.21 The Regional Offices are set up in a way that the Directorates in the Central Office have counterparts in the Regions. The tasks of the Directorates in the Central Office whose operations are national in scope, are constituted in the Regional Offices on a Division level which handles the operations that is regional in scope and covers the different District or Provincial Offices, City or Municipal Offices and the various stations and sub-stations.

6.2.22 The following diagram shows the Organizational Structure in the Regional Offices. The diagram shows that under the command of the Regional Director there is a Regional Directorial Staff that directly oversees the operations of the six (6) Divisions. These 6 Divisions are the counterparts of the Directorates in the Central Offices.

Figure 7.15
ORGANIZATIONAL STRUCTURE OF POLICE REGIONAL OFFICES



6.2.23 The Regional Office, in theory, should also constitute an OPBC for the Region with the Chief, Regional Directorial Staff as the head of the Committee and the 6 divisions are its members as Program Directors for the Region. These Regional Division Heads gets guidance through polices and directives provided by their counterpart Directorate in the Central Office.

6.2.24 These Regional Division Heads will have to know the requirements of the different offices and Police stations within the Region. The different city and provincial offices therefore shall prepare its own plans and budgets based on the guidance of the Regional Directorates. Planning guidance and cost estimation guidance will have to be prepared by the Regional Offices which shall be adopted by the provincial and city offices in preparing their budget.

6.2.25 However, in an interview conducted with the Regional Officers, it was revealed that such process is not really followed. What happens is that even before any planning guidance or cost estimation procedures are given by the Central Office, the Regional Offices already prepares its budget. This is made possible since at the Regional level, they have their own operational strategic plan which they follow in their operations.

6.2.26 Most Regional Offices prepare the budget for the region even before the Central Office gives the planning and budget policies and directives. When the policies, processes and cost estimation procedures from the Central Office are received by the Regional Office, it revisits its budget to conform o the procedures as well as to the budget ceiling prescribed by the Central Office for the Regional Office to follow. However, even with the budget ceiling, the Regional Offices still submits a budget which is over and above it that the Central Office or the DBM may later on consider, thus increase the budget for the region.

6.2.27 Before finalizing the budget of the regional offices, the Regional Comptroller conducts a workshop with the representatives from the District, Provincial, City and Municipal Offices, so that the budget guidance with its priority programs and projects are explained in detail to all its constituents.

6.2.28 The Regional Directorates, prepares the budget on a per program basis, in two (2) copies. The first copy is given directly to the Program Directors at the NHQ and the second copy to the Regional Comptroller who consolidates the budget of all the Regional Directorates and submits the same to DC for incorporation in the National Budget subject to possible changes by the Program Directors.

ESTIMATING THE BUDGET AT THE NSU LEVEL

6.2.29 The National Support Units, comprising of the Operational Support Units and Administrative Support Units, have also their own Directorial Staff in the form of Divisions just like the Regional Offices, but with the names and functions of each division of the NSUs are not standard as it peculiar to the operation of the unit itself.

6.2.30 Some NSU have regional operating units while others are just contained in the central office. The NSU Central Office oversees the operations of the Regional Operating units. For those offices that have regional operating units, the budget of the regional operating units are prepared and administered by the NSU in the Central Office.

6.2.31 Each of the NSUs have its own budget or fiscal unit or a division at that matter depending on the complexity of the operations of the NSU. The budget/fiscal unit or the budget/comptroller division, whichever applies, prepares the budget for the NSU in accordance with its own operating plans, and the policies and directives of the

Directorate that has a functional authority over it. It gets guidance from the OPBC or the DC, in the preparation of its budget.

ACTUAL PRACTICES

6.2.32 In practice, however, the budgeting process is not anymore that complex. While the Regional Offices and NSUs as operating units of the PNP have their own plans and operational targets which needs to be funded and should be budgeted for properly, the budget provided by the National Government through the DBM do not really change that much. Most of the increases in the budget of the PNP is for the Personal Services which is mandatory based on the authorized positions of the PNP. If ever, there are additional increases for CO and MOOE, such increases in the budget is very minimal.

6.2.33 Thus, for over two years or more, the OPBC did not anymore convene. The budget preparation process is left to the DC to administer. Even in the Regional Offices, since the increases in the budget is very minimal, most Regional Offices merely adds a certain percentage on the budget of the previous year and the same will hold true for the budget of the year.

6.2.34 Planning guidelines such as the OPBG is not anymore prepared. Only the National Budget Call and the directives of the DILG are used by the PNP in preparing its own budget.

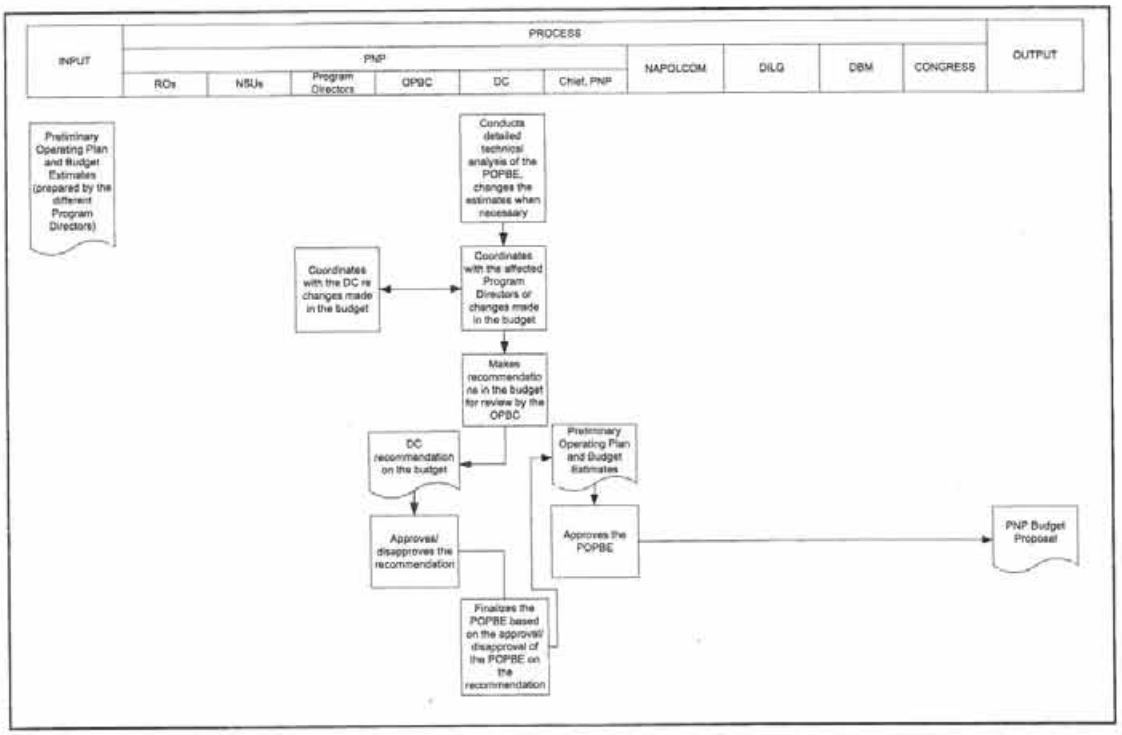
REVIEWING

6.2.35 This phase of the budget process scrutinizes the results of the planning and estimating phases. In this process, the estimates are analyzed and evaluated, ascertaining that the basic objectives, resource requirements and costs are accurate, realistic and conforms to the overall planning guidelines. As indicated in the Comptrollership Handbook of the PNP, there are three levels of the Review process: 1) Review by the OPBC through the DC, 2) Review by higher authorities within the DILG, 3) Review by DBM.

a. Review by OPBC

The Comptroller conducts detailed technical analysis of the OPBE, makes appropriate changes in consultation with the affected Program Directors and prepares recommendations to the OPBC. The OPBC reviews the recommendations of the DC. Once the recommendations are approved, the same is finalized and is submitted to the Chief, PNP as a finalized consolidated POPBE for approval. The same may be revised in accordance with the Chief, PNP's guidance. The approved POPBE will become the PNP's budget proposal for the ensuing year.

Figure 7.16
PNP ANNUAL BUDGETING PROCESS – CURRENT - BUDGET REVIEW



b. Review by higher authorities within the DILG

The POPBE, approved by the PNP, will be submitted to the NAPOLCOM for consideration. The Chairman, NAPOLCOM may require oral presentation/justification of the POPBE and any changes thereon is announced during the presentation. The approved POPBE is then translated into the forms required by the DBM.

6.3 Budget Execution

6.3.1 Budget execution is a set of policies and processes for the implementation of the Annual Expenditure Program. In particular it involves the following activities and components:

a) Preparation of the work and financial plan or the Operating Plan and Budget for the PNP;
b) Formulation of the allotment program;
c) Management of the Personnel Services Budget;
d) Management of the MOOE Budget;
e) Management of the Capital Outlay Budget;
f) Budget Realignments; and
g) Use of Savings.

PREPARATION OF THE OPERATING PLAN AND BUDGET

6.3.2 Budget execution or the "Executing" phase as the PNP calls it, starts upon the release of the General Appropriations Act (GAA) from the Congress. The PNP upon receipt of the GAA translates the same, through the OPBC, into Final Operating Plan and Budget. The Operations Plan and Budget is to ensure consistency and maintain balance of resources within and among major activities of the Command.

6.3.3 The preparation of the OPB starts upon receipt of the comprehensive allotment advice by the DC who temporarily distributes the funds by program/project and expense class after taking into account the PNP's Program and Budget Guidance, the POPBE and other guidelines from higher authorities.

6.3.4 The temporary allocation of funds done by the DC is then presented to the OPBC who reconciles differences and correct flaws, and allocates the budget ceiling of the different major operating units.

6.3.5 The approved allocation is then distributed by the DC to the Program Directors who in turn divide the peso allocation among the projects, activities and sub-activities by major units. The Program Directors coordinate with the Project Administrators to submit their respective programs of expenditure, indicating the distribution by major unit, program/project/activity, and object class.

FORMULATION OF THE ALLOTMENT PROGRAM

6.3.6 Once the OPB is finalized, the PNP prepares the Agency Budget Matrix (ABM), which shows the allotment schedule for the PNP Central Office and the Regional Offices and submits the same to DBM for approval.

6.3.7 Based on the approved ABM, the DC prepares the Net Working Appropriations (NWA) which is the basis for the PNP to disburse its fund.

6.3.8 The execution of the PNP budget is dual in nature, that is, it is centralized and decentralized at the same time. The execution of the PS and CO budget is centralized while the MOOE is decentralized. Thus, only the MOOE budget is sub-allotted to the different units in the PNP.

6.3.9 For the Central Office, the DC sub-allots the MOOE budget to the different Directorates, NSUs and Command Group. For the Regional Offices, the RDC sub-allots the same to the different Police District Offices, Police Provincial Offices, and Police City Offices based on the approved program of utilization/expenditures.

MANAGEMENT OF THE PS BUDGET

6.3.10 The whole of the PS budget is administered by the Central Office. While the budget is maintained at the DC, the preparation of the payroll and approval thereof is done by the Directorate for Personnel Records and Management (DPRM) which holds the record of all PNP Uniformed and Non-uniformed Personnel from the Central Office down to police stations.

6.3.11 The budget for Personal Services is managed centrally at the National Headquarters by the DC and the Directorate for Personnel and Records Management (DPRM). The DC maintains the total PS budget but the computation of the PS budget to be released is done by the DPRM. The DPRM maintains the record of all the uniformed and non-uniformed personnel of the PNP from the National Headquarters down to the station levels nationwide. The DPRM prepares the payroll for basic pay and allowances of all PNP personnel.

6.3.12 Based on the records of DPRM, the PNP Finance Service prepares the net pay of each PNP personnel and the payslips and checks of each personnel is prepared by the Computer Service.

6.3.13 There are two (2) types of pay and allowances that are prepared for the PNP: 1) The Regular Pay and Allowances given on a monthly basis, and 2) the collateral allowances.

REGULAR PAY AND ALLOWANCES

6.3.14 The regular pay and allowances of all PNP personnel is released on a bi-monthly basis. The DPRM, in coordination with the Regional Offices who provides monthly reports on the progress of the PNP personnel in the Regions, prepares the roster of personnel that needs to be paid and their total compensation. The roster of personnel and the amount required to be paid thereon is forwarded to the Finance Service and the Computer Service. The Computer Service who keeps a masterlist of the personnel that requires to be paid for the preparation of the Continuous Flow Checks (CFCs). The Finance Service, on the other hand, is in-charge for the finalization of the individual pay of all personnel by deducting all required withholding from the personnel's salaries. The final pay of all personnel is then forwarded to the Computer Services for the preparation of payslips and CFCs.

COLLATERAL ALLOWANCES

6.3.15 Collateral allowances are those which are given to the PNP member subject to certain conditions for entitlement in accordance with the existing policies and procedures of the NAPOLCOM Resolution/Fiscal Directives pertinent to the claim. Collateral allowances include the following:

a) Incentive Pay – NCRPO-PAPCOM
b) Incentive Pay – Legal Service
c) Incentive Pay – Medical & Dental
d) Specialist Pay – By Class
e) Civil Disturbance Control – Subsistence Allowance
f) Sea Duty Pay
g) Hospital Subsistence Allowance
h) Special Clothing Allowance
i) Cold Weather Clothing Allowance

j) Winter Clothing Allowance
k) Combat Duty Pay – By Category
l) Hardship Allowance
m) Training Subsistence Allowance
n) Instructors Duty Pay
o) Flying Pay
p) Replacement Clothing Allowance
q) Initial Clothing Allowance
r) Laundry Allowance

6.3.16 Collateral Allowances are requested by the concerned offices, by the Directorate or NSU concerned, and by Regional Offices, corresponding to the requirements of the personnel it administers. The concerned offices prepares a payroll of all individuals that needs to be paid, forward it to the Finance Service who forwards the same to the DPRM for checking, and then to DC for allotment and release of cash, then back to the Finance Service for release to the personnel or offices concerned. The release of the payroll is made in cash and given to the budget officer of the unit, who disburses the same, in cash, to all personnel on the list. The same is liquidated to the Finance Service with duly signed payroll.

6.3.17 Requests for Collateral Allowances of employees at the PRO and NSU branches at the Regions are coursed through the RFSO and Comptrollership Division of the Regions. The payroll prepared by the PRO or NSUs is forwarded to the DPRM for verification as to the validity and accuracy of the corresponding payment. Once the amounts have been verified, Regional Comptroller requests the funding from the DC who transfer the same to the Regional Office Account for the Region to facilitate and disburse.

MANAGEMENT OF THE MOOE BUDGET

6.3.18 The management of the MOOE budget of the PNP is decentralized. The MOOE budget for the Central Office is released by the DBM to the account of the Central Office, and those corresponding to the MOOE budget of the Regional Offices are released by the DBM Regional Offices directly to the account of the PNP Regional Offices. But actually a large portion of the MOOE is still administered by the central office.

MOOE BUDGET AT THE CENTRAL OFFICE

6.3.19 The Central Office MOOE budget is managed by the DC. It is sub-allotted to the different units of the Command Group, Directorates, and National Support Units for them to administer.

6.3.20 The budget sub-allotted to the different units are administered and managed by the budget/fiscal unit/office or the Finance/Comptrollers Division of the office, as the case may be. Requests for disbursements are requested through the various channels of

in the financial management control as will be discussed later on in the section for Cash Management System.

MOOE BUDGET OF THE REGIONAL OFFICES

6.3.21 The MOOE budget of the regional offices is managed by the Regional Comptrollership Division. The Region allocates the total Regional MOOE budget to the different District or Provincial Offices. The allocation is already predetermined based on the budget prepared at the start of the year. Any reduction on the budget item of the Region is correspondingly deducted fro the budget of the District or Provincial Offices, based on the program which was reduced.

6.3.22 Mandatory and fixed expenses budget are retained at the Regional Offices as payments for the same are paid by the Regional Offices themselves for the entire region. While billing statements are directed to the Police Stations, the same is forwarded to the Region for payment. Supplies and materials for use in the are stations are purchased in bulk by the Regional Offices and distributed to the District or Provincial and City Police Offices who in turn distributes the same to the different police stations. Repairs and expenses of various equipments are also done at the Regional offices.

6.3.23 Thus, what is actually distributed to the District or Provincial Offices are only the budget for operational expenses. The District or Provincial Offices, in turn allocates the budget for operations to the different Municipality or City Police Stations. The basis for the allocation of these operational expenses to the different police stations is the number of population in the area. The rationale behind the population as the basis of the MOOE distribution is that the more the population, the more number of crimes are committed.

6.3.24 MOOE budget distributed to the different Police Stations are in cash and is not to be liquidated. The way the MOOE budget is administered at the station levels varies from one station to another. This was revealed in two (2) separate occasions where interviews were done at the stations. In one station, the MOOE budget is given to the Finance Officer who allocates the same to all the Uniformed Personnel in the station. The allocation is not uniform for all persons, it was ranged in a way that the Finance Officer deems is adequate for the personnel based on the personnel's position and function in the station. The allocation prepared by the finance officer is approved by the Station Commander. The Finance Officer though sees to it that there is an unallocated amount left for the station to meet its emergency requirements and for the purchase of supplies and materials to augment the supplies and materials provided by the District Offices.

6.3.25 In another police station visited, the total MOOE provided to it is administered by the Station Commander himself. Unlike in the first station where the MOOE is distributed among the Uniformed personnel, in this station, the Commander keeps money and gives allowances from time to time to the operatives of the station. The money administered by the commander is also used for the purchase of supplies and materials needed to augment the supplies and materials given by the District Offices.

6.3.26 For both occasion where we had been privy to the MOOE given to the station, we found out that out of the total allocation supposed to be given to the station, not all of it are released. In fact, in one of the stations, while the total allocation for the month is supposed to be Twenty-one Thousand plus, only Fifteen Thousand Five Hundred is actually released (See Exhibit C). It was said that the rest of the money is withheld by the District as a Command reserve.

MANAGEMENT OF CAPITAL OUTLAY BUDGET

6.3.27 For the Capital Outlay budget, the management of the budget is centralized, through the Directorate for Logistics. A detailed discussion on the budgeting, procurement, deployment, accounting and monitoring for the same will be discussed in detail in a separate chapter for Physical Assets Management.

BUDGET REALIGNMENTS

6.3.28 Realignment of budgets shall be subject to existing budgetary laws and regulations. Budgets are formulated to support pre-determined activities and plan targets. Under the existing laws, budget realignments are allowed only at the last quarter of the budget year. However, budgetary realignments may be allowed only under specified conditions.

a. The funds to be realigned represents allotment balances of completed work or accomplished targets;

b. The function/program/activity/project for which the budget was authorized and allotment was programmed has been or will be terminated; and

c. The function/program/activity/project for which the budget was authorized and allotment was programmed has been reduced in scale such that there would be excess appropriations or allotments.

6.3.29 The PNP has no standing policy or directive on budget realignments. Thus, it is assumed that PNP is practicing just as the mandated under the law as mandated under the law as provided for under the General Appropriations Act.

USE OF SAVINGS

6.3.30 Savings refer to portions or balances of any programmed appropriation of any obligation or program still available:

a. After the completion or final discontinuance or abandonment of the work, activity or purpose for which the appropriation is authorized;

b. From balances of appropriation arising from unpaid unpaid compensation and related cost pertaining to vacant positions and leaves of absence without pay

6.3.31 From remaining balance of appropriation realized from the implementation of the collective negotiation agreement which resulted in improved systems and efficiencies thus meeting the required or planned targets, programs, or activities at a lesser cost.

6.4 Budget Monitoring and Accountability

6.4.1 Budget monitoring and accountability includes policies, procedures and institutional arrangements for the appropriate organization of budgetary data, recording of budgetary actions and transactions, and review of budgetary policies, procedures, actions and transactions, as well as monitoring and evaluation of expenditure performance at various levels and in its various dimensions.

6.4.2 Budget monitoring and accountability corresponds to the reporting and accounting phase of the budgeting process of the PNP.

6.4.3 This system component of the entire budgeting system is both a tool of accountability and of management. As an accountability tool, the system ensures the integrity and transparency of budget policies and operations through structured, verifiable information on the budget, its status and its performance, and the actions of all responsible personnel and organization units. As a management tool, it provides organized and analytic up-to-date information on the budget that will allow analysis of performance, detection and evaluation of problems and solutions, and provide decision choices to respond to new and urgent requirements, thereby improving the quality of budget decision-making and budget responsiveness.

6.4.4 Budget monitoring and accountability is the last phase in the budget process. But in implementation, it starts to operate as soon as the budget of the PNP is approved. It involves the following components and activities:

a) Maintenance of budgetary accounts, which involves the appropriate structuring and recording of budgetary data on actions and transactions at various organizational levels of the PNP, from the time the approved budget is released by the DBM, through to the programming, release, obligation and liquidation.

b) Tracking and monitoring, which involves procedures and actions pertaining to the periodic, transaction based, random inspection, observation, or review of the status of budgetary operations. Tracking and monitoring cover the following aspects of the budget:

b.1 budgetary policies

b.2 budgetary procedures

b.3 budgetary actions and transactions

b.4 expenditures

b.5 personnel responsibility and accountability

c) Performance review and reporting, which involves policies and procedures for the evaluation of the performance of the budget in relation to the objectives set forth in the action plans which is further detailed into the approved OPB, in relation to budget policies and objectives stated during the budget preparation process, and in relation to the operational targets of the offices.

d) Records management, which pertains to the appropriate classification, maintenance, storage, archival and disposal of budgetary records. For

purposes of this design report, records pertain to the physical documents on budgetary actions and transactions and will not include automated data. Records management in an automated environment is another design concern that should be undertaken prior to the actual operationalisation of automated financial management systems.

6.4.5 Budget monitoring and accountability is important in maintaining the integrity of the budget and the processes for its planning, preparation and administration. It is also critical in ensuring accountability at individual, organization unit and institutional levels.

THE PNP IS NOT ABLE TO MAINTAIN AN EFFICIENT RECORDING OF BUDGETARY ACCOUNTS

6.4.6 The PNP adopts the budgetary accounts and records prescribed by the Commission on Audit and the Department of Budget and Management as set forth in the New Government Accounting System.

6.4.7 The PNP in this case is not very effective. At the budget and fiscal unit levels of the different Directorates, NSUs, and Regional Offices, there is a recording of the total budget available for use as well as the records of the actual disbursements made. However, in the overall, the PNP is not able to trace properly the budgetary accounts of the different offices, Directorates, NSUs and Regional Offices.

6.4.8 This finding is made evident by the various requests for data which the DC is unable to provide. The data they can provide is merely the total budget allocation which is based on the appropriations, but how these appropriations are expended per expense class, per program, and per office/unit level, the PNP cannot provide. As for the actual expenditures, the only data that the accounting can provide are aggregate amounts without disaggregation as to program and office level.

THE PERFORMANCE REVIEW AND REPORTING SYSTEM OF THE PNP IS EFFECTIVE IN COMPELLING THE POLICE FORCE TO DISPLAY EFFECTIVE PERFORMANCE

6.4.9 This phase of budget accountability and monitoring is one where the PNP had been very efficient in implementing. In the case of the PNP, this is their program review and analysis.

6.4.10 The Program Review and Analysis (PRA) provides a complete picture of how the resources were used to accomplish objectives and programs. It is based on the authorized operating program and budget and the accomplishment of the unit or office for a given period of time.

6.4.11 The PRA is the responsibility of the Comptroller and Budget and Fiscal Officers of the major units, including the Directorial Staff, program Directors, and Project Administrators. It is undertaken quarterly on a cumulative basis.

6.4.12 The PRA is anchored on the OPB that is formulated at the start of the budget year. The PRA report states the mission and objectives, the level of program accomplishments as against the targets, and the level of resources used over a given period of time. The resources include both financial and human resources.

6.4.13 The performance of the different units in the PNP are gauged through this PRA. Reports are gathered from the police stations to Municipal and City Offices, to Provincial and District Offices. A consolidated report of the Region is submitted to the Central Office for integration.

6.4.14 The PRA is composed of two(2) parts: the documented PRA and the oral presentation which requires the condensation of the documented PRA into briefing manuscript.

6.4.15 A consolidated PRA is presented by the Chief, PNP to NAPOLCOM on a semi-annual basis. During these PRAs, the NAPOLCOM sits en banc to review the PNP's performance vis-à-vis the available resources.

6.4.16 In addition, the PNP conducts a quarterly, semi-annual and annual Program Review and Analysis (PRA) at the national level. The PRA is primarily conducted by the Directorate for Plans.

THE PNP HAS POOR RECORDS MANAGEMENT

6.4.17 This is where the PNP is not very keen, in addition to the maintenance of budgetary accounts. The present system of the PNP does not provide a record that shows how each unit in the PNP fared financially over the years. Though the data may be gathered from the various units/offices in the PNP, there is no unit in the PNP that provides a holistic picture of the financial management performance of the PNP.

6.4.18 Even the Accounting Division of the DC cannot provide a report on the same. It would have been best if all the financial management systems records of the PNP is integrated so that at any given time, the PNP will be able to track and determine the status of the authorized budget, the total allotments received from the DBM and sub-allotted to the different units, how much is actually obligated vis-à-vis actual disbursements made, how much remains to be paid at the end of the year, and other similar information in total amount and per Directorate, NSU, Regional, Provincial, District, and City and Municipal Station levels.

7 CASH MANAGEMENT SYSTEM

7.1 Cash Management System Framework

7.1.1 Cash management means planning and controlling the use of cash. For the PNP, it means the proper execution of the budget through efficient cash programming and management of disbursements. Cash programming involves properly relating the budgetary allocations with the availability of funds and with the work program.

7.1.2 Cash management involves the management of cash receipts, allocating the same to the various operating units, and the management of disbursements thereof. Thus, the following are its sub-components:

a) Cash Receipts

b) Cash Programming

c) Cash Disbursements

7.1.3 The Cash Management System responsibility of the PNP is lodged in two units of the PNP, the Directorate for Comptrollership and the Finance Service.

7.1.4 While the DC manages and administers the financial resources of the PNP, the Finance Service is established to carry out the cash receipts and disbursements functions of the PNP. The Finance service has 17 Regional Offices, 1 established to cater to the financial transactions of the National Headquarters, and another 1 to cater to the needs of uniformed policemen assigned in Philippine Public Safety College (PPSC), Philippine National Police Academy (PNPA), Philippine National Training Institute (PNTI), and the Special Action Force (SAF).

7.2 Cash Receipts

7.2.1 Cash Receipts under the Cash Management System does not only pertain to the actual cash or money received by the PNP. It includes all other financial resources that get into the coffer of the PNP whether in actual cash or only through funding warrants.

THE MANAGEMENT OF THE PNP OF THE RECEIPTS FROM THE NATIONAL GOVERNMENT BUDGET SUPPORT IS IN COMPLIANCE WITH THE GOVERNMENTAL POLICIES AND PROCEDURES

7.2.2 The biggest financial resources received by the PNP is that of the National Government budget support. The NG budget support is as approved in the GAA which is released to the PNP by the DBM on a regular basis.

7.2.3 For the NG budget support, the PNP, as directed by the DBM in its policy statements, maintains various accounts such as the Modified Disbursement Scheme (MDS) Account, the continuing MDS Account, and the Accounts Payable Account. The MDS Account is for the account where releases of Cash Allocations pertaining to the current year appropriation is deposited. The Continuing MDS Account is for the releases of the cash allocation to the PNP for its continuing appropriations. The Accounts Payable Account is where the unreleased cash allocation for the budget item actually obligated at the end of the year but remains unpaid.

THE PNP HAS AN EFFICIENT MANAGEMENT OF RECEIPTS FROM COLLECTIONS FOR FEES AND CHARGES

7.2.4 Aside from the accounts maintained for the budget of the PNP, various accounts are maintained by the PNP for the collections of the PNP Trust Receipts and various income generating activities of the PNP, as well as for the various fund transfers made by other government agencies to the PNP.

7.2.5 The following are the list of accounts currently handled by the PNP, which are collected at the Regional and Central Office level but maintenance of account for the same is only at the Central Office.

a) PNP Firearms License Fee Fund
b) PNP Trust Fund
c) PNP Neuro Psycho Fund
d) PNP Experience Fund
e) PNP Housing Board Fund
f) PNP TMG-Motor Vehicle Clearance Fund
g) PNP Crime Laboratory Service Fund
h) PNP Special Project Fund (Livelihood)

7.2.6 Aside from the accounts stated above, the Finance Service 14 which services the cash management requirements of the National Headquarters, maintains the following accounts for collections from various fees as well as donations and assistance received by the PNP from various sources:

a) PNP DDB NARCOM Fund
b) PNP Anti-Illegal REC Fund
c) PNP SSS (72-100) RF Fund
d) PNP COMELEC Fund
e) PNP-PCSO Financial Assistance Fund
f) PCSO-PNPGH Endowment Fund
g) PNP Anti-Organized Crime Task TF Fund
h) PNP Anti-Drug Trafficking
i) PNP Recovered Motor Vehicle Fund
j) PNP Auctioned Vehicles Fund
k) PNP PADPAO Fund
l) PNP Procurement Service Fund
m) PNP Anti-Illegal Drug-Special Operation TF
n) Housing Assistance to PNP Battle Casualties

PROCEDURES OF COLLECTIONS AND DEPOSITS FOR TRUST RECEIPTS

7.2.7 For the various fees and charges collected by the PNP, two methods of collection procedure are being adopted. One is through PNP collecting agents in the Provincial and Regional Offices, and the other is collection through the banks through the issuance of Order of Payment (OP) and Special Bank Receipts (SBR).

Collections and Remittance through Banks

7.2.8 Trust receipts that are collected through the banks are limited only to the following fees and charges:

a) Fees and charges imposed by the Firearms and Explosive Division (FED) and Security Agency and Guards Supervision Division (SAGSD) of the Civil Security Group (CSG).

b) Fees and charges imposed by the Crime Laboratory Group (CLG)

c) Fees and charges imposed by the Traffic Management Group (TMG)

7.2.9 The Finance Service centrally manages the procurement and printing of the SBRs and transfers accountability thereof to the Manager of the Land Bank of the Philippines Crame Branch. The Finance Service furnishes the DC Management and Accounting Divisions a Monthly Summary List of SBRs transferred to the LBP Crame Branch.

Processing of Order of Payment and SBRs

7.2.10 The applicants for Firearms Licenses, Security Agency Licenses, Motor Vehicle Clearance, Forensic Examination completes the forms required by the CSG, CLG and TMG. Once the applications forms have been verified, the office (CSG, CLG, TMG) prepares an Order of Payment which details the total amount to be paid by the applicant. The OP together with the application forms for validation is then presented to the authorized government depositary bank which accepts the payments and issues SBR corresponding to the payment made. Copies of the SBR and validated application forms is then presented by the payee to the Officer in CSG, CLG, or TMG as the case may be, so that the license can be released or the examination be conducted.

7.2.11 The DC reconciles the bank statements with the Credit Advice, Abstracts of Daily Collections, Consolidated Order of Payment forms and Machine Validated SBRs, to determine the accuracy of collections and records kept. These reports forwarded by the DC to the Resident Auditor for Post-Audit.

Collections by Authorized PNP Collecting Officers

7.2.12 For other fees and charges where payment schemes are not yet done through the banks, collections are done by PNP personnel who are designated as collection officers for the various fees and charges.

7.2.13 Collections are done at the Regional Offices through the Regional Finance Service Office. Other fees are allowed to be collected at the Provincial and District Offices. The collections for the day are immediately deposited the following day to the account of the PNP which is maintained at the National Headquarters. While the collections are done at the regional or provincial level, the maintenance of the accounts wherein said collections are deposited are maintained at the National Headquarters.

THE PNP HAS A CONTINUING EFFORT TO IMPROVE THE SYSTEM OF COLLECTIONS AND REMTTANCES

7.2.14 The move of the PNP to improve the system of collection and remittance of fees from various PNP offices is also commendable. This move promotes efficiency in terms of speed, accuracy and accountability. Currently, the fees charged by the following offices are being improved:

a) Firearms and Explosive Division (FED) - firearms licenses, etc.;

b) Security Agency and Guards Supervision Division (SAGSD) licenses for security agencies/security guards, etc.;

c) Traffic Management Group (TMG) - vehicle clearance, etc.;

d) Crime Laboratory Service (CLS) - drug test;

e) Headquarters Support Service (HSS) - concessionaire fee, etc.;

f) Health Service - neuro-psychiatric test ;

g) Directorate for Intelligence (DI) - Police Clearance and other police clearances.

THE BUDGETARY PROVISIONS OF THE LGUS FOR THE PNP IS NOT ACCOUNTED FOR

7.2.15 The LGU support given to the PNP Personnel is not institutionalized, and thus, not recorded in the books of the PNP. Thus the magnitude of support provided by the LGUs are not known to the PNP. A system for institutionalizing the LGU support should be set in place.

7.3 Cash Programming

CASH PROGRAMMING BY THE PNP IS CONTINGENT UPON THE ALLOMENT AND CASH PROGRAM OF THE NATIONAL GOVERNMENT

7.3.1 Cash programming involves properly relating the budgetary allocations with the availability of funds. In particular, it is the process of properly allocating to different programs the total cash that the PNP expects to receive within a given period, as well as addressing particular cash requirements of the different PNP offices. It involves estimating the amount required and identifying the time when cash would be received and when funds must be released to recipient programs and offices.

7.3.2 The resources of the PNP is generally contingent upon the releases to made to it by the DBM. Thus, it has no direct control as to how the cash will have to be programmed over the programs and projects which it is going to implement.

7.4 Cash Disbursements

7.4.1 This component of the cash management system covers appropriate and authorized processes of disbursing funds from the account of the PNP. It involves the transfer of funds from the central to regional offices, disbursements of funds to pay for

obligations incurred, and disbursements for the requirements of the various constituencies of the PNP.

7.4.2 The disbursement procedures of the PNP is quite complex since it operating at a mixed type of decentralization. The PS and CO Budget and the management of cash disbursements thereof is centralized, while the budget and administration of cash for MOOE is decentralized.

7.4.3 Thus, the processes and procedures thereof varies.

THE CENTRALIZATION OF THE MANAGEMENT AND DISBURSEMENT OF THE PS BUDGET IS VERY EXPENSIVE FOR THE PNP TO MAINTAIN

7.4.4 The PS Budget pertaining to regular pay and allowances are prepared at the Central Office level for all PNP personnel, uniformed and non-uniformed, from the National Headquarters down to the Police station level nationwide.

REGULAR PAY AND ALLOWANCES

7.4.5 On a bi-monthly basis, payslips and paychecks are prepared and administered by the Finance Service. In order for these checks to get to its recipients, RFSO personnel goes to the central office to get the paychecks ad payslips for their Region. At the same time, the RFSO personnel bring with them the forms that shows the liquidation or the evidence of the receipt of the employees paychecks as of the previous period. There are at least two RFSO personnel that goes to the Finance Service to get the paychecks and the liquidation of the previous issuance.

7.4.6 The paychecks and payslips at the Regional Offices will again be distributed to the different Provincial or District Offices, and then again to the City and Municipal Offices, then to the different police station. With the following set-up, the cost of travel in relation to just the picking up of the checks and distribution of the same to the different stations would be as follows:

Table 7.36
ESTIMATED TRAVEL COST FOR THE DISTRIBUTION OF PAYSLIPS AND PAYCHECKS

UNIT	Number of Units*	No of Pax	Average Fare	Total in 1 Payday	Total in 1 Month	Total for the Year
RFSO	17	2	5,000.00	170,000.00	340,000.00	4,080,000.00
PPO	16	2	500.00	16,000.00	32,000.00	384,000.00
PDO	5	2	300.00	3,000.00	6,000.00	72,000.00
CPO	15	2	200.00	6,000.00	12,000.00	144,000.00
CPS	181	2	100.00	36,200.00	72,400.00	868,800.00
MPS	1513	2	200.00	605,200.00	1,210,400.00	14,524,800.00
Total				836,400.00	1,672,800.00	20,073,600.00

Source: * DPRM - as of April 2004

7.4.7 The computation above is only for the transportation expenses and does not take into account the per diem and other miscellaneous expenses for the travel. The computation shows that the maintenance of the present system costs more than P20 Million a year.

If we compute the expense incurred for usage of the checks alone, the amount of would more or less P8 Million a year:

Cost of 1 paycheck (Commercial Rate)	P 2.69 per check
No. of PNP Personnel	125,000
Total Cost for 1 pay period	P 336,250
Total Cost for 1 month	P 672,500
Total Cost for 1 year	P 8,070,000

7.4.8 If we taken into account the additional pay and allowances and cash gifts releases which the computation above has excluded, the manpower and technology required to process the paychecks and payslips, and the distribution of the same to the recipients, the amount would be more or less P50 Million a year.

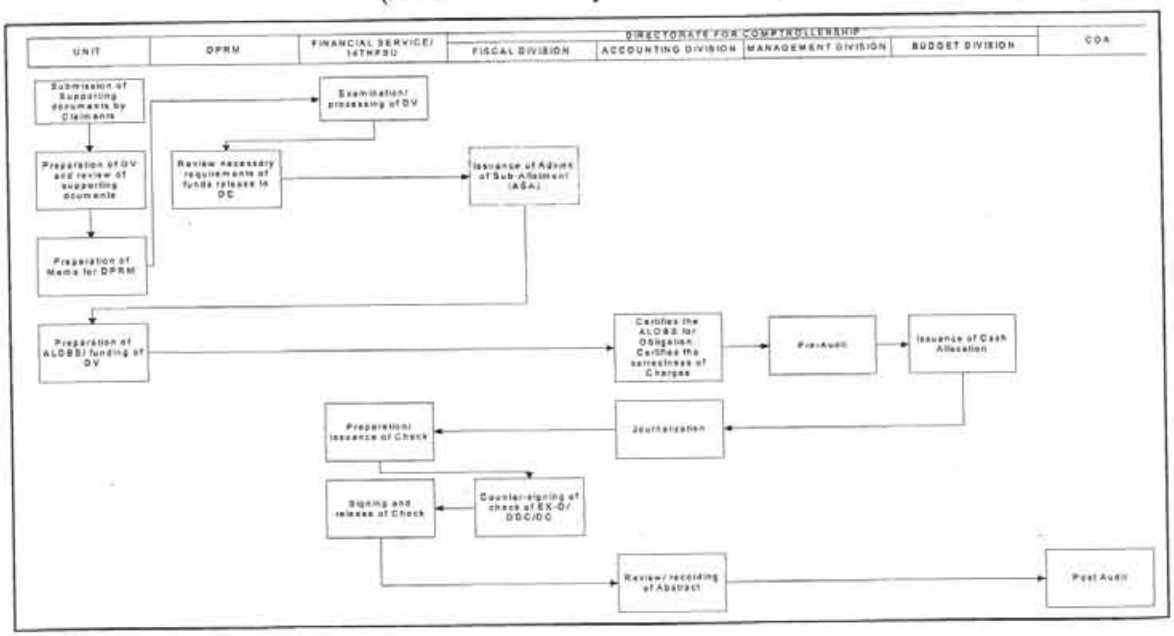
7.4.9 We can therefore conclude that this system of paying the regular salaries and allowances of PNP personnel is not cost effective.

THE ADMINISTRATION OF COLLATERAL ALLOWANCES AND SALARY DIFFERENTIALS OF THE PNP MAY BE SUSCEPTIBLE TO MISMANAGEMENT AND CORRUPTION

7.4.10 Collateral Allowances and Salary Differentials are released by the PNP through the particular offices concerned. If the requesting unit is Directorate, National Support Unit, or Regional Offices, the disbursements will be done by the same office.

7.4.11 The following diagram shows how these pay and allowances are processed in the National Headquarters with the FSO 14 as administrator thereof.

Figure 7.17
PNP CASH MANAGEMENT SYSTEM
(NHQ Claims on Pay and Allowances)



7.4.12 Collateral allowances and salary differential of the PNP personnel are administered at the Regional Offices. The heads of the Separate Units/Offices in the regions submits to the PROs a list of all personnel entitled to receive the benefit particularly indicating therein the category of entitlement. The RPHRDD maintains the records of these personnel and submits a listing thereon to the DPRM.

7.4.13 The DPRM consolidates, processes and validates the lists of personnel entitled to these allowances and endorses the list to DC for funding and subsequent release of funds to the Regional Offices through the Advise of Sub-Allotment.

7.4.14 All uniformed personnel of the PNP who are granted collateral allowances are paid through the RFSO with which they are assigned.

7.4.15 The releases by the Regional Offices are through the payroll system. A listing is of the recipients and the total amount of allowances is submitted to the RFSO, for verified by the RPHRDD and endorsed to the RCD for the release of cash requirements. When approved by the Regional Director, the check corresponding to the total amount is prepared by the RFSO and the cash is released to the head of the unit that requested the payment for the same.

7.4.16 The head of the unit thereof releases the cash to all recipients. The recipients are required to sign the document that signifies their receipt of the same. The head of the unit liquidates the same to the RFSO. Since what is given to the head of office or the budget officer of the unit is cash, there are open possibilities for mismanagement and petty corruption.

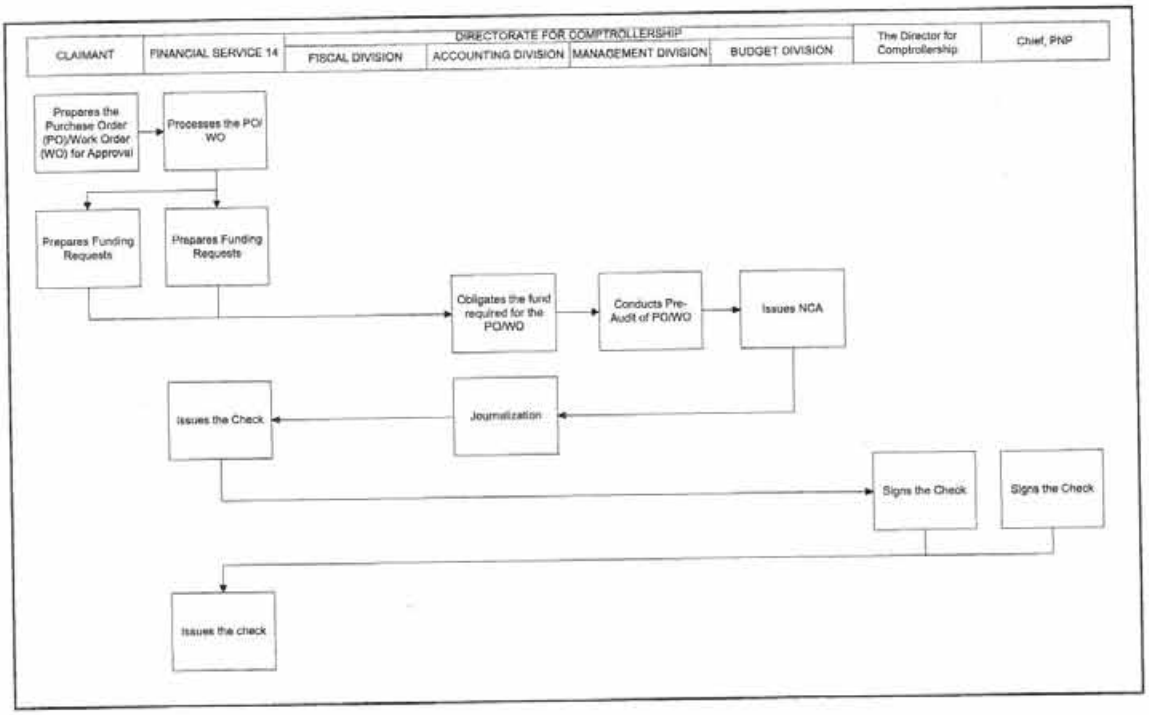
THE DECENTRALIZED ADMINISTRATION OF THE MOOE BUDGET MAKES IT EASIER FOR THE PNP TO ATTEND TO ITS OPERATING NEEDS

7.4.17 MOOE budget are decentralized. The budget for the different units in the Central office are sub-allotted, and the Regional Offices budget is being released by the DBM directly to them.

MOOE OF THE CENTRAL OFFICE

7.4.18 The MOOE budget of the different offices in the Central Office is given released to the budget/fiscal unit or Comptrollership Division of the office, as the case may be. However, the actual fund is still within the control of the DC. Cash releases thereof are done by the Finance Service through FSO 14.

Figure 7.18
PNP CASH MANAGEMENT SYSTEM
(MOOE)



MOOE OF THE REGIONAL OFFICE

7.4.19 At the Regional Offices, the MOOE is administered by the Regional Office itself. Fixed and Mandatory expenditures are paid for by the Region itself. Other logistical requirements such as POL, supplies and materials, training, and repairs and maintenance of vehicles and other facilities are administered by the Regional Offices.

7.4.20 MOOE pertaining to police operations of the Region are distributed among the different Provincial and District Offices. The Provincial and District Offices in turn distributes these to the different City and Municipal Police Station and sub-stations.

7.4.21 These MOOE Operations budget is not required to be liquidated as it includes budget for intelligence and investigation services which may be quite difficult for the police stations to liquidate.

8 ACCOUNTING SYSTEM

THE PNP ACCOUNTING SYSTEM IS IN STRICT COMPLIANCE WITH THE REQUIRED ACCOUNTING POLICIES AND PROCEDURES OF THE NATIONAL GOVERNMENT

8.1.1 Financial Accounting encompasses the processes of analyzing, recording, classifying, summarizing and communicating all transactions involving the receipt and disposition

of government funds and property, and interpreting the results thereof. (Sec. 109, President Decree 1445; Sec.40, Subtitle B, Book V, E.O.292, The Revised Administrative Code of 1987).

8.1.2 The Commission on Audit (COA) in its Circular No. 2001-004 prescribed the use by government agencies of the New Government Accounting System (NGAS) effective January 1, 2002. The NGAS is a set of accounting concepts, guidelines, and procedures for recording government financial transactions and production of financial reports.

8.1.3 The PNP as a government agency has adhered to and strictly followed the accounting system prescribed both at the Central and Regional Offices. Thus, these system assessment will not anymore dwell on the systems and processes that are being practiced as prescribed by the NGAS.

THE ACCOUNTING RECORDS OF THE PNP IS NOT VERY USEFUL FOR INTERNAL MANAGEMENT PURPOSES

8.1.4 Accounting records and reports should be able to properly communicate the state financial performance of an organization. However, the PNP do not have an integrated facility that could enable it to give a holistic view on how the total resources of the PNP are managed and utilized.

8.1.5 The financial information of the PNP is scattered among the various Divisions of the DC and Finance Service. The details of the budget and how it is allocated among the various units is with the Budget Department. For the actual implementation of the budget, the Fiscal Division takes the lead and is tasked to properly execute the budget to which it is intended. The Management Division conducts a pre-audit of the requests for disbursements. The Finance Service, on the other hand, instituted a separate system for the receipts and disbursements.

8.1.6 While there is a proper delineation of financial management activities by the PNP which signals a strong internal control, there must still be a way for the PNP to be able to trace the performance of its financial transactions, which should have been the role of the Accounting Division.

8.1.7 However, due to the strict adherence of the PNP to the NGAS, financial statements are prepared in ways prescribed by the National Government. Thus, financial management reports per program, per region, per Directorate, or per NSU cannot be gathered from the PNP. One has to visit all the units first, gather all the data, and summarize it to reflect the operations of all the units of the PNP in order to get the information that would provide an overall picture of the financial management performance of the PNP.

9 IMPLICATIONS FOR REFORM

9.1.1 The findings and issues identified above have the following reform implications:

THERE IS A NEED TO IMPROVE THE ALLOCATIVE EFFICIENCY OF THE PNP BUDGET BY SHIFTING RESOURCES TO IMPROVE FUNDING FOR POLICE TATIONS

9.1.2 Significantly large portions of expenditures going to general overhead (in particular to general administration and support to operations functions in central and regional offices) indicates inefficiency. There should be deliberate decision to reallocate budgets to improve the resources of police stations.

NEED TO STREAMLINE AND CONSIDERABLY IMPROVE THE QUALITY OF THE BUDGET PROCESS

9.1.3 While much can be said about participatory budgeting, this process has gone to far in the PNP. The organizational arrangements in budgeting should be considerably streamlined through the following:

a. Reintegrating the budget planning and preparation functions to the Directorate for Comptrollership. The DC reports to the PNP Chief. Together they will have the authority to provide policies, guidelines and procedures and apply these in the review and development of the annual PNP budget.

b. Directorates and NSUs should be required to formulate and propose their respective budgets subject to the policies and guidelines approved by the PNP chief. The review and recommendation functions of the DC should not be supplanted by adhoc mechanism for participation.

c. The budget process should provide concrete mechanisms for linking plans with expenditures.

d. With the large size of the PNP organization, there should be meaningful decentralization of budget decision making and budget processes. The enterprise unit to which such budget authority will be decentralized should be properly identified (whether regional or provincial).

e. The consolidation of budget proposals does not provide the groundwork for sound expenditure management process. The basis for budgeting should be established. The technology for budget decision making and the competencies of the budgeting staff should be considerably improved through the use of information technology and technical competency development training.

NEED FOR INSTITUTIONALIZED MECHANISMS FOR LGU CONTRIBUTIONS TO THE PNP

9.1.4 Mechanisms for LGU contributions to the PNP should be institutionalized and anchored on structured and objective procedures to be agreed upon between the national government and the local government units. Such mechanisms should address independence, accountability and transparency issues in the receiving of support from the LGUs and to ensure proper administration of the same.

NEED TO ESTABLISH INSTITUTIONAL MECHANISM FOR LINKED STRATEGIC PLANNING AND BUDGETING

9.1.5 The PNP needs to install a meaningful strategic planning process that will set the strategic objectives and directions of its operations over the medium-term. This should be linked to a medium-term budgeting system that will enable the PNP to match targets with corresponding targets on resources from the government, and other revenue generation and financing strategies.

THE CONSOLIDATION OF FINANCIAL MANAGEMENT FUNCTIONS IN THE DC SHOULD BE SERIOUSLY CONSIDERED IN ORDER TO ALLOW EFFICIENCY, BETTER PRIORITIZATION AND FOCUSING OF EXPENDITURE DECISIONS AND IN ORDER TO STRENGTHEN INTERNAL CONTROL

9.1.6 The current setup where each central office maintains its own financial management system and units should be integrated to the DC. The finance service should also be integrated to the DC. Within the DC the technology and processes for budgeting should be considerably improved. At the same time budgeting decisions and budget resources should be decentralized to the various enterprise units. Thus the proper layering of financial management functions will be put in place.

THE INSTITUTIONAL AND PROCESS REENGINEERING OF THE PNP FINANCIAL MANAGEMENT SYSTEM SHOULD BE ANCHORED ON A SOUND AND COMPUTER-AIDED FINANCIAL MANAGEMENT SYSTEM THAT WILL FACILITATE PROCESSING OF TRANSACTIONS, ANALYZING FINANCIAL INFORMATION. IT WILL ALSO STRENGTHEN OPERATIONAL MONITORING AND CONTROL, AND SUPPORT FORMULATION OF EXPENDITURE PLANS

9.1.7 The PNP should reengineer its entire financial management policies, systems and processes and tools, in order to improve capacities to plan and administer the budget and carry out revenue management functions. This should be anchored on an automated information system that will support more speedy and accurate transaction processing and financial services, enable monitoring and tracking of expenditures and revenues, provide public transparency and enable an information based financial planning and decision making.

SECTION 4
Physical Assets Management System

1 INTRODUCTION

1.1.1 Physical assets pertain to property, plant and equipment and inventories. Properties, plant and equipment consist of land, land improvement, buildings and structures, furniture, fixtures, equipment and books, and work animals that are more or less permanent or capital in nature. They are long-term assets acquired by the government agency for use in its operations and not intended for resale.

1.1.2 Inventories consist of expendable commodities normally consumed within one year in connection with government operations or used in the process of manufacture or construction. It includes office supplies inventory, accountable forms inventory, medical, dental and laboratory supplies, spare parts inventory, construction materials and confiscated goods inventory, among others.

1.1.3 Physical Assets Management System (PAMS) therefore refers to the policies, rules and procedures and processes in managing the procurement, deployment, inventory management, maintenance and disposal of the property, plant and equipment, and inventories of the PNP.

1.1.4 The sub-systems of (PAMS) which this report will closely diagnose are as follows:

a. PROCUREMENT. This includes identification of needs; planning and acquiring the needs of the PNP to perform its mandate at the right time, right quantity, right quality, and right price.

b. DEPLOYMENT. This refers to policies and processes for the distribution of the resources to all the units of the PNP, Central Office and Regional Offices.

c. INVENTORY MANAGEMENT. This is the systematic recording and reporting of all property/assets of the PNP. It shows the acquisition date, particulars and value of assets and property and location. It also confirms accountability of the custodian of property at any given time.

d. MAINTENANCE. This is the process of taking care of the structures, equipment, vehicles and other assets of the PNP and keeping them in proper condition to prolong their useful life for optimum utility.

e. DISPOSAL. This is getting rid of unserviceable properties to maintain an orderly and clean office environment.

f. ACCOUNTING. This refers to the recording, classification, and valuation of all the assets of the PNP.

1.1.5 The assessment of the Physical Assets Management System of the PNP will look into the completeness of the systems structures, policies and processes in managing the physical assets of the PNP and will be guided by the following principles and parameters:

a. ACCOUNTABILITY AND TRANSPARENCY

All properties and assets acquired, donated, transferred and obtained from any source shall be taken up in the books of accounts, accounted for and reported in the annual inventory.

There will be transparent mechanisms and processes in the procurement process and disposal of assets and unserviceable properties.

b. STANDARDIZATION AND EQUITY IN DISTRIBUTION

The resources and properties shall be equitably distributed among the various units of the PNP. The determination of the distribution of supplies and materials, as well as office equipment and other physical facilities shall be in accordance with objective distribution policy and criteria, which will be transparent to all PNP personnel at central and regional levels.

c. CONSISTENCY OF PROCUREMENT PRACTICES WITH EXISTING LAWS

Procurement will follow the rules of Executive Order No. 40 and its implementing rules and regulations, as well as all rules, laws and issuances of the Commission on Audit. Republic Act 9184, providing for the modernization, standardization and regulation of the procurement activities of the government shall also be adopted upon issuance of its Implementing rules and regulations.

1.1.6 The assessment of the physical assets of the PNP will be divided into two (2) as follows:

a. Assessment of the current physical resources of the PNP, the distribution among Central and Regional Offices, and its impact on the operations of the PNP

b. Assessment of the Physical Assets Management System of the PNP

2 ASSESSMENT OF THE STATUS OF CORE POLICE EQUIPMENTS

2.1.1 The physical assets of the PNP includes Ordnance Items, Quartermaster Items, Signal Items, Engineering Items, Signal Items, Medical Items, Dental Items, Investigative Items, and other Miscellaneous Items.

2.1.2 The composition of these items are as follows:

Table 7.37
LIST OF PNP EQUIPMENT

I. ORDNANCE ITEMS
1 Motorcycle
2 Car
3 Jeep
4 Truck
5 Water Craft
6 Aircraft
7 Armor Vehicle
8 Long Firearms
9 Short Firearms
10 Highpower Firearms
11 Bicyloe

II. QUARTERMASTER ITEMS
1 CPU
2 Monitor
3 Printer
4 Voltage Regulator
5 Un-Interruptible Power Supply
6 Main Frames
7 Heavy Duty Xerox
8 Light Duty Xerox
9 Mimeographing Machine
10 Facsimile Machine
11 Calculator
12 Steel Chair
13 Wood Chair
14 Plastic Chair
15 Upholstered Chair
16 Revolving Chair
17 Sr. Executive Table
18 Jr. Executive Table
19 Conference Table
20 Clerical Table
21 Tying Table
22 Drafting Table
23 Cabinet Steel
24 Cabinet Wood
25 Cabinet Steel with safe
26 Typewriter
27 Double Deck Bed
28 Single Bed

III. SIGNAL ITEMS
1 Motorola Radio Sets
2 Icom Radio Sets

III SINAL ITEMS (cont.)
3 Telephone
4 Honda Generator
5 Loudspeaker
6 Handheld Radio
7 Mobile Radio Base Radio
8 Repeater Fax Machine

IV. ENGINEERING ITEMS
1 Split Airconditioner
2 Window Airconditioner
3 Electric Fan
4 Fire Fighting Equipment
5 Floor Polisher
6 Vacuum Cleaner
7 Refrigerator
8 Sound System
9 Projection System
10 Generator
11 Water Pump

V. MEDICAL ITEMS
1 Conversion Kit
2 Poropthar unit/motor operated chair
3 Food Conveyor
4 Centrifuge, Dynac
5 Gen Lab
6 Universal Ultra Sound
7 Treadmill Stress Machine
8 ECG Machine Sungle Channel
9 Wheel Chair
10 Operating Field Table
11 Regentic Warmer Insulator air filed infant
12 Microscope
13 Incubator Infant
14 Oven Laboratory
15 Spectrophometer
16 Autoclave, pressurized
17 Electric cautery
18 Portable Defibrilator
19 Anethesia Aparatus
20 Portaray
21 X-ray machine
22 Suction Apparatus EMC

V. MEDICAL ITEMS
23 ECG Machine
24 Hematocrit centrifuge
25 Oven Laboratory
26 Spectronic 20 Bausch
27 Microscope, Binocular
28 Stretcher
29 Radio Fortex
30 CVS-X-Ray
31 Volume Respirator Puritan
32 Blood Gas Analyzer
33 Ultrasound System
34 Protologic Set

VI. DENTAL ITEMS
1 Ponoramic X-Ray Machine
2 Dental X-Ray Unit
3 Dental Optg Unit
4 Dental Pump Chair
5 Dental Unit, Chair Mounted
6 X-Ray Mobile Type
7 Dental Compressor
8 Dental Cabinet
9 Oxygen Inhilation Set
10 Spaceline Chair Unit
11 Operating Dental Chair
12 Dental Pump Chair
13 Dental Chair
14 Air Compressor
15 Over Large

VII. INVESTIGATIVE ITEMS
1 Radio Recorder
2 Fingerprint Kit
3 Chemical Analyzer Kit
4 Layout Field Kit
5 Ultra Violet Detection Kit
6 Squad Car Fingerprint Kit
7 Weapon Detector
8 Chemical Latent Print Kit
9 Telephone Pick Device
10 Narcodal

VIII. OTHERS (items not included above)
1 Wall Clock
2 Musical Instrument
3 Animals

THE PNP HAS NEVER MET THE STANDARD TABLE OF EQUIPMENT SET BY THE NAPOLCOM

2.1.3 The National Police Commission, in exercising its administrative and operational supervision over the PNP, has established the Table of Equipment or Authorized Allotment of equipment for the PNP offices per Resolution No. 92-37 and 93-08.

2.1.4 The standard sets the number of equipment that each police station, City and Municipal Police Office, Provincial and District Office and Regional Office must have. The standard has not taken into account the equipment requirements of the National Headquarters and the different National Administrative and Operational Support Units. The standard number of equipment as listed in the Resolutions therefore is not complete if we are going we evaluate the total number of equipment that the PNP has.

2.1.5 However, while such authorization has been prepared over a decade ago and even understated if we look at the totality of the PNP asset requirements, the same has never been met by the PNP. The following discussions will illustrate these inadequacies.

2.2 Mobility

THE SHORTAGE OF VEHICLES FOR THE PNP IS TOO HIGH

2.2.1 It has been said that *"Crime deterrence rests on the visibility theory: the greater the visibility capability of a conspicuous police patrol vehicle, the greater the perceived threat of detection and apprehension" (Institute for Police Studies, California State University).*

2.2.2 Thus, mobility equipment, whether ground vehicles, watercraft, and aircraft are very important for the PNP in undertaking its mandate to maintain peace and order in the community, as it could deter the possibility of commission of crimes.

2.2.3 It's a sad state, however, that the PNP, even with the understated Table of Equipment authorization, has never achieved even just 50% of the authorizations.

2.2.4 The following table which shows the mobility profile of the PNP indicates that as of the 1st quarter of 2004, the average shortage is about 54% of the total requirements.

2.2.5 The total number of ground vehicles for the entire archipelago is only 7,639. However, of this total, only 972 are serviceable patrol cars, 2,560 serviceable patrol jeeps, and 3,314 serviceable motorcycles. These represent only 34% of the total requirements of the PNP for the 1,651 police stations, 10 Directorates, 20 NSUs and the Command Group.

2.2.6 Watercraft and aircraft shortage is 32.65% and 62.75%, respectively.

Table 7.38
MOBILITY PROFILE
As of 1st Quarter CY 2004

ITEMS	AA NAPOLCOM Res. 93-08	ON HAND				Shortage		% Fill-up
		SVC	UNSVC	BER	TOTAL	No.	%	
GROUND VEHICLES	22,339	7,399	177	63	7,639	14,700	65.80%	34.20%
Patrol Cars	2,698	972	16	12	1,000	1,698	62.94%	37.06%
Patrol Jeeps (1/4T)	8,174	2,560	50	22	2,632	5,542	67.80%	32.20%
Mini-Trucks (1T & 3/4T)	360	57	2	-	59	301	83.61%	16.39%
Carrier Trucks (2 1/2T)	270	36	2	2	40	230	85.19%	14.81%
Motorcycles (450cc/125cc/550cc/750cc)	10,495	3,314	65	23	3,402	7,093	67.58%	32.42%
Special Purpose Vehicle	342	339	16	3	358	(16)	-4.68%	104.68%
Combat Vehicles	-	121	26	1	148	(148)		
WATERCRAFT	147	56	32	11	99	48	32.65%	67.35%
20 Meter Patrol Boat (65 Footer)	5	-	-	-	-	5	100.00%	0.00%
12 Meter Patrol Boat (40 Footer)	26	4	1	-	5	21	80.77%	19.23%
8 Meter Patrol Boat (26 Footer)	36	8	13	8	29	7	19.44%	80.56%
Motor Banca	44	35	10	-	45	(1)	-2.27%	102.27%
Outboard Motor	36	6	7	2	15	21	58.33%	41.67%
Speed Boat	-	3	1	1	5	(5)		
AIRCRAFT	51	10	-	9	19	32	62.75%	37.25%
Light Transport Aircraft Rotary (1-6 Pass)	1	-	-	-	-	1	100.00%	0.00%
Light Utility Helicopter (1-6 Pass)	20	5	-	1	6	14	70.00%	30.00%
Light Operational	14	-	-	-	-	14	100.00%	0.00%
Light Transport Aircraft (1-6 Pass)	6	1	-	-	1	5	83.33%	16.67%
Med Lift Troop Carrier Aircraft (7-14 Pass)	6	4	-	-	4	2	33.33%	66.67%
Command and Control A/C	1	-	-	-	-	1	100.00%	0.00%
Trainer Aircraft	3	-	-	-	-	3	100.00%	0.00%
Other (Lancair ES)	-	-	-	8	8	(8)		
TOTAL	22,537	7,465	209	83	7,757	14,780	53.73%	46.27%

Source: PNP, Directorate for Logistics
SVC – Serviceable, UNSCV – Unserviceable, BER – Beyond Economic Repair

UNEQUAL DISTRIBUTION OF THE EQUIPMENT

2.2.7 The NAPOLCOM, in its resolutions nos. 92-37 and 93-08 shows the total number of vehicles that each police station and offices must have. The resolution shows that for every Office or Police station, there is a prescribed number of Staff car, patrol car, patrol or utility jeep, motorcycle and others.

2.2.8 The resolutions shows bias for highly urbanized city police stations and component city police station "A" over other police stations. The bias in the number of equipment provided may be attributed to the fact that the higher the urbanization or standards in terms of development of the place, the greater the number of population and criminal activities in the area.

2.2.9 It is also worthy to note that the Regional Offices, whose main task is to administer the operations of the different provincial, city and municipal offices under it, and the different stations and precincts that are under each city and municipal offices, has a greater number of patrol/utility jeeps than the city/municipal police stations which are conducting direct operations against criminalities and on the maintenance of peace and order.

Table 7.39
TABLE OF EQUIPMENT AND ALLOWANCE
NAPOLCOM Resolution 93-08

UNIT	VEHICLES (Land Based)					
	Staff Car	Patrol Car	Patrol/Utility Jeep	Motorcycle	Others	Total
Component City Police Station "C"	1	2	4	8	0	15
Component City Police Station "B"	1	2	4	8	0	15
Component City Police Station "A"	3	7	14	17	2	43
Highly Urbanized City Police Stations	3	7	14	17	4	45
District Offices (Provincial)	1	0	4	1	1	7
Provincial Office	1	0	12	5	3	21
NCR Police District	7	7	4	4	0	22
Regional Office	15	3	22	0	12	52
NCR Regional Office	15	3	22	0	12	52

Table of Equipment and Allowance
NAPOLCOM Resolution 92-37

UNIT	VEHICLES (Land Based)						
	Staff Car	Patrol Car	Patrol/Utility Jeep	Motorcycle	Armored	Others	Total
Municipal Police Precinct	0	0	0	0	0	0	0
Type "C" Police Station	0	0	2	2	0	1	5
Type "B" Police Station	0	1	2	4	0	1	8
Type "A" Police Station	1	2	4	8	0	1	16
NCR Police Station	3	7	14	17	0	3	44
NCR Precinct	0	1	2	5	0	0	8
Provincial Precinct	0	0	1	1	0	0	2

2.2.10 The following table shows the distribution of the ground vehicles to the various Regional Offices, National Headquarters and NSUs.

Table 7.40
DISTRIBUTION OF GROUND VEHICLES
as of 1st Quarter 2004

UNITS	SVC	UNSCV	BER	TOTAL	%
NCRPO	1,608			1,608	21.05%
PRO 1	333			333	4.36%
PRO 2	346			346	4.53%
PRO 3	625			625	8.18%
PRO 4A	557	1		558	7.30%
PRO 4B	128	5		133	1.74%
PRO 5	300			300	3.93%
PRO 6	382	3		385	5.04%
PRO 7	462			462	6.05%
PRO 8	293	6	8	307	4.02%
PRO 9	327			327	4.28%
PRO 10	199	11		210	2.75%
PRO 11	404	1		405	5.30%
PRO 12	262	29	17	308	4.03%
PRO 13	207			207	2.71%
PRO COR	145			145	1.90%
PRO ARMM	219	2		221	2.89%
NHQ/D-STAFF	48	1		49	0.64%
NSUs	554	118	38	710	9.29%
GRAND TOTAL	7,399 96.86%	177 2.32%	63 0.82%	7,639 100.00%	100.00%

Source: Directorate for Logistics, PNP
SVC – Serviceable, UNSCV – Unserviceable, BER – Beyond Economic Repair

Table 7.42
CORRELATION OF VEHICLES TO POPULATION AND CRIME VOLUME
Year 2003, Inventory of Vehicles

UNITS	Ground Vehicles as of 2003	Population as of 2003	Vehicle to Population Ratio	Crime Volume as of 2003	Vehicle to Crime Volume Ratio	Crime Solution Rate as of 2003
NCRPO	558	10,899,361	1 : 19,533	20,938	1 : 38	95.47%
PRO 1	329	4,353,393	1 : 13,232	3,959	1 : 12	87.55%
PRO 2	337	2,978,115	1 : 8,837	2,311	1 : 7	92.08%
PRO 3	343	8,146,791	1 : 23,752	7,942	1 : 23	91.66%
PRO 4A	317	12,245,407	1 : 26,563	9,840	1 : 31	94.14%
PRO 4B	144			1,817	1 : 13	93.34%
PRO 5	294	4,998,502	1 : 17,002	3,825	1 : 13	91.56%
PRO 6	410	6,665,541	1 : 16,257	4,065	1 : 10	95.60%
PRO 7	641	5,863,447	1 : 9,147	11,321	1 : 18	77.22%
PRO 8	299	3,980,492	1 : 13,313	2,575	1 : 9	94.99%
PRO 9	139	3,377,388	1 : 24,298	2,400	1 : 17	94.63%
PRO 10	236	2,953,508	1 : 12,515	3,655	1 : 15	92.64%
PRO 11	146	5,638,138	1 : 38,617	2,643	1 : 18	92.85%
PRO 12	298	2,848,009	1 : 9,557	2,605	1 : 9	91.82%
PRO 13	206	2,341,039	1 : 11,364	1,086	1 : 5	83.89%
PRO COR	152	1,497,900	1 : 9,855	1,632	1 : 11	88.60%
PRO ARMM	221	2,294,459	1 : 10,382	1,090	1 : 5	91.82%
NHQ/D-STAFF	56					
NSUs	794					
GRAND TOTAL	5,920	81,081,490	1 : 13,696	83,704	1 : 6	91.17%

Source: PNP, NSCB, 2003

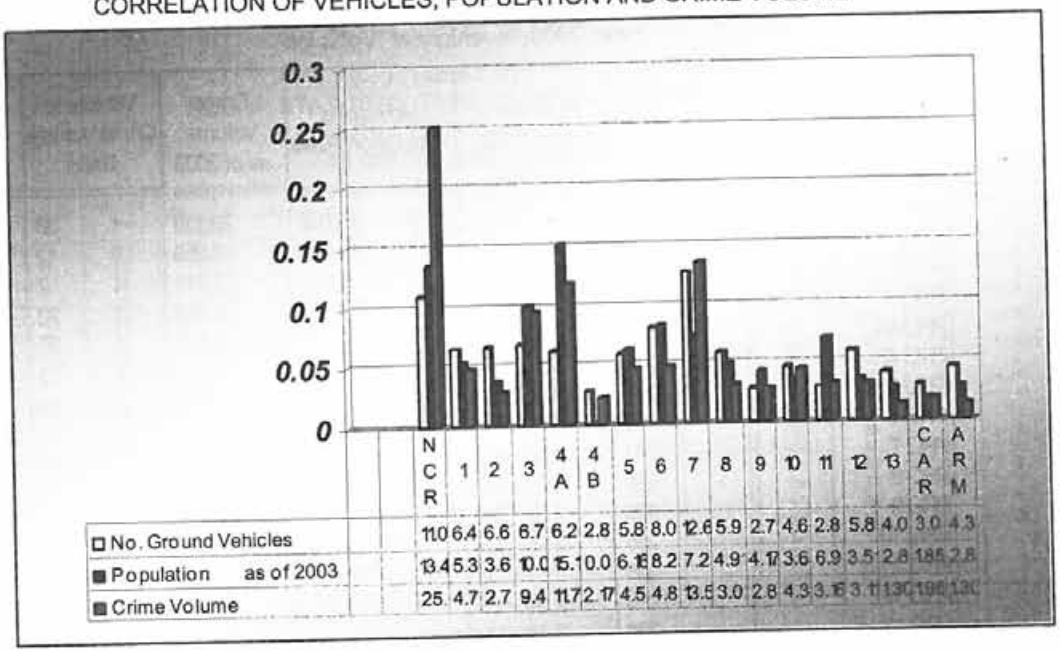
2.2.15 In terms of "vehicle to population ratio", Region 12 gets the lowest rate of 1:38,617, followed by Region 4 of 1:26,563. The highest is Region 2 with a ratio of 1:8837. These ratios show how many number of people one vehicle in the PNP would cater to in one region.

2.2.16 In terms of the occurrence of crimes, ratio would represent how many number of crimes 1 vehicle would be attending to or has attended to in a year. The table above shows that the region with the lowest vehicle to crime volume ratio is the NCRPO. It shows that 1 vehicle would attend to 38 crimes. NCRPO is followed by Region 4A with 1:32 and Region 3 with 1:23. The highest ratio goes to COR, ARMM and Region 2 with 1:5, 1:5, and 1:7, respectively.

2.2.17 However, in crime solution, it is Region 6, NCRPO, and Region 8 that has the highest solution rate of 95.6%, 95.4%, and 94.99%, respectively.

2.2.18 Illustrating these ratios in a graph, where the number of ground vehicles, population and crime volume were rated as a percentage of totals, the following will be the picture.

Figure 7.19
CORRELATION OF VEHICLES, POPULATION AND CRIME VOLUME



2.2.19 The graph clearly indicates that indeed, there is no direct correlation between the number of patrol vehicles provided with the number of population and crime volume in any given place.

2.3 Firepower

SIDEARMS

2.3.1 Firepower of the PNP refers to the firearms, ammunitions, pyrotechnique, ammunitions and crew served weapon.

POLICE PERSONNEL ARE DEPLOYED FOR POLICE DUTIES AND FUNCTIONS WITHOUT SUFFICIENT FIREARM SUPPORT FROM THE PNP/GOVERNMENT

2.3.2 Issuance of sidearms to PNP members are effective from the time the member is actually deployed for police duties and functions and upon availability of stocks for issuance. The sidearms will remain in the possession of the member concerned until he is relieved and/or transferred from his present unit. (NAPOLCOM Memo Circular dated September 2000)

2.3.3 With this policy, it follows therefore that all members of the PNP, actual number of which is 112,508 in year 2003, shall each have a sidearm. However, 1st Quarter of 2004 inventory of the PNP shows only a balance of 157,989 firearms, of which only 91,915 are short firearms and the rest are long firearms. Only short firearms are issued for use of PNP members. Long firearms are only for special operations and are kept at the custody of the supply and ammo personnel of police stations and offices. (See Attachment A for the Long and Short Firearms Inventory).

2.3.4 As of the 1st quarter of 2004, the total police strength is 113,119. This means therefore that 21,204 police personnel do not have an issued firearm. This shows that 18.75% of the total police force is operating without firearm support from the PNP.

2.3.5 Because of this inability of the government, specifically, the PNP to provide the requirements of the police personnel, some police entrants buy their own. As police personnel, each of them must posses a gun for use in its day to day operations, as may be required, and it is on this premise that individual police find it imperative to purchase a gun for themselves.

AMMUNITIONS

PNP POLICE PERSONNEL ARE NOT PROVIDED WITH AMMUNITIONS FOR THEIR FIREARMS

2.3.6 Another issue that has always been complained by the police personnel as aired out during consultations with them is that they are given ammunitions for use in its regular activities. It was revealed during the interviews that the ammunition that was provided to them was only on the time that their gun was issued. From then on, there were no replacements or replenishments for the same.

2.3.7 This, however, was contested by the Executive Officer of the Directorate for Leadership. He said that this is not true as every year, the Directorates allots for at least 10 bullets per police personnel and the same is given during markmanship training.

2.3.8 Markmanship training, according to them is budgeted every year for each police officer. This, however, is not being followed. According to personnel in the station levels, no such marksmanship training has ever been conducted and that there was never an issuance of bullets to them.

2.4 Electronics and Communications Equipment

2.4.1 Another core equipment for the PNP is the Electronics and Communications Equipment. These type of equipment includes handheld radio, mobile, base radio and repeater.

2.4.2 The following table shows the summary status of these equipment.

Table 7.43
SUMMARY STATUS OF COMMO ELECTRONICS EQUIPMENT
(as of 2nd Quarter 2004)

Units	HANDHELD				MOBILE				BASE				REPEATER			
	AA	OH	SVC	UNS	AA	OH	SVC	UNS	AA	OH	SVC	UNS	AA	OH	SVC	UNS
PRO 1	1,456	155	146	9	507	43	35	8	193	84	76	8	6	4	2	2
PRO 2	1,196	122	122	-	498	18	18	-	161	74	74	0	0	0	0	0
PRO 3	2,280	68	49	19	924	20	17	3	310	316	273	43	0	8	1	7
PRO 4 A (calabarzon)	2,654	54	54	-	1,108	5	5	-	360	42	39	3	11	1	1	0
PRO 4 B (mimaropa)	918	33	32	1	386	21	21	-	126	53	52	1	0	2	2	0
PRO 5	1,524	159	159	-	620	79	78	1	206	11	109	2	10	11	11	0
PRO 6	1,836	227	183	46	753	14	14	-	253	192	179	13	5	2	2	0
PRO 7	1,584	409	404	82	698	36	34	2	220	222	214	8	3	6	2	4
PRO 8	1,482	81	43	38	630	-	-	-	200	162	114	44	0	4	2	2
PRO 9	888	154	154	-	392	27	27	-	123	127	117	10	5	4	4	0
PRO 10	1,308	121	105	16	527	29	21	8	181	128	114	14	4	3	2	1
PRO 11	880	103	100	3	356	30	30	-	120	100	100	0	2	4	2	2
PRO 12	834	143	135	8	150	-	-	-	246	97	93	4	8	3	2	1
CARAGA	1,000	68	68	12	414	23	16	7	142	74	67	7	5	1	1	0
CAR	1,156	77	77	-	160	10	9	1	159	82	80	2	7	6	6	0
ARRM	1,532	154	142	12	586	13	10	3	209	142	132	8	8	1	0	1
HPNP/NSUs	2,763	152	100	52	377	120	101	19	132	46	32	14	0	0	0	0
TOTAL	***25,289***	***2,280***	***2,071***	***298***	***9,188***	***488***	***434***	***52***	***3,341***	***1,952***	***1,865***	***181***	***75***	***60***	***40***	***20***
% Fill-Up	9.02%				5.31%				58.43%				80.00%			
% SVCBLTY	90.83%				88.93%				95.54%				66.67%			
& OPN RED	8.19%				4.72%				56.82%				53.33%			

Source: Directorate for Logistics, PNP

2.4.3 Out of 25,289 units handheld radios required by the PNP, the actual units on hand are only 2,280 of which 298 units are unserviceable. For mobile equipment, out of the authorized allotment of 9,188 units, only 488 or 5.31% are on hand. For the base radio, only 58.43% of the total requirement is available.

2.4.4 It must be made clear that the communications equipment is very vital for the operation of the PNP. Well-equipped communication facilities for the PNP will greatly aid in the solvency of crimes.

2.4.5 With the advent of the cellular phone technology, however, almost every policeman already have a personal cellular which they also use in official capacity as a policeman even without any reimbursement or replenishment from the PNP.

3 STATUS OF THE PNP REAL ESTATE PROPERTIES

3.1.1 The real estate properties of the PNP includes buildings and land. The following table shows the recapitulation PNP real estate properties.

3.1.2 The table shows that there are 1,195 that were donated to the PNP. Nine hundred fifty-four of the donated lots are occupied by the Police Stations and 241 by the headquarters.

Table 7.44
RECAPITULATION OF PNP REAL ESTATE PROPERTIES
(as of August 27, 2004)

REGION	DONATED LOTS			PRES.PROCLN	AFP ALLOCATED TO PC	EXECUTIVE ORDER	PURCHASED	GRATUITOUS OCCUPANCY	LEASED	DEED OF EXCHANGE	TOTAL PARCEL OF LAND	TOTAL NO. OF PNP REAL ESTATE TITLED IN FAVOR OF THE			
	PS	HQS	TOTAL									PNP	AFP	BP/PC/PNP	PHIL. GLAMO-CODE/REPUBLIC OF THE PHIL.
PRO 1	79	7	86	4	1	1	2	10	4	1	109	2	0	1	0
PRO 2	83	13	96	7	0	3	3	1	0	0	110	7	0	2	0
PRO 3	53	19	72	4	-	2	6	3	7	2	96	2	2	4	1
PRO 4-A	49	22	71	3	2	1	5	2	1	-	85	1	2	4	0
PRO 4-B	41	11	52	7	-	-	1	-	0	1	61	2	-	1	2
PRO 5	75	17	92	1	4	1	3	1	1	-	103	1	-	2	0
PRO 6	63	23	86	2	-	-	2	-	1	-	91	2	-	3	0
PRO 7	50	15	65	1	2	-	2	-	2	-	72	-	-	4	2
PRO 8	96	13	109	1	-	1	8	1	0	-	120	-	-	-	0
PRO 9	55	17	72	4	-	4	8	1	0	-	89	6	-	5	0
PRO 10	45	19	64	6	-	1	-	-	1	-	72	1	1	2	0
PRO 11	36	13	49	5	1	2	1	-	0	2	60	1	-	6	0
PRO 12	50	8	58	5	-	1	-	2	0	-	66	-	-	-	0
PRO 13	62	11	73	4	-	2	1	-	0	-	80	4	-	-	0
PRO - ARMM	41	14	55	11	-	6	-	1	0	-	73	-	-	1	0
PRO COR	69	10	79	2	-	7	-	1	0	-	89	-	-	-	0
PRO NCR	7	7	14	1	1	0	-	3	4	-	23	-	-	1	0
NHQ		2	2	-	-	0	8	-	0	-	10	-	-	9	0
TOTAL	954	241	1195	68	11	32	50	26	21	6	1409	29	5	47	5
															86

Source: Directorate for Logistics, PNP

3.1.3 The table also shows that of the total lots occupied by the PNP, only 50 lots are purchased, 21 are leased, 68 are given through Presidential Proclamations 32 is given to the PNP by virtue of Executive Order, 11 is allocated by AFP to PC, 26 are allowed to be occupied by the PNP gratuitously, 6 is through Deed of Exchange. Of all these lots currently occupied and accounted for by the PNP, only 22 lots have titles in the name of the PNP.

3.1.4 Another table showing the summary of lots and buildings of the PNP for the same period are as follows:

Table 7.45
RECAPITULATION OF POLICE STATION BUILDINGS AND LOTS
(as of August 27, 2004)

	BUILDINGS				REAL ESTATE		
UNITS	NOS. OF POLICE STATIONS	PS OWNED BY LGU SEPARATE FROM MUN/CITY BLDG.	STANDARD POLICE STATION OWNED/FUNDED BY THE PNP	POLICE STATION OWNED BY LGU ATTACHED TO MUN/CITY BLDG.	MUN/CITY POLICE STATION WITH DONATED LOT	POLICE STATION WITH PNP TITLE	POLICE STATION LOT OWNED BY LGU
NCRPO	37	33	1	3			37
PRO 1	126	36	38	52	56	2	68
PRO 2	93	30	17	46	42	5	45
PRO 3	138	14	19	105	47	2	89
PRO 4	215	39	19	157	58	3	155
PRO 5	122	29	16	77	51		71
PRO 6	133	11	11	111	55	1	78
PRO 7	132	4	18	110	38		94
PRO 8	144	2	31	111	61		84
PRO 9	119	13	10	96	60	6	51
PRO 10	53	3	2	48	11		42
PRO 11	49	12	6	31	31	1	17
PRO 12	50	7	13	30	33		17
PRO 13	73	4	14	55	28	3	42
PRO COR	84	10	8	66	57		27
PRO - ARMM	83	0	8	75	19		64
TOTAL	**1651**	**247**	**231**	**1173**	**647**	**23**	**981**

Source: Directorate for Logistics, PNP

3.1.5 We can see from the above table that out 1,651 police stations, only 231 stations have buildings that are currently funded or owned by the LGU. Two hundred forty-seven police stations are occupying buildings that are owned by LGUs and 1,173 are located in buildings owned by the LGUs that are attached to the municipality or city hall.

3.1.6 Analyzing the kind of support provided by the LGUs to the police, we can see that 86% of the police stations are supported by the PNP, with police stations buildings currently owned by the LGUs. This only means, that indeed, the LGUs are supportive of the police organization.

4 INSTITUTIONAL ARRANGEMENTS

4.1.1 The offices that are involve in the management and administration of the physical assets of the PNP includes the Directorate for Logistics, Logistics Support Service, Communication and Electronics Service, and the Engineering Service.

4.1.2 The functions and organizational structures of these offices are discussed in the following sections.

4.2 Directorate for Logistics

4.2.1 The Directorate for Logistics (DL) is tasked to carry out the following functions:

a. Exercises supervision over the Logistics related activities of the Regional Offices and separate units and control and supervision over the PNP Logistics Service Staff.

b. Develops logistical concepts and doctrines to upgrade the PNP logistics operation and system and prepares logistics plans, programs, policies, procedures and guidelines relative thereof.

c. Provide guidelines for the direction and control of the functions of supply, maintenance, facilities and installation, transportation, and logistical services of the PNP.

d. Undertakes lateral and vertical coordination with other PNP units/offices in relations to logistics operations, system and organization and collates information relative thereto for future reference.

e. Develops and coordinates education and training organization.

f. Supervises the PNP logistics operation, system and organization.

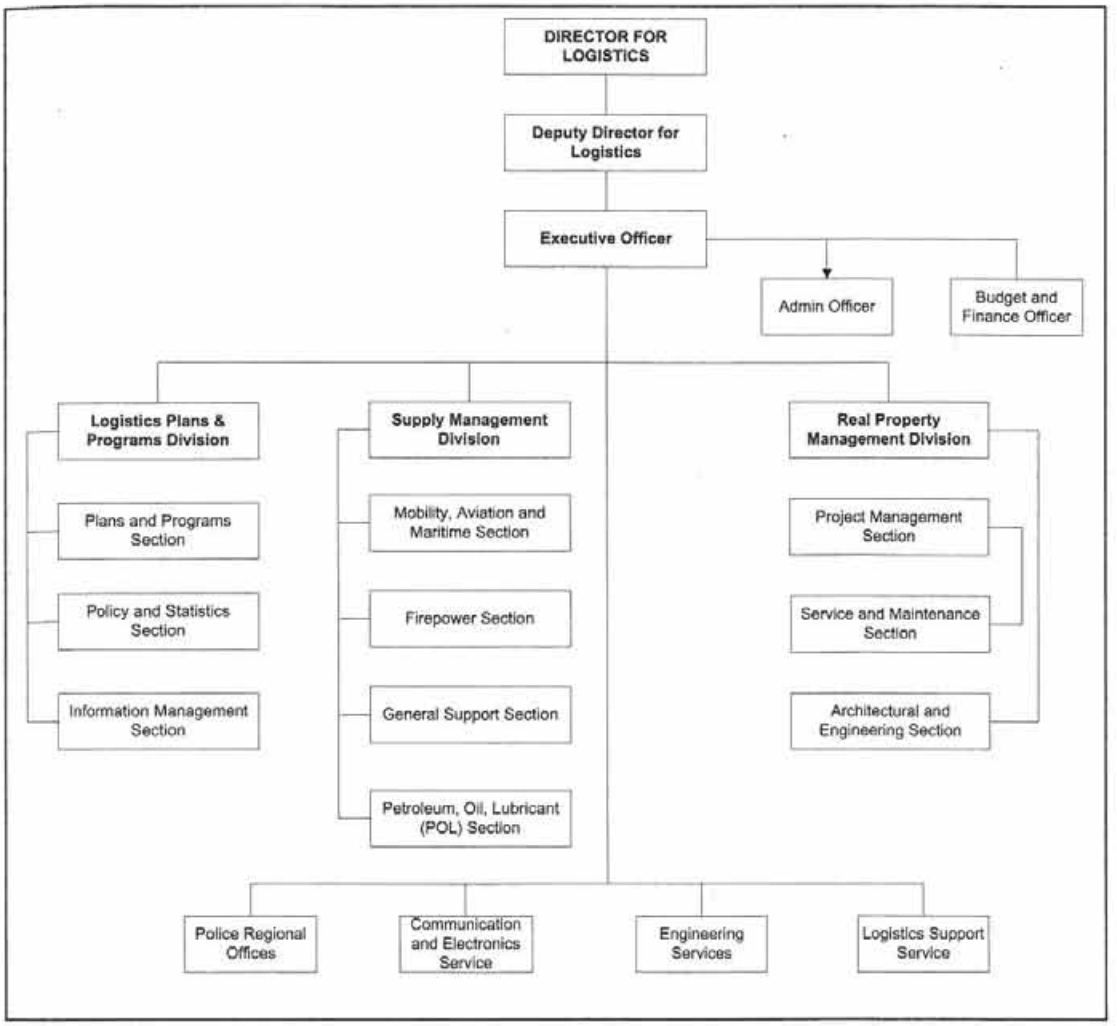
g. Manages foreign procurement program of the PNP

h. Evaluates/assesses the performance of the PNP logistics organization and takes remedial steps to improve/upgrade the PNP logistics systems.

i. Performs other functions as may be directed by the Chief, PNP.

4.2.2 The following is the Organization Structure of Directorate for Logistics:

Figure 7.20
ORGANIZATION STRUCTURE OF DIRECTORATE FOR LOGISTICS



4.2.3 The functions and responsibilities of the divisions are as follows:

LOGISTICS PLANS AND PROGRAMS DIVISION

a. Recommends improvement in selected areas of the PNP logistics system adaptable to existing condition.

b. In coordination with the other division Head and the Budget Officer, ensures the preparation of the annual preliminary and final plans and programs, Program Review and Analysis and other similar updates/reports of the Directorates.

c. Ensures the preparation of the logistics portion of the PNP Five Year Development Plan and other strategic logistics plan.

d. Ensures the formulation of logistics policies and procedures and their transcript into logistics SOP, Directive, Circular or Regulation.

e. Responsible for the development planning of the following:

f. Coordinates and provides information/data which may be required by the other Divisions of the Directorate.

g. Responsible in the preparation of Logistics Performance Rating of the different Regional Police Office.

h. Performs other functions as the DL may direct.

SUPPLY MANAGEMENT DIVISION

a. Prepares plans and programs for the allocation/distribution of supplies and materials to include Petroleum, Oil and Lubricants (POL) to PNP units.

b. Formulates policies and procedures relative to the procurement, distribution of supplies and POL products

c. Monitors/supervises the implementation and observance of PNP units to approve logistical rules, regulations, policies and procedures in coordination with the Real Property Management Division.

d. Supervises material management of logistical resources, warehousing activities, maintenance of inventories in stock and disposal of obsolete/unrepairable supplies.

e. Monitors the operational status of all equipment of the PNP and maintains records of said equipment.

f. Coordinates and provides information/data which may be required by other Division of the Directorate.

g. Perform other functions as may be directed by the Director for Logistics.

REAL PROPERTY MANAGEMENT DIVISION

a. Prepares plans and programs for the construction, repair & utilities projects, public work activities and on base housing including plans of acquiring real estate for PNP stations, districts, etc.

b. Formulates policies and procedures and prepares rules and regulations which are inherent or endemic to real property and facility management.

c. Monitors, inspects and supervises project implementation and ensures completion of all projects.

d. Prepares and provides standard designs, plans and specifications of PNP buildings at all levels of the command.

e. Prepares plans and programs for the maintenance of equipment and acquisition of engineering equipment.

f. Prepares plans and programs for the movement of the supplies and material to RECOM/units.

g. Coordinates and provides information/data which may be required by the Other Divisions of the Directorate and PNP Engineering Office.

4.3 Directorate for Research and Development

4.3.1 The Directorate for Research and Development assists and advises the Chief, PNP in the conduct of research and development (R & D), and tests and evaluation (T & E) of clothing, materiel, vehicles and equipment required by the PNP for effective and efficient maintenance of law and order and public safety.

4.3.2 The following are its mandated functions:

a. Conducts research and study on the latest technology and materiel required for an effective and efficient law enforcement organization.

b. Determines and develops specifications and standards for all PNP equipment in accordance with acceptable local and/or international standards.

c. Conducts tests and evaluation of clothing, materiel, vehicles and equipment procured or programmed to be procured by the PNP as to their capability or usability, quality, feasibility, acceptability and their compliance to pre-determined PNP specifications in coordination with other PNP offices/units and other government and non-government agencies.

d. Coordinates, correlates, and cooperates with government and non-government agencies in undertaking research and development activities on specific and pertinent projects.

e. Coordinates for the training, either local or foreign, of PNP personnel in the areas of R & D and T & E.

f. Formulates/updates/improves R & D and T & E policies/procedures/capabilities.

g. Directs and supervises the formulation and implementation of PNP's Self-Reliant Development Program (SRDP).

h. Performs such other functions as the Chief, PNP may direct.

4.4 Logistics Support Service

4.4.1 The Logistics Support Service (LSS) is tasked to undertake the following functions:

a. The LSS shall be responsible for the procurement, storage, distribution and management of all essential logistical requirements of the PNP.

b. To conduct procurement, storage, inventory, control, distribution, and disposal of PNP supplies and equipment

c. To provide PNP wide support on maintenance and repair of vehicle, armaments and other equipment

d. To provide transportation services to PNP units as the need arises

e. To provide EOD assistance and training upon request and/or as directed by higher headquarters

f. To continuously enhance the human resources development and facility improvement

g. To provide other logistical services that may be directed by the higher headquarters.

4.4.2 The organization structure of the Logistics Support Service is as shown below:

Figure 7.21



4.4.3 The functions of the various divisions are as follows:

PROCUREMENT DIVISION

a. Prepares procurement documents
b. Prepares disbursement vouchers and other supporting documents.
c. Prepares and submit confirmatory reports.
d. Records and maintains procurement files.

SUPPLY STORAGE AND DISTRIBUTION DIVISION

a. Receive and stores supplies and equipment procured by the procurement unit, Logistics Support Service and other agencies and issue these items to the end users based on the table of distribution prescribed by the Higher Headquarters.
b. Assist in the expeditious delivery of this supplies and equipment to PNP Field Units and Offices.
c. Perform care and preventive measures for the maintenance of supplies and equipment storage.
d. In charge of the insurance and registration of newly acquired vehicles prior release of the user.

e. Perform repair and rehabilitation of PNP basic weapons and equipment out of those turned in through controlled cannibalization and conduct tests to ensure their serviceability.

f. Maintain and update records and documents and issuance to different PNP Field Units and Offices.

g. Expedite and monitor flow of supplies and equipment in transit through commercial forwarders until these are received by the using units.

h. Assist the different Police Regional Offices and Field Units regarding schedules of log runs and provide assistance in the handling, packing and loading of supplies and equipment.

i. Assist the different Police Regional Offices and other Field Units in the repair in place of essential PNP equipment, and

j. Perform such other functions as higher Headquarters may direct.

SUPPLY ACCOUNTING AND MONITORING DIVISION

a. Prepares documents and records all transactions involving supplies, materials and equipment belonging to the PNP as regards to their acquisition, storage, distribution/issuance and disposal.

b. Scrutinizes/reviews and processes documents like commercial vouchers and purchase orders subject for payment prior signature and submission to concerned offices.

c. Conducts physical accounting and inspection of all deliveries of supplies and equipment at Crame and Bicutan Warehouse.

d. Coordinates with other PNP Units/Regional Offices with regards to the acquisition, transfer, issuance and disposal/liquidation of supplies and equipment.

e. Maintains updated stock record cards, equipment ledger cards, and an official registry book for daily transactions.

f. Conducts periodic inspection/inventory and occasionally makes "spot inspection" on issuances made to PNP units nationwide.

g. Prepares and submits all Logistical reports to Higher Offices on a monthly, quarterly, semi-annual, and annual basis.

h. Prepares/processes monthly report of supplies and materials issued (MRSMI) for submission to the Commission on Audit (COA) and Directorate for Comptrollership, Management Division (DC-Management).

i. Prepares disbursing vouchers of POL products and submits the same to the PNP Finance Service to liquidate through invoices.

j. Inspects, receives unserviceable equipment turned-in for disposal/condemnation.

k. Coordinates with SAO, AFPLC regarding the turn-in of unserviceable Foreign Military Sales (FMS) equipment belonging to the AFP.

l. Processes/issues property clearance to all PNP personnel applying fro retirement.

m. Performs other duties as Director, LSS and higher headquarters may direct.

EXPLOSIVES AND ORDNANCE DISPOSAL DIVISION

a. Provides operational control, planning and administrative services related to mission and operations of assigned disposal team within the PNP.
b. Disposal of ammunition rendered hazardous by damage or deterioration and other unexploded ordnance items (UXO).
c. Provides technical assistance, Explosive Ordnance Disposal Support to the PNP and for Presidential and VIP protection.
d. Conducts EOD sabotage and counter-sabotage training to members of the AFP, PNP and for civil defense, law enforcement agencies, and other public officials.
e. Respond to bomb threat calls and to detect, neutralize, recover and dispose homemade/improvised devises/ordnance items.
f. Provides advice when authorized, Explosive Ordnance Disposal assistance to civil authorities.
g. Examines, identifies and report new unusual explosive item for Technical Intelligence purposes.
h. Conducts researches on explosive items for self reliance projects of the PNP.
i. Performs Court Duty as directed.
j. Perform other functions as higher Headquarters may direct.

TRANSPORTATION AND MAINTENANCE DIVISION

Maintenance Section

a. Provides depot level repair and maintenance services of all heavy and light vehicles/equipment organic to PNP.
b. Provides "on-site" repair and maintenance services through contact teams of heavy and light vehicles deployed to the different PNP Regional Command throughout the Philippines.
c. Perform other functions as higher Headquarters may direct.

Transportation Section

a. Provides support and lift capabilities to the under-going tactical, police, and anti-insurgency operations and other mission-related activities of the PNP.
b. Supports inland requirements of the PNP Units in the movement of supplies, equipment, materials, cargoes and etc.
c. Provides augmentation transportation support during relief and rescue operations.
d. Provides lift capability during evacuation of the wounded PNP personnel and delivery of police cadaver.
e. Perform other functions as higher Headquarters may direct.

4.5 Engineering Service

4.5.1 The Engineering Service is a National Administrative Support Unit in the PNP whose mission is to provide overall planning, implementation, supervision and evaluation of all PNP Engineering programs, land utilization, housing projects, and other related activities of the PNP.

4.5.2 It is tasked to undertake the following functions:

a. Formulate policies, plans and procedures in the management of the engineering resources, land utilization and on-base/off-base housing activities.

b. Plan,. design, administer, supervise construction and ground development of PNP buildings, facilities and housing-related projects.

c. Supervise, monitor and evaluate all construction and major engineering maintenance and repair of buildings/structures and the operation utilities by the Police Regional Office and National Support Units.

d. Participate in the preparation of PNP construction and on-base/off-base housing projects.

e. Perform other functions that the Chief, PNP may direct.

4.6 Communications and Electronics Service

4.6.1 The Communications and Electronics Service (COMEL) is a National Administrative Support Unit tasked to provide communications and electronic services and support necessary in the accomplishment of PNP tasks. It as the following functions:

a. To install, operate and maintain communication systems in support of PNP wide activities, including coordination, command and control, communications security, and service support.

b. To provide direct support to all operations of the PNP.

c. To provide communications facilities and equipment to all PNP offices/units.

d. To provide technical supervision and support over communications and electronics facilities of the PNP.

e. To acquire critical communications equipment, supplies and materials.

f. To provide in-service training on COMMEL matters to PNP personnel, and

g. To perform other tasks/services as required.

4.6.2 There are also COMMEL Regional Offices that caters to the needs of the different Regional Offices.

5 ASSESSMENT OF THE PHYSICAL ASSETS MANAGEMENT SYSTEM

5.1 Procurement

5.1.1 Procurement, in general, involves the method of planning, policy formulation for the actual procurement and procurement methods to be used, and the actual purchasing of the physical assets requirements of the PNP.

NATIONAL GOVERNMENT POLICIES ARE SET IN PLACE TO GUIDE THE PROCUREMENT PROCESSES OF THE PNP, ALONG WITH THE OTHER GOVERNMENT AGENCIES

5.1.2 In the actual procurement of the supplies, properties and materials, the PNP adopts Republic Act No. 9184, An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and for other Purposes. Since the approval of this RA on January 2004, the Procurement Manual of the PNP has been changed. This RA states therein the policies for the Procurement Planning, Bidding Procedures and Documents to be used, and the composition and functions and responsibilities of the Bids and Awards Committee.

5.1.3 Aside from the RA 9184 which defines the procurement policies and procedures, the New Government Accounting System (NGAS) developed by the Commission on Audit made effective on January 2002 also provides a Property and Inventory Accounting System. The system is consist of:

a. Monitoring;
b. Controlling;
c. Recording and Acquisition; and
d. Disposal of Property and Inventory.

5.1.4 The procedures defined in the system includes the following:

a. Procedures in the receipt, inspection, acceptance and recording deliveries of inventory items and equipment;
b. Procedures in the requisition and issuance of inventory items; and
c. Procedures in the requisition and issuance of equipment.

5.1.5 Accounting forms to be used and reports to be prepared are also laid down by the system for the PNP to follow. Reports that must be prepared are as follows:

a. Report on Supplies and Materials Issued
b. Wastes Materials Report
c. Inventory and Inspection Report for Unserviceable Property
d. Report on the Physical Count of Inventories

e. Report on the Physical Count of Property, Plant, and Equipment

f. Inspection and Acceptance Report

g. Report on Accountability and Accountable forms.

5.1.6 These policies and rules, and systems that are et by the National Government is aimed at promote good governance through transparent and streamlined procurement process, and system of accountability.

5.1.7 It also aims to make the accounting for all government properties more efficient through uniform system of processing and recording of transactions.

STANDARDS AND POLICY FORMULATION FOR THE PHYSICAL ASSETS MANAGEMENT SYSTEM OF THE PNP ARE SUBJECT FOR APPROVAL BY THE NAPOLCOM

5.1.8 The assets of the PNP are subject to a standardization process. Standardization applies to armaments, communication equipment, transportation equipment and uniforms, and other logistical requirements.

5.1.9 These standardizations and specifications are to be approved by the NAPOLCOM. However, the review and the detailed study as to the specifications are conducted by the Directorate for Research and Development (DRD). These specifications and standardization are submitted to the NAPOLCOM with a recommendation for approval by the Chief, PNP. The approval by the NAPOLCOM of these standards comes in the form of a NAPOLCOM Resolution to be implemented by the PNP.

5.1.10 The following table shows the inventory of Specifications for Mobility Equipment and other related items per NAPOLCOM Resolutions from 1994 to present.

Table 7.46
INVENTORY OF SPECIFICATION FOR MOBILITY EQUIPMENT AND OTHER RELATED ITEMS

No.	NAPOLCOM Res. No.	ITEM	Date Approved	No.	NAPOLCOM Res No.	ITEM	Date Approved
1	94-043	Patrol Jeep	October 18, 1994	38	98-151	Motorized Barisa	June2, 1998
2	- do-	125cc Motorcycle	- do-	39	98-223	Investigative Van	September 25, 1998
3	- do -	750cc Motorcycle	- do-	40	98-244	Amending the Prescribed Standard Specification for Patrol Jeep (Gasoline, 4X2)	October 8,1998
4	- do -	Hummer Tire	- do-	41	98-245	Amending the Prescribed Standard Specification for Patrol Jeep (Diesel 4X2)	- do-
5	95-069	Improvised SWAT Van	August 7, 1995	42	98-246	Amending the Prescribed Standard Specification for Patrol Jeep (Gasoline, 4X4)	- do-
6	- do -	SWAT Van	- do-	43	98-247	Amending the Prescribed Standard Specification for Patrol Jeep (Diesel 4X4)	- do-
7	- do -	Passenger Van	- do-	44	98-258	Approving the Standard Color Scheme for PNP Building Signboards, Perimeter Fences Pathways/Covered Walk and Signboard for PNP Offices	October19,1998
8	- do -	Pick-up Twin Cab	- do-	45	99-001	Addendum to the Standard Specification for the PNP Patrol Car	January 5,1999
9	- do -	250cc Motorcycle	- do-	46	99-002	Approving the Standard Color Markings for PNP Motor Vehicles Seacraft and Aircraft	- do-
10	- do -	8-Man Capacity Inflatable Rubber Boat	- do-	47	99-014	Staff Car	February 9, 1999
11	- do -	8-Man Capacity Inflatable Rubber Boat	- do-	48	99-045	Amending the Prescribed Standard Specification for Mini Bus (Diesel)	March 25, 1999
12	- do -	12-Man Capacity Inflatable Rubber Boat	- do-	49	99-052	Amending the Prescribed Standard Specification for Patrol Jeep (Gasoline, 4X2)	April 14,1999
13	- do -	16-Man Capacity Inflatable Rubber Boat	- do-	50	99-053	Amending the Prescribed Standard Specification for Patrol Jeep (Diesel 4X2)	- do-
14	95-070	Amending the Prescribed Standard Specification for Procurement by the PNP of Patrol Jeep	August 7,1995	51	99-054	Amending the Prescribed Standard Specification for Patrol Jeep (Gasoline, 4X4)	- do-
15	95-092	Patrol Car	December 6,1995	52	99-055	Amending the Prescribed Standard Specification for Patrol Jeep (Diesel 4X4)	- do-
16	95-093	Ambulance	- do-	53	99-155	Rescue Boat	November 4,1999
17	95-094	450-550cc Motorcycle	- do-	54	2000-44	Amending the Standard Specification for Pick-up Twin Cab	March 8,2000
18	96-033	Amending the Prescribed Standard Specification of the PNP Patrol Car and Ambulance	June20, 1996	55	2000-46	Lifeboat with Outboard Motor	March 6, 2000
19	96-047	Truck 2-1/2 Ton	July 11,1996	56	2000-49	Amending the Standard Specification for Passenger Van	March 15, 2000
20	96-051	Fixed Wing Aircraft (Light Transport)	- do-	57	2000-13	Conversion Outboard Motor (OBM)	September 26,2000
21	96-052	Mini Laboratory Van	- do-	58	2000-14	Light Transport Vehicle	- do-
22	- do -	Mobile Crime Laboratory	- do-	59	2000-17	Engine and Kit for Patrol Boat	- do-
23	96-074	Mobile Evidence Collection Vehicle	September 23, 1996	60	2000-18	Avionics Equipment for Rotary Aircraft	- do-
24	96-117	Patrol Boat, 8-10 Meter	December 16, 1996	61	2000-15	Anti-Riot Vehicle	December 18,2000
25	97-014	25-hp Outboard Motor	January 30, 1997	62	2000-12	Amending the Standard Specification for Engine and Kit for Patrol Boat	December 27,2000
26	97-081	Aerospace Ground Support Equipment	June2, 1997	63	2000-16	Civil Disturbance Management (CDM) Command Vehicle	- do-
27	97-094	Rotary Aircraft (Ecureil AS 350BA or its Equivalent)	July 17,1997	64	2001-06	Civil Disturbance Management (CDM) Communication Van	January 5,200
28	97-122	Mobile Evidence Collection Unit	August 26, 1997	65	2001-07	Armored Tactical Vehicle	December 21,2001
29	97-145	Amending the Prescribed Standard Specification for 8-10 Meter Patrol Boat	September 9, 1997	66	2001-09	Porta Boat	- do-
30	97-195	Approving the Addendum and Amendment to the Specification of the Mobile Evidence Collection Unit	November 10, 1997	67	2001-10	Paramedic Van	- do-
31	97-196	Ceremonial Command Vehicle	November 10,1997	68	2002-06	Fork Lift	February 20,2002
32	97-198	Micro Bus/Van (Gasoline & Diesel)	- do-	69	2002-05	Rotary Aircraft (Twin Engine)	May 17, 2002
33	97-201	Amending the Prescribed Standard Specification of Aerospace Ground Support Vehicle	- do-	70	2002-03	Shuttle Bus- Troop Carrier	February 1, 2002
34	97-215	Amending the Standard Specification for Mini Laboratory Van	December 3,1997	71	2002-08	Fire Truck	September 25, 2002
35	98-02	Patrol Boat, 12-16 Meters	January 2, 1998	72	2002-09	Tow Truck	October11, 2002
36	98-144	Mini Bus (Gasoline)	May 29, 1998	73	2002-09	Lighting Truck/Vehicle	- do-
37	98-146	Mini Bus (Diesel)	- do-	74	2004-05	200cc Motorcycle	May 17, 2004

Source: Directorate for Research and Development, PNP

5.1.11 The above listed of resolutions for standards and specifications for the individual items. However, the standard number of equipments and other logistical items that must be deployed in each station or office has not changed since the 1993 resolutions.

5.1.12 The following shows the Table of Equipment and Allowance that must be adopted by the PNP in filling-up the equipment requirements of various police stations and offices. These table was adopted following the staffing patterns for the same year. Changes, however, have been made on the staffing pattern already but the table of equipment and allowance were never changed since then.

Table 7.47
TABLE OF EQUIPMENT AND ALLOWANCE
NAPOLCOM Resolution 93-08

UNIT	ARMAMENTS				PROTECTIVE EQUIPMENT	VEHICLES (LandBased)					OTHER TRASPORT EQUIPMENT		COMMUNICATION EQUIPMENT			OFFICEEQUIPMENT					OTHER EQUIPMENT	
	Firearms	Ammunitions	Pyrotechnique	Accessory Equipment	Crowd Control Equipment	Staff Car	Patrol Car	Patrol/Utility Jeep	Motorcycle	Others	Sea Borne	Air Borne	Radio/Wire Eqpt	Investigative	Engineering	Table	Chairs	Filing Cabinet	TypeWriter	Technical Machine	Beds	Lockers
Component City Police Station "C"	225	0	0	197		1	2	4	8		2	0	58	8	33	73	124	33	31	7	19	150
Component City Police Station "B"	250	0	0	204	412	1	2	4	8		2	0	62	8	49	94	165	41	31	8	21	164
Component City Police Station "A"	300	0	0	179	504	3	7	14	17	2	2	0	129	17	62	98	189	37	24	7	25	200
Highly Urbanized City Police Stations	300	0	0	185	504	3	7	14	17	4	0	0	112	17	73	115	168	22	33	9	25	200
District Offices (Provincial)	37	0	0	1	0	1	0	4	1	1	1	0	30	0	30	35	76	12	10	5	3	23
Provincial Office	303	0	0	6	0	1	0	12	5	3	3	0	84	0	48	57	105	26	16	13	69	161
NCR Police District	145	0	0	2	0	7	7	4	4	0	0	0	85	0	64	142	185	73	42	9	12	96
Regional Office	1005	0	0	18	499	15	3	22	0	12	5	2	216	0	134	200	393	58	48	35	196	534
NCR Regional Office	1005	0	0	18	499	15	3	22	0	12	5	2	216	0	134	200	393	58	48	35	193	534

Source :NAPOLCOM

Table 7.48
TABLE OF EQUIPMENT AND ALLOWANCE
NAPOLCOM Resolution 92-37

UNIT	ARMAMENTSORDNANCE					PROTECTIVE EQUIPMENT	VEHICLES(Land Based)						OTHER TRASPORT EQUIPMENT		COMMUNICATION EQUIPMENT			OFFICE EQUIPMENTQUARTERMASTER					OTHER EQUIPMENT		
	Firearms	Ammunitions	Pyrotechnique	Accessory Equipment	Crew Served Weapon	Crowd Cont Equipment	Staff Car	PatrolCar	Patrol/Utility Jeep	Motorcycle	Armored	Others	Sea Borne	Air Borne	Radio/Wire Eqpt	Investigative	Engineering	Table	Chair	Filing Cabinte	TypeWriter	Technical Machine	Arm/Rak	Bed	Locker
Municipal Police Precinct																									
Type "C" Police Station	60				0	122	0	0	2	2	0	1			11	3	11	22	49	6	6	1	1	14	60
Type "B" Police Station	225				1	303	0	1	2	4	0	1	1		17	6	19	39	77	7	11	2	3	37	150
Type "A" Police Station	248				2	532	1	2	4	8	0	1		1	37	6	45	76	112	29	23	4	3	41	164
NCR BlockStation	300				0	408	3	7	14	17	0	3			98	14	62	98	190	37	24	6	4	25	200
NCR Precinct	37				0	50	0	1	2	5					18	4	10	23	50	8	7	0	1	8	25
Provincial Prelect	29				0	42	0	0	1	1	0		1		4	2	8	12	27	5	4		1	3	20

Source NAPOLCOM

5.1.13 The Directorate for Research and Development also prescribes a policies and procedures for conducting the various eligibility tests and acceptance tests of all PNP core equipment.

5.1.14 These policies, standards, specifications, and policies shall be used by the PNP in planning its procurement for the year and on the medium-term.

PROCUREMENT PLANNING

5.1.15 Procurement planning involves the formulation of a procurement plan on a multi-year and annual basis. The multi-year procurement plan includes procurement of supplies, materials and capital equipment, major repair of structures, scope of work, construction of facilities and other short and long-term plans to enhance the capability of the PNP central and regional offices to carry out their operations. It contains the method of procurement to be adopted, descriptions and specifications, estimated cost, schedule of procurement and other important details.

5.1.16 An Annual Procurement Program is extracted from the multi-year plan and contains an itemized list of supplies, materials, equipment, maintenance and other services, description and specifications of goods, estimated cost, procurement method and schedule of acquisition.

PNP PROCUREMENT TARGETS ARE CONSTRAINED BY THE NATIONAL GOVERNMENT BUDGET RELEASES TO THE PNP

5.1.17 The PNP has recognized the need to fill up the basic equipment requirements of the police in order for them to effectively function in its operations. In its Medium-term Development Plan (MTDP) for 2002-2004, the PNP targeted a 100% fill-up of all its basic police equipment by end of year 2004. With this, they budgeted total amount of P1.9 billion, in the following breakdown:

Table 7.49
EQUIPMENT ACQUISITION PROGRAM

NOMENCLATURE	2002		2003		2004		TOTAL COST
	QTY	COST	QTY	COST	QTY	COST	
1. Ground Mobility	419	218,200,000	178	71,560,000	384	229,170,500	518,930,500
2. Firepower	9,000	132,000,000	4,664	105,194,999	20,049	360,156,186	597,351,185
3. Communication Equipment	3,600	5,338,000			4,340	115,835,520	121,173,520
4. Medical & Dental Equipment					1,246	163,365,170	163,365,170
5. Special Anti-Terrorist Equipment	308	34,207,400	463	23,245,000	60	65,000,000	122,452,400
6. PA System & Musical Instrument	46	9,100,000					9100000
7. Engineering Equipment	14,611	21,063,000			1,370	117,001,300	1,380,643,00
8. CDM Equipment	7,420	15,821,600					15,821,600
9. Information Technology	520	19,999,998	745	30,000,000	1,524	167,522,950	217,522,948
TOTAL	35,924	455,729,998	6,050	229,999,999	28,973	1,218,051,626	1,903,781,623

Source: PNP MTDP 2002-2004

5.1.18 However, the approved budget for Year 2002 to 2004 of the PNP is very limited for Capital Outlay requirement. The total approved Capital Outlay budget for the PNP is only P 789 million , broken down as follows:

Year 2002	-	P 639 million
Year 2003	-	100 million
Year 2004	-	50 million

5.1.19 This means that out of forecasted financial requirements for the planned activities in filling up the equipment requirements of the PNP, the National Government can support only up to 41.52%, that is, assuming that the reported CO requirements of the PNP in its annual budgets for years 2002, 2003 and 2004 is faithful to its planned equipment acquisition program.

THE ANNUAL OPERATIONS PLANS OF THE PNP DO NOT INCLUDE THE TARGETS SET IN THE MEDIUM-TERM PLAN

5.1.20 Annual Operations Plan is supposed to be the translations of the annual projections of the MTDP. However, a close scrutiny on the Annual Operations Plan and Budget (AOPB) of the Directorate for Logistics for years 2002 and 2003 shows that it does not include the targets in the MTDP. What was planned and budgeted for the same years are the normal operating logistical requirements of the PNP which includes only budget for the general support, payment for utilities, repairs and maintenance and rental of equipment and common electronics, and logistics research and evaluation activities. So, basically, what is provided for in the Annual Operations Plan and Budget are the MOOE requirements of the PNP.

PROCUREMENT PROCESS

THE NAPOLCOM PLAYS AN IMPORTANT ROLE IN THE PROCUREMENT PROCESS OF THE PNP

5.1.21 The extent of administrative control and supervision of the NAPOLCOM on the PNP includes even the internal financial transactions which go above the authority of the Chief, PNP.

5.1.22 NAPOLCOM Memorandum Circular 99-013 has set the approving authority of the Chief, PNP up to Ten Million Pesos (P10M). This, however, was amended by Memorandum Circular 2001-004 dated 22 May 2004, which reduces the approving authority of the Chief, PNP to only Five Million Pesos (P5M). Contracts in excess of P5M shall be reviewed and evaluated by the Installations and Logistics Service (ILS) of the NAPOLCOM and the functional supervising Commissioner. The approval thereof will be in the form of a NAPOLCOM en banc resolution.

5.1.23 At the Regional level, all contracts and other financial transactions of the PNP Regional Office involving P500,000 to P5,000,000 at any one time for the purchase of supplies, materials and equipment and infrastructure projects is subject to review and approval of the NAPOLCOM Regional Director.

5.1.24 Documents relative to contracts and financial transactions that are within the approving authority of the Chief and the Regional Director, shall within 15 days after the end of each quarter, be submitted to the Commission and the Office of the NAPOLCOM Regional Director, respectively, for records and control purposes.

5.1.25 Given these control procedures we can say that there are established checks and balance procedures such that proper use of financial resources of the PNP are maintained. On the other hand, it also impedes on the independence of the PNP and its authority to govern its own organization. This also places the PNP organization in a subordinate position when it shall maintain an image of a respectable organization.

PROCUREMENT OF EXPENDABLE SUPPLIES, MATERIALS, AND OTHER LOGISTICAL REQUIREMENTS ARE DECENTRALIZED

5.1.26 The budget of the PNP Regional Offices are already decentralized, such that the procurement of the expendable items such as supplies and materials, POL products and other items are also decentralized. The Regional Offices through the Logistics and Plans Division. Financial management processes and procedures by the Comptrollership Division and the Regional Finance Service Office are followed with the approving authority set by the NAPOLCOM for procurement contracts as the basis on whether or not the same will have to pass through the NAPOLCOM Regional Office.

5.1.27 Police station are given operational allowances. These allowances are sometimes used by the police stations to procure their own supplies and materials to augment that which is provided by the District Offices or City/Provincial offices.

POLICE ARMAMENTS AND AMMUNITIONS ARE PROCURED ONLY BY THE CENTRAL OFFICE

5.1.28 At the Central Office level, procurement of logistical requirements is undertaken by the Logistics Support Service (LSS), one of the National Administrative Support Units. With the approved procurement program at the start of the year, which is usually based on the approved budget of the PNP for logistical services, the LSS enters into contracts

5.1.29 There are assets, however, that need to undergo series of tests to make sure that it meets the approved specifications of the PNP per NAPOLCOM Resolutions. These assets include firearms, ammunitions, explosives, and other ordnance items. Before such items can be procured, it has to be tested by the Directorate for Research and Development, the office required that undertakes the studies and researches for the improvement of PNP facilities, for approval by the NAPOLCOM. Tests and evaluation of weapons and other ordnance equipment submitted by suppliers/dealers/proponents are conducted by the Directorate for Research and Development.

THERE IS A WELL-DEFINED PROCUREMENT POLICIES WITHIN THE PNP

5.1.30 With the guidance of the National Government's rules, policies and procedures for procurement, the PNP has drafted its own Standard Operating Procedures (SOPs) and manual for procurement. Such SOPs and manual defines the procedures within the PNP for the conduct of bidding, negotiated purchase, and emergency purchase, awards of contracts and processing of procurement documents.

5.1.31 The SOP on Procurement has defined the accountability of the offices responsible in the actual procurement process, which includes the Directorate for Logistics, Directorate for Research and Development, Directorate for Comptrollership, Logistics Support Service and the Finance Service. And with the enactment of R.A. 9184 and the adoption of the NGAS, it is believed that property accountability and transparency in the procurement of the various physical assets of the PNP will be enhanced or maintained, provided that there is no collusion within the management or persons responsible in the procurement process of the PNP.

PROCUREMENT TRANSACTIONS FOLLOWS THE FINANCIAL MANAGEMENT SYSTEMS AND PROCEDURES

5.1.32 The system for the processing of POs, WOs and contracts for the procurement of the various supplies and materials and other logistical requirements follows the financial management processes established. The following table shows the approving authority of the different officials of the in procurement:

Table 7.50
TABLE OF APPROVING AUTHORITY

OFFICE	EXTENT OF APPROVING POWER
Chief, PNP	MOOE – the amount of which is over P1M but shall not exceed P5M TRUST Receipts – Over P1M
Deputy Chief for Administration	MOOE – Over P0.6M but below P1M
Chief of Directorial Staff	MOOE – P0.5M to P0.6M
Directorate for Comptrollership	MOOE-Fixed Expenditures P0.3M and above Personnel Services
Financial Service	All MDS checks and Trust Receipts
NSUs and ROs	MOOE – P0.5 M below

MOST OF THE PHYSICAL FACILITIES AT THE POLICE STATION LEVEL ARE NOT ACTUALLY PROCURED BUT DONATED BY VARIOUS INTEREST GROUPS

5.1.33 Since the PNP has a very low budget for the logistical support and other physical facilities needed at the police station level, various interests groups such as LGUs, business and religious groups, and other concerned individuals are giving out assistance to the PNP. Assistance comes in the form of supplies and materials, POL products, equipment, office furniture and equipment, improvement in the office facilities, vehicles and even lands and building for the police station.

5.2 Deployment

5.3.1 Deployment refers to policies and processes for the distribution of the resources to all the units of the PNP, Central Office and Regional Offices.

5.3.2 The LSS which is directly responsible centrally procured items is also responsible for ensuring that the items procured are distributed to the concerned offices or requesting offices for the purpose. Such distribution or deployment shall be in

accordance with the standard Table of Equipment and Allowance approved by the NAPOLCOM.

5.3.3 However, due to lack of funds, equipment, supplies and materials and other goods that are procured are based on the annual procurement program of the PNP which is limited only to those with immediate requirement for the year.

5.3.4 For the procurement of equipment, most of the time it is based on need. Thus, deployment for the same are not anymore done based on the Table of Equipment and Allowance but is given immediately to the approving party.

5.3.5 For all other items the deployment of the same are based on the approved procurement plans and program as set out in the approved Annual Operations Plan and Budget of the PNP.

5.3.6 At the Central Office, the deployment is done by the Supply Storage and Distribution Division of the LSS and at the Regional Office it is the Regional Logistics Division. Items procured by the LSS are stored at a warehouse in Camp Crame. Each Regional Office also has a warehouse or supply room where they kept the items procured by the Region which is under the responsibility of the Regional Logistics Division.

DEPLOYMENT OF CENTRALLY PROCURED ITEMS ARE COSTLY

5.3.7 While the reason for the centralization of some of the logistical requirements of the PNP which is to ensure that the suppliers or contractors for the same met the standards set by the DRD with the approval of the NAPOLCOM, such procurement process is quite costly for the PNP. The annual accomplishment reports for years 1999 and 2000 shows that shipment of logistical items to Visayas and Mindanao costs as much as P6.72 million and P5.95 million, respectively.

5.3.8 Said costs for shipments may have been reduced if not totally avoided should these items are procured at the Regional level or any one Region within the Visayas and Mindanao region for that matter.

REGIONAL OFFICES PROCURES ALL ITEMS REQUIRED BY THE DISTRICT AND PROVINCIAL OFFICES

5.3.9 At the Regional level, logistical supplies and materials are procured by the Regional office for the entire region. POL items are also contracted out by the Regional Office and stubs or tickets which represents the POL allocation for a particular month are distributed to the District or Provincial Offices which in turn distributes it to the different city and municipal offices and police stations.

5.3.10 For office supplies and materials, it is also the Regional Office that procures the same and distributes it to the District and Provincial Offices that in turn distributes it to the different city and municipal offices and police stations.

5.3 Inventory Management

5.3.11 Inventory management is the conduct and reporting, on an annual basis, on the physical inventory of all properties acquired through purchase, donation and transfer. It also includes the issuance of goods to the proper end-user at the right time, quantity and quality.

5.3.12 The PNP has various policies and procedures for ensuring that goods are secured and equipment deployed at the various offices and police stations are maintained and accountability thereof are controlled and properly set in place.

5.3.13 At the Central Office, the inventory management is undertaken by the Supply Accounting and Monitoring Division. They ensure that all records of procurement and distribution thereof are kept. Said division coordinates with the Regional Logistics Division which is also responsible for ensuring that equipment and supplies and materials at the Regional office with all its offices and police stations under its jurisdiction are properly accounted for.

5.3.14 At the station level, there is a Supply Accountable Personnel who sees to it that equipment and materials issued to it by either the District, City, or Municipal offices are properly maintained and accounted for.

5.3.15 Inventory checks are also undertaken by the Management Division of the Directorate for Comptrollership. The NAPOLCOM also undertakes annual or inspection of the facilities and equipment of the PNP.

5.3.16 To ensure proper accountability, the PNP has established a lot of policies and rules on inventory and supply management. The list in Attachment B includes some policies as follows:

a. Procedures and Guidelines to be followed by PNP Officials in the conduct of inventory and turn-over of PNP Assets and other government properties during relinquishment and assumption of PNP units at all levels.

b. Providing the Guidelines Governing Property Accountability/Responsibility of PNP Supply Accountable Officers (SAOs) and Personnel

c. Turn-over of Command Property Inventory

d. Termination of Supply Accountable Officer(SAO) to Supply Accountable Officer (SAO) transfer of property accountability (re immediate recovery of firearms)

e. Implement strictly the Unit Property Clearance System (for RDS PROs 1to 14, CAR, ARM, NCRPO, NSUs)

5.4 Physical Assets Maintenance

5.4.1 Asset maintenance is the process of taking care of the structures, equipment, vehicles and other assets of the PNP and keeping them in proper condition to prolong their useful life for optimum utility.

5.4.2 The PNP has established policies and processes for the maintenance and upkeep of all PNP equipment. It includes, among other the following rules and guidelines:

a. Guidelines on the Use/Maintenance of PNP Vehicles, 22 November 1995

b. Proper Care, Handling and Maintenance of Explosives and Ammunition, 22 November 1995

5.4.3 The PNP may have formulated and adopted other policies and measures for asset maintenance, copies of which have not been provided to us.

THERE IS LACK OF MAINTENANCE OF FACILITIES AND STRUCTURES AT THE POLICE STATION LEVELS

5.4.4 While policies and procedures may have been set in place, if you look at the facilities at the station level, we can say that the facilities are not properly taken cared of.

5.4.5 Facilities such as detention cells which while they are lacking in terms of area requirements for the number of detainees housed within are also remise in terms of ventilation and lighting. One can say that the conditions within detention cells are under subhuman conditions. Equipment at the station level, which are mostly donated to it by various groups, are also lacking in terms of maintenance.

5.5 Assets Disposal

5.5.1 Disposal pertains to the getting rid of unserviceable properties to maintain an orderly and clean office environment. For the PNP, unserviceable equipments or what they termed as Beyond Economic Repair (BER) are surrendered by the station to the District or Provincial Offices to the Region. The Region is responsible for reporting and disposition of the same.

5.5.2 In the disposition of PNP equipment and facilities, a disposal committee is created by the headquarters that would decide on what and how the properties will be disposed. The following are disposable equipments:

a. Excess properties after distribution;
b. Obsolete properties;
c. Salvaged properties;
d. Forfeited properties; and
e. Abandoned properties.

5.5.3 On 25 May 2003, the Directorate for Logistics formulated a Memorandum Circular that provides for the disposal of the PNP properties and disposition of income derived therefrom.

5.6 Physical Assets Accounting

5.6.1 Physical assets accounting is the appropriate recording of all physical assets transaction in the proper books of accounts.
COMPLIANCE WITH THE NATIONAL GOVERNMENT ACCOUNTING SYSTEM FOR INVENTORY AND PROPERTY, PLANT, AND EQUIPMENT

5.6.2 The New Government Accounting System (NGAS) provides a system for the accounting of physical assets from requisition to procurement, inspection, deployment, inventory and maintenance of these assets. The PNP, as one of the National Government agencies required to adopt the same system, follows strictly the said accounting process, with all its accounting forms and procedures.

NO PROPER ACCOUNTING MECHANISM FOR ASSETS THAT ARE DONATED TO THE PNP FROM VARIOUS SOURCES

5.6.3 The PNP, however, adopts only the NGAS for assets that are procured and issued by the PNP. Assets that are donated by LGUs, business groups or other organizations and institutions are not record in the PNP accounting books.

5.6.4 Though at a station level, a record is being kept for all the assets on hand, both issued by the PNP and donated items, for the annual inspection conducted by the NAPOLCOM and Camp Crame. However, these records are not incorporated into the Accounting books.

6 IMPLICATIONS FOR REFORM

6.1 PNP to Improve Revenue Generation Measures to fill-up its Physical Assets Requirements and maintain and enhance the facilities of the police stations

6.1.1 The fiscal condition of the National Government is such that it can never provide for all the requirements of the PNP. The PNP shall therefore, in its own initiative, look for way to improve its financial condition.

6.1.2 The local government units and the other sectors of the society have shown increasing support for the promotion of peace and order. The PNP can tapped all these organizations for more to further improve the facilities of the PNP and thus improve its operations.

6.2 Establish Proper Physical Assets Accounting System

6.2.1 The PNP shall set up a Physical Assets Accounting System that shall take into account all assets provided to the PNP from various sources from the headquarters down to the police station level to ensure transparency and accountability.

ATTACHMENT A
STATUS OF SHORT & LONG FIREARMS
(as of 2nd Quarter 2004)

Units	Per Strength	Standard Short FAS				Standard Long FAS				Grand Total
		Pist 9MM	Rev 38	Pist 45	Sub-Total	12 GA	Rifle 5.56	Rifle 7.62	Sub-Total	
NCRPO	15,010	13,070	464	1,019	14,553	783	2,822	68	3,673	18,226
PRO CAR	3,217	1,197	1,100	102	2,399	35	1,967	558	2,560	4,959
PRO 1	4,818	1,689	1,241	460	3,390	230	2,170	290	2,690	6,080
PRO 2	3,972	1,269	1,238	305	2,812	40	2,707	474	3,221	6,033
PRO 3	7,357	2,499	2,054	292	4,845	165	4,739	590	5,494	10,339
PRO 4 A (calabarzon)	6,958	2,248	2,068	239	4,555	210	3,748	437	4,395	8,950
PRO 4 B (mimaropa)	3,135	934	562	117	1,613	70	1,581	192	1,843	3,456
PRO 5	4,913	1,483	2,037	338	3,858	152	3,421	599	4,172	8,030
PRO 6	6,475	1,730	1,945	618	4,293	160	3,935	610	4,705	8,998
PRO 7	5,710	1,345	2,707	680	4,732	252	3,011	212	3,475	8,207
PRO 8	4,911	1,515	1,723	420	3,658	112	3,742	254	4,108	7,766
PRO 9	4,356	858	1,463	1,072	3,393	160	2,571	217	2,948	6,341
PRO 10	4,575	999	1,354	601	2,954	214	2,951	186	3,351	6,305
PRO 11	4,685	1,282	1,609	187	3,078	260	2,794	274	3,328	6,406
PRO 12	3,736	1,659	830	120	2,609	182	2,548	327	3,057	5,666
PRO 13	2,855	1,027	624	165	1,816	46	1,978	179	2,203	4,019
ARRM	6,228	2,425	1,193	433	4,051	110	3,962	400	4,472	8,523
ADMINISTRATIVE SUPPORT UNIT					-				-	-
Logistics SPT SVC	174	29	10	73	112	5	20		25	137
Computer SVC	156	23	3	3	29	-	-		-	29
Finance SVC	240	14	3	6	23	-	3		3	26
Health SVC	1,104	17	12	5	34	3	11		14	48
Commel SVC	775	39	31	111	181	68	52		120	301
Chaplain SVC	82	15	-	-	15	-	-		-	15
Legal SVC	57	10	6	18	34	-	-		-	34
Engineering SVC	102	30	3	2	35	-	-		-	35
HS 9	828	96	105	54	255	13	518		531	786
AHC	2,475				-	-	-	148	148	148
					-				-	-
OPERATIONAL SUPPORT UNIT					-				-	-
Crime Lab Grp.	776	194	103	50	347	70	66		136	483
Maritime Grp	1,290	161	43	43	247	117	338	19	474	721
Aviation Grp	1,181	628	228	245	1,101	198	268	12	478	1,579
Spl Action Grp	3,495	1,330	46	41	1,417	81	1,193	495	1,769	3,186
Traffic Mgmt Grp	1,493	343	148	783	1,274	220	415	2	637	1,911
PCRG	43	32	1	-	33	9	-	-	9	42
Criminal Inv Grp	1,706	704	108	167	979	99	590	16	705	1,684
Pol Scty Pro Grp	1,505	879	47	200	1,126	44	150	-	194	1,320
Intel Grp	793	577	15	83	675	56	275	-	331	1,006
CSG	276	63	6	7	76	19	27	-	46	122
HPNP	1,657	1,670	97	125	1,892	4	99	-	103	1,995
					-	-			-	-
OTHER UNITS				-	-				-	-
PACER		291	-	-	291	9	63	20	92	383
PTU		50	-	-	50	-	30	-	30	80
PDEA		298	137	21	456	110	325	18	453	909
PNPA Cadets		-	-	-	-	20	-		20	20
LSS PERM Issuances		3,303	-	9,321	12,624	-	61		61	12,685
					-				-	-
TOTAL	***113,119***	***48,025***	***25,364***	***18,526***	***91,915***	***4,326***	***55,151***	***6,597***	***66,074***	***157,989***

Source: Directorate for Logistics, PNP

ATTACHMENT B
List of Circulars and Orders on PNP Physical Assets Management

POLICY/RESOLUTION NO.	DATE	PROVISION
Circular No. 2000-013	25 September 2000	Procedures and Guidelines to be followed by PNP Officials in the conduct of inventory and turn-over of PNP Assets and other government properties during relinquishment and assumption of PNP units at all levels.
Memorandum	20 July 2000	-Termination of SAO to SAO transfer of property accountability (re immediate recovery of firearms) -implement strictly the Unit Property Clearance System (for RDS PROs 1to 14, CAR, ARM,NCRPO, NSUs)
SOP No. 08	11 September 1997	Establishment, Administration and Management of Services and Supply Agreement (SSA)
OM DL1-001-95	15 December 1995	Delegation of Authority - DL, DDL, Ex-O, DLDC
Prosecution of PNP Personnel	22 November 1995	1) Unit Commanders to enforce property accountability and clearance system 2) Units commanders to immediate arrest of personnel who refuses to return issued equipment/firearm with charges for violation of Articles 315 and 217 of Revised Penal Code
Circular No. 17	27 August 1993	Relief of Property Accountability
FIREPOWER		
Memo	24 October 2000	Policy Directive on the Storage and Withdrawal of Ammo
Memo Circular No. _	September 2000	Amending Sections 1 and 2 of Memo Circular 93-015 dated September 23, 1993, entitled "Prescribing the Rules and Regulations on the Issuance of Sidearms to PNP Members"
Memo	22 November 1995	Proper Care, Handling and Maintenance of Explosives and Ammunition
SOP No. 6	12 October 1995	PNP Procurement
Memo	20 October 1994	Firearms Accountability
Memo	27 June 1994	Clearance System on Firearms Accountability
Memo	27 April 1993	Equipment/Firearms Accountability
DL2/ODAA Memo Circular No. 01	5 February 1993	Ammunition Basic Load
Memo	09 December 1992	Replenishment of Ammo Basic Load
MOBILITY		
Memorandum	8 May 2000	POL Support to Subordinate Units
SOP No. 7	10 September 1996	Issuance and Control of POL Products
Memo	22 November 1995	Guidelines on the Use/Maintenance of PNP Vehicles
P.D. No. 1911		Unclaimed Motor Vehicle
R.A. No. 6539		Unclaimed Motor Vehicle

POLICY/RESOLUTION NO.	DATE	PROVISION
Logistic Letter Directive No. 92-01	20 October 1992	Authorized POL Issuance to PNP Vehicles
GENERAL SUPPORT SERVICE		
Memorandum	10 September 2001	SOP on EOD
EOD Procedure No.		Operations, Render-safe procedures, access, recovery and disposal of conventional, non-military (commercial), homemade and/or improvised explosive devices (IED), transportation procedure of IED and blast-in-place operation
Memorandum	22 August 2000	SOP on EOD
SOP 2000-1	8 August 2000	Operations, Render-safe procedures, access, recovery and disposal of conventional non-military (commercial) homemade and/or improvised explosive devises (IED), transportation procedures of IED and blast in place operation
Memorandum	4 July 2000	Recommendation on EOD SOP and Equipment
REAL PROPERTY MANAGEMENT DIVISION		
DPL Memo	6 September 2001	NAPOLCOM Memo Circular No. 2001-004 – Amending NAPOLCOM Memo Circular No. 99-013 " Clarifying the scope and extent of the NAPOLCOM's power of administrative control and operational supervision over the PNP on Financial and Logistical Matters"
Memorandum	8 August 2000	Reclama on PER FEARS
Memorandum	3 August 2000	Findings/Observations in the submission of prepared accomplishment report on Fixed Expenditures (FEARS)
Memorandum	17 February 1998	Unauthorized Construction and repair projects
DB, Circular Letter	2 January 1998	Obligational Authority for CY 1998 Budget
Memorandum	22 November 1995	Accounts on Light and Water and Telephone
Memorandum	22 November 1995	Unauthorized Construction and Repair Projects of PNP Command/Units
E.O. 226	17 February 1995	Command Responsibility
NG-DBM Budget Circular No. 438	11 January 1995	Prescribing the guidelines on the purchase of equipment
Memorandum	19 December 1994	Policy on Construction and R & U Activities
Memorandum	9 December 1994	Construction and R & U Activities
Fiscal Directive 94-013	22 August 1994	Designation of the Chief, PNPEO as project administrator
Memorandum	29 March 1993	Guidelines on the proper use of commercial telephone
Memorandum	29 September 1992	Unauthorized Construction and Repair Projects of PNP Command/Units

POLICY/RESOLUTION NO.	DATE	PROVISION
LOGISTICS PLANS AND PROGRAMS DIVISION		
Circular No. 2002-05	25 March 2002	Acquisition and Management of PNP Real Estate Properties and Reservations
		Procedural Flowchart for Donation of Property
		Procedural Flowchart for Lease of Private Property
		Procedural Flowchart for Purchase of Private Property
Memo Circular 95-012	29 June 1995	Guidelines in the Conduct of Inventory of PNP Supplies, Equipment and Facilities
Memo Circular No. CT-95.4/02	17 April 1995	Inclusion of Countertrade undertaking of foreign suppliers in bidded or negotiated contracts covered by E.O. 120 (S.1993) and its implementing rules and regulations
SOP No. 03	26 July 1994	PNP Equipment Standardization
Memo Circular 94-015	2 May 1994	Providing the Guidelines Governing Property Accountability/Responsibility of PNP Supply Accountable Officers (SAOs) and Personnel
Circular No. 17	27 August 1993	Relief of Property Accountability
Circular No. 14	25 May 1993	Disposal of PNP Properties and Disposition of the Income Derived therefrom
SOP No. 22	24 September 1992	Turn-over of Command Property Inventory

Source: PNP Directorate for Logistics, Logistics Plans and Programs Division

[i] http://www.police.govt.nz/resources/2000/annual-report/6-service_centres.pdf

8

INFORMATION SYSTEMS (IS) AND INFORMATION TECHNOLOGY (IT)

1 INTRODUCTION

1.1 Context of the Assessment

1.1.1 This chapter provides the results of the assessment of the PNP information systems and information technology. The assessment is undertaken within the following context:

a) CRIMINAL JUSTICE SYSTEM. This assessment takes a broader view by putting the assessment and reform program in PNP IT within the information and communication technology requirement of a criminal justice system within which the PNP's crime information management system is a major integral component.

b) REQUIREMENT FOR SEAMLESS INTEGRATION. The assessment recognizes that a seamless integration of the crime management information system is needed if it is to have meaningful and effective use in crime management. Such seamless integration recognizes the functional and processual as well as technological integration of information systems within the PNP as well as within the entire criminal justice system. It also takes cognizance of the need to integrate data bases with transactions and decision support functions as a way of ensuring data integrity, comprehensiveness, and timeliness.

c) REFORMING CRIMINAL JUSTICE INSTITUTIONS AND PNP ORGANIZATION. The review takes into perspective the emerging and future institutional reforms that will be implemented in the criminal justice system institutions and in particular the PNP. Thus reforms in information management systems and information and communication technologies will address immediate and long-term future rather than present requirements.

1.2 Objectives, Assessment Focus and Approach

1.2.1 The assessment has the following objectives:

a) To review the status of PNP information systems and information technology supporting its mission-critical, conscience and housekeeping functions and establish how IT resources and capabilities are contributing to the desired outcome of achieving the PNP mission and functions.

b) To situate the PNP's information systems requirements within the context of a seamlessly integrated crime information system within a broader criminal justice information system.

c) To define the direction for reforms in the PNP information and communication technology within the context of a reforming PNP organization seamlessly coordinating with criminal justice institutions.

1.2.2 The focus of the assessment is on providing answers to the following questions:

a) What information systems are required to support effective crime management?

b) Do the current information systems address information support needs of each police station and each police at the police station level, of PNP planning and strategy formulation offices, and of PNP top management policy making and evaluation?

c) Do the current information system address the information needs of PNP's partners in the criminal justice system, other external stakeholders and the general public?

d) Are the information systems designed to enhance the capability of the PNP in crime management and in administration?

e) What are the requirements of a seamlessly integrated and mutually reinforcing network of criminal justice information systems for the PNP?

f) What capacities need to be put in place in order to manage an effective information system and information technology function and to ensure continuing improvement?

1.2.3 In assessing PNP's information systems, three aspects are evaluated:

a) *Information systems and information management systems*. This examines the current policies and practices in generating, processing and using information in decision making and transaction processing both in mission-critical and other support functions of the PNP.

b) *Extent of computerization and the current computerized application systems.* This reviews the extent and scope of computerization in relation to the scope of information systems required to support the PNP operations.

c) *Information infrastructure*. This includes, but is not limited to, hardware, software and network facilities.

1.2.4 The internal capacity assessment measures how well-developed the agency's IT management processes are. These processes – or IT management practices – are in four aspects: (1) planning and organization, (2) acquisition and implementation, (3) delivery and support, and (4) monitoring.

2 IS AND IT IN THE CRIMINAL JUSTICE SYSTEM

2.1.1 Crime in the Philippines is measured by the number of reported crimes to law enforcement agencies. There are fundamental problems to that however. First comprise of fundamental problems in recording and reporting crime which is observed not only in the Philippines but as well else where. Statistics only reflect crimes known to law enforcement agencies and thus delimits the view to those cases reported by trusting constituencies on the justice system. Further, where in the country several law enforcement agencies perform distinct functions, this poses as a problem. Another issue on how crimes are recorded is precisely when they are recorded as crimes. There is a large leeway for classifying situations as crime, especially in a society where there is no full knowledge of the law or where crimes are not considered of large significance to life and liberty of persons.

2.1.2 Second issue pertaining to crime information in the country is the lack of studies on criminality and victimization. These studies will significantly characterize the country in terms of the nature and factors that affect crime.

2.1.3 Third, data provided on crime in the country is limiting. Primarily, index crimes are classified as murder, rape, physical injuries, homicide, theft and robbery, while there are no data provided to classify non-index crimes. Crimes such as those resulting to physical injury may range from grave physical abuse like mutilation, serious physical injuries such as wounding, beating and assaulting of any person, administering injurious substances or beverages to less serious physical injuries that require medical attendance and slight physical injuries. Identifying the gravity of the crime is not possible. Further, non-index crimes and street crimes are not specified in the statistics provided. Violations of special laws cannot be related to non-index crimes due to unclear reporting and recording methodology, especially in counting incidence.

2.1.4 Given these limitations, this situation review will develop inferences on the following:

a) General crime trends

b) Regional crime trends

c) Demography and other factors that affect crime or is affected by crime

2.1.5 As mentioned above the PNP is an integral part of a broader criminal justice system. The PNP's information systems should support the inter-agency linkages and processes and the corresponding input/output flow of information across the agencies of the criminal justice system.

THERE IS CONSIDERABLE NEED TO FORMULATE AN INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM TO IMPROVE OVERALL PERFORMANCE OF CRIMINAL JUSTICE SYSTEM AGENCIES

2.1.6 Various studies in the five pillars of the criminal justice system conducted by CPRM Consultants Inc. and other related studies such as those conducted by Prof. Myrna Feliciano, et. al. point to the need to provide an automated integrated criminal justice

system to support crime management and the provision of speedy, impartial and quality criminal justice. The need for an integrated system emanated from such issues which emerged during the diagnostic studies. These include: prisoners being detained beyond the maximum penalty under the law for the offense they are accused of, high archival rates in the courts due to non-apprehension of the suspect; low prosecution and low conviction rates due to lack of case preparation, poor evidence, and poor witnessing by law enforcement personnel, case delay due to non-appearance of police witnesses or policemen unwilling to act as witness.

2.1.7 An integrated criminal justice system allows total case management from the time a crime is reported to the police to the time the prisoner is convicted and placed in jail, through to the time he or she is finally released back to the community after serving the sentence. It will also make possible more sophisticated crime management, as well as crime monitoring and analysis and strategic planning, addresses inter-jurisdictional law enforcement and coordination issues, and ensures proper monitoring of compliance with specific laws particularly with respect to detention periods and rights of prisoners/suspects.

THE VARIOUS AGENCY INFORMATION SYSTEMS THAT COMPRISE THE CRIME MANAGEMENT INFORMATION SYSTEM AND CRIMINAL JUSTICE INFORMATION SYSTEM ARE FRAGMENTED, AND UNEVEN IN THEIR DEVELOPMENT STATUS.

2.1.8 The National Crime Information System (NCIS) would have been the indicative integrated criminal justice information system but it was suspended. The consultants are of the view that while politicization and corruption were deemed to have caused its failure, the fundamental system readiness issues may have rendered the entire effort vulnerable to undue politicization and corruption instead and are the true underlying causes for its lack of implementation capability.

2.1.9 The present systems are not connected to each other. There is uneven development among the pillars of the criminal justice system in the area of information system. Current operational systems within the DOJ, NBI and BuCor have limited scope and functionalities and anchored on technologies that are no longer widespread in use. Only two notable mission – critical systems, the Modus Operandi System of the NBI and the Integrated Inmate Monitoring System in the BuCor support the main functions of crime management and providing criminal justice. Several system are being proposed for funding including the fingerprint identification system, management information and operations support system, and questioned documents and investigative system of the NBI, the legal information system of the Office of the Secretary, DOJ[1] In the Judiciary, current systems in case management are also rudimentary. A more sophisticated and integrated case management information system, however, is about to developed and implemented with funding under a World Bank Loan. The PNP has no information systems that directly support crime management at the police station level. Current systems that support the PNP's mission critical functions comprise of only two systems that perform limited functions: national unserved warrants registry system, and the anti illegal drug monitoring system.

[1] UNDP-DOJ- SC Strengthening the Other Pillars of Justice through reforms in DOJ, Diagnostic Report by CPRM Consultants, Inc.

2.1.10 A huge portion of IT resources throughout the criminal justice system has been focused on providing computer based applications to support administrative and financial functions rather than on mission-critical functions. This is understandable since readiness for automating mission-critical information systems is low and in as much as a lot more resources than what has been provided by government will be needed to develop and implement the appropriate information systems.

2.1.11 The table below describes major processes within the criminal justice system and the existence and level of support of existing and planned computer-based information systems, and the specific SWOT for each process.

Table 8.1
PROCESSES, INFORMATION REQUIREMENTS AND SUPPORTING INFORMATION SYSTEMS IN THE CRIMINAL JUSTICE SYSTEM

KEY PROCESSES		AGENCY / EXTERNAL STAKEHOLDERS	KEY DATABASES / INFORMATION REQUIREMENTS	SUPPORTING INFORMATION SYSTEM / STATUS	SWOT ANALYSIS
1	**LAW ENFORCEMENT AND POLICE**				
1.1	Criminal Investigation / Evidence gathering	PNP, NBI, other agencies performing police functions, parties to criminal cases (complainants, accused, respondents, NPS (prosecution) PAO (counsel for pauper litigants)	Criminal profile, criminal history, fingerprint data, modus operandi, results of scientific tests such as document forgery, tampering, modifications, DNA, face profiling, other documentary and physical evidence related records	NCIS (suspended, not operational)	Weaknesses: AFIS has high implementation cost; may not be readily funded Threats: (1) PNP also has an AFIS initiative, resulting in functional duplication; (2) No formal exchange of information on criminal and derogatory cases with the Supreme Court, PNP and quasi-judicial agencies
1.2	Clearance processing	PNP, NBI , persons seeking clearance for job / visa requirement	Criminal history, cases pending in court, quick-search master file, conviction / acquittal, detention status	NBI has existing computerized data base to support issuance of NBI clearance	Weaknesses: (1) data from other CJ pillars not updated; e.g., persons with criminal records are issued clearances while –persons acquitted, paroled, or whose sentence is served cannot obtain clearance. When the PNP issues a certificate that there is no "derogatory record on file", ideally, it should already cover the pending criminal complaints being investigated at the level of the prosecutor's offices. At the moment, the clearance system is not that sophisticated to cover such cases.

KEY PROCESSES		AGENCY / EXTERNAL STAKEHOLDERS	KEY DATABASES / INFORMATION REQUIREMENTS	SUPPORTING INFORMATION SYSTEM / STATUS	SWOT ANALYSIS
2	**INVESTIGATION, PROSECUTION AND ADJUDICATION**				
2.1	Preliminary investigation and resolution	Lead: NPS Stakeholders: community (source of criminal complaints), PNP, NBI, special crime task forces, fiscal, prosecutor's office	• Complaint filed (private complainant, • Referral / request to investigate (special crime task forces) • Evidence gathered (PNP, PNP, special crime task forces) • Draft of resolution (fiscal) • Approval of resolution (prosecutor's office) • Filing of information in court	* NCIS – Prosecution Pillar (suspended)	
2.2	Prosecution of criminal cases filed in courts of the first or second level	NPS, Judicial courts, law enforcement agencies	Information on: • Arraignment, pre-trial and trial proceedings • Case documents • Case ageing • Caseload analysis down to city / provincial level • Hearing /trial schedule • Case resolution	* NCIS – Prosecution Pillar (suspended)	Opportunities: IT support for case management and scheduling partly and directly addresses the jail congestion problem due to delay in rendering decisions/adjudication actions by the courts Weaknesses: Manual data aggregation for caseload analysis. Only the final tally is computerized but manually updated.
2.3	Issuance of prosecutor's clearance	NPS, regional / provincial prosecutor, PNP	• Pending criminal complaints involving the individual • Case status (in cases of pending criminal complaints)		Weakness: Decentralized record keeping with no formal data integration / sharing. Does not provide a complete picture on a person's criminal history
2.4	Management of Detainees	PNP, BJMP-DILG (jails),PNP-DILG (police jails), Provincial Government, DSWD (juvenile facilities), PNP, PDEA (drug detainees)	• Detention center/ prison / jail capacity and current population • Detainee records • Case status / history • Trial schedule	• IIMS (for redevelopment)	
3	**CORRECTION AND REHABILITATION**				
3.1	Management of Detainees, Inmates, Prison and Jail facilities	BuCOR, BJMP-DILG (jails),PNP-DILG (police jails), Provincial Government, DSWD (juvenile facilities)	• Prison and jail capacity, current inmate population • Inmate records • Prison facility maintenance requirements • Inmate budgetary requirements	•	Pursue NCIS objectives for sharing of data on inmates, correction and rehabilitation facilities across criminal justice agencies.
3.2	Process application for probation	PPA, PAO, inmate, trial court (Judiciary), community, BuCOR	Supporting documents for: • Filing of application (offender, PAO) • Order to investigate (trial court, Judiciary) • Post-sentence investigation report (probation officer, PPA)	• NCIS – Inmate Review (suspended)	

KEY PROCESSES		AGENCY / EXTERNAL STAKEHOLDERS	KEY DATABASES / INFORMATION REQUIREMENTS	SUPPORTING INFORMATION SYSTEM / STATUS	SWOT ANALYSIS
			• Application approval / denial (trial court, Judiciary) • Inmate release on probation (BuCOR)		
3.3	Release of prisoner	The President, Judiciary, BPP, BuCOR	Supporting documents for: • Acquittal / grant of bail (Judiciary) • Expiration of sentence (BUCOR Director)	• NCIS – Inmate Review (suspended)	
3.4	Parole and Executive clemency	The President, BPP, PPA, PAO, PNP, Agency with jurisdiction over crime, BuCOR	Information to support: • Petition for parole / clemency (inmate, PAO) • Evaluation of petition (BPP) • Comment of agency head with jurisdiction over crime (i.e. DND for national security or COMELEC for election laws) • Pre-investigation (PPA) • Supporting records (PNP) • Grant of parole (BPP) • Grant of executive clemency / amnesty (President) • Inmate release (BuCOR)	• NCIS – Inmate Review (suspended)	
3.5	Out-of-Prison Program / Full Time Credit (RA6127)	BPP, inmate, judicial court, BuCOR	• Request for availment (inmate) • Compute inmate preventive detention credit (BPP) • Decide on granting of credit (court)		
3.6	Preventive Imprisonment (BP 85)	BPP, inmate, judicial court, BuCOR	• Request for availment (inmate) • Decide on granting of request (court) • Inmate release (BuCOR)		
4	**COMMUNITY INVOLVEMENT IN CORRECTION AND REHABILITATION**				
4.1	Out-of-Prison Program / Release on Recognizance (RA 6036)	BPP, LGUs, NGOs, judicial court, inmate	• ROR application (inmate) • Grant ROR (court) • Monitor ROR grantee (BPP)		
4.2	Provide livelihood opportunities for prisoners thru jobs	BuCOR, inmate, private business	• Job skills (inmate) • Inmate labor supply (BuCOR) • Inmate labor demand (private business)		

KEY PROCESSES		AGENCY / EXTERNAL STAKEHOLDERS	KEY DATABASES / INFORMATION REQUIREMENTS	SUPPORTING INFORMATION SYSTEM / STATUS	SWOT ANALYSIS
4.3	Coordinate inmate support and services rendered by NGOs, different religious organizations and civic volunteers	BuCOR, NGOs, religious organizations, civic volunteers	• Inmate needs • Services rendered by volunteer organizations • Program of activities / services		
5	**SUPPORT SERVICES**				
5.1	Human Resource / Personnel Management	Administrative office of each PNP agency	• Plantilla of positions • Organizational strength and vacancies • Personnel profile • Time and attendance • Employee payment • Training needs assessment	Operational for enhancement	Weakness: Development of computer systems and administrative databases is at the sub-agency level, limiting data integration and aggregation at the agency level.
5.2	Document / Records Management and Communication	Administrative office of each PNP agency	Documents / records of: • Department Orders, Ministry Orders, Office Circulars • Official communications • Witness Protection and Victims Compensation Program • Grant of 47-a-2 visas • Alien Certificate of Registration • Hold Departure Orders • Refugee Status • PNP Library holdings • Statistics and other reference information	Basic system developed; for major enhancement	
5.3	Financial Management	Financial Management Services of each PNP agency	Information for: • Agency budget • Accounting journals and ledgers • Funds disbursement • Financial audit	Operational for enhancement	
5.4	Facilities, Supplies and Materials Management	Administrative office of each PNP agency	• Supplies and materials inventory, purchase orders, deliveries, usage, price monitoring • Fixed assets • Audit data	Operational for enhancement	

2.1.12 The NCIS Project was conceived precisely to fill in these gaps in the information and communication infrastructure. However, the project is currently suspended pending a COA audit requested by the National Computer Center. Much remains to be done across the various pillars of the criminal justice system to put the appropriate components of a criminal justice information system that will serve each agency's mission – critical functions and at the same time allow exchange of crime information across the pillars.

3 OVERVIEW OF PNP PERFORMANCE IN IS/IT

3.1 Information Systems and Information Management

3.1.1 The major areas of concern in information systems and information systems management in the PNP are in the following:

a) PEACE AND ORDER AND CRIME MANAGEMENT. This will be needed in tracking each reported case and setting up a complete data base on each case, crime mapping, area specific crime mapping, analysis and projection, crime research, crime management planning, public Information and transactions (G 2 C) and inter-agency information sharing (G 2 G) and such other related functions as database on evidence, profile of criminals and wanted persons, confiscated items such as drugs, motor vehicles, firearms, etc. and other related functions supporting crime management. More than just crime management, the PNP needs to have a more sophisticated information system that will track and analyze the nature of peace and order conditions in specific localities by recording and consolidating into analytic data peace and order conditions other than just crime emanating from the patrol and community relations activities of the police.

b) MANAGEMENT OF LOGISTICS. This system is required to support management of the distribution of police logistics, developing and implementing standards, monitoring utilization, maintenance and replenishment, as well as disposal, among others. The system should also be able to improve accountability in the area of logistics.

c) HUMAN RESOURCES MANAGEMENT. This system is required to support the entire human resources development management process from recruitment, through to training, deployment and promotion, discipline, personnel benefits, and pension, among others. The system should support a more efficient and service oriented personnel administration, career development planning, training and continuing education planning and implementation, and improved personnel discipline and other related planning and evaluation areas.

d) FINANCIAL MANAGEMENT. The financial management system should improve the capacity of the PNP to plan the generation and utilization of its resources and upgrade the accountability at all levels.

e) MANAGEMENT OF REGULATORY FUNCTIONS. This involves developing data bases for the PNP's regulatory functions such as licensing firearms, security guards, and security agencies.

3.2 Information Technology Used at the PNP

3.2.1 Philippine National Police units utilize a variety of computing environments and technologies for automating law enforcement processes, including:

a) Stand alone desktop computing for individual / discretionary tasks

b) Web and Internet primarily for email, access to information, file uploads/downloads

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c) Local area networks for departmental file and printer sharing

d) Distributed databases for clearance processing, operational and administrative records management

e) Geographic information systems for crime mapping

3.2.2 The PNP will require high-end IT solutions for performing its patrol investigation, intelligence, and case management functions as well as regulatory operations. For instance, the task of fingerprint verification requires large digital storage with necessary redundancies to ensure data availability. Highly specialized technologies for forensics (e.g., Identikit) and document analyses allow the PNP to detect forgeries, tampering and modification of documents, detect fingerprints and human body fluids in crime scenes and face profiling. For these applications, high-level security, encryption and authentication technologies are needed due to the sensitive nature of the information.

3.2.3 Current use of computer-based information systems is largely discretionary and decentralized. Except for regulatory functions (primarily clearance processing), no integrated communication infrastructure is currently in place to improve effectiveness and facilitate performance of criminal justice functions including patrolling, case management, crime mapping and analysis, investigation, intelligence and community relations.

3.2.4 Several legislative requests for appropriations are made for the development of mission-critical information systems but have yet to be approved and funded. For instance, the PNP requested for appropriations in its 2004 budget for the proposed Automated Fingerprint Identification System estimated to cost almost 1 billion pesos.

3.3 IT Infrastructure

Technology Architecture

3.3.1 The PNP physical IT infrastructure consists of:

a) A campus area network connecting units within PNP Headquarters in Camp Crame

b) Local area networks at selected police regional offices and NCR police office

c) Desktop and laptop computers are deployed to individual users at the different units, and used primarily to automate office tasks, primarily word processing and generating reports

d) Wide area connectivity is provided by commercial service providers. Only among the selected police regional offices surveyed has indicated access to the Internet (via dial-up connection).

Operating Systems

3.3.2 The major network operating systems used by local area network servers are Windows and Unix. The PNP Computer Service, an administrative support office under the OC-PNP manage campus network operations at Camp Crame.

Local Area Network and Stand-alone Computing

3.3.3 Local area networks are typically standards-based Ethernet, consisting of category 5 copper unshielded twisted pair (UTP) cabling, 10/100 Ethernet network interface cards, network switches and hubs at 10Mb and/or 100Mb Ethernet connections.

3.3.4 PNP units nationwide employ varying LAN architectures and may have regional Windows-based small-office servers for local file and printer sharing. The agency makes use of standard desktop databases, word processing, spreadsheet, and other desktop applications, as well as client/server computing for selected applications.

3.3.5 PNP units manage their respective desktop computers, servers and network infrastructure including repair, upgrade and replacement programs. Hardware is usually commercial off-the-shelf configurations. Specific software configurations vary among individual agencies depending on functional requirements.

Data Architecture

3.3.6 The PNP data architecture is usually designed and managed per individual computer application. Database management systems and application development platforms may vary at the sub-agency level.

3.3.7 Approximately thirteen types of information or databases are available in various computer formats, ranging from spreadsheets to shared databases (see Annex A). Large databases are extensively used for clearance processing and criminal records search. Local databases and spreadsheets are used to manage administrative and financial information and for other justice-related information for case documentation, administrative tasks to communications for legal and support staff. Any remaining local database applications are planned for redevelopment / migration to Microsoft SQL-Server from third generation database management systems (i.e., Xbase applications in DOS).

3.3.8 The remaining eighteen of the major information types surveyed are handled or managed manually and are still generally paper-based.

3.4 IT Human Resources

3.4.1 The PNP Computer Service, currently headed by Col. Johnny Salvana, is the primary unit providing IT-related services including network and database administration, application development, technical support services for the campus network within PNP Headquarters at Camp Crame.

3.5 Policies, Standards and IT Governance

3.5.1 PNP agencies adhere to basic IT management policies emanating from the National Computer Center (NCC) on information systems strategic planning and IT equipment acquisition.

3.5.2 IT management recognizes the need for formal policies adopting applicable information management best practices. High-level information resource management policies (e.g., security, data administration and information systems development methodology) are not yet promulgated nor implemented. Granted, formal standards and guidelines for IT governance and accountability in the effective use and management of IT resources are just beginning to take hold even in developed countries. But there are high-level standards already in place such as the Control Objectives for IT (COBIT) framework.

3.5.3 There are indications of general operations-level policies in such aspects as hardware acquisition, deployment and maintenance, data archiving, information privacy and security, and electronic communications. Most are general guidelines reiterating administrative policies already in place and applied to IT in particular.

3.5.4 There are no indications of a formally-designated Chief Information Officer or information resource management committee.

4 INTERNAL CAPACITY ASSESSMENT

4.1 Overview of Information Systems at PNP

4.1.1 The current portfolio of PNP information systems are:

A. ADMINISTRATIVE INFORMATION SYSTEMS IN SUPPORT OF:

1. Human Resource Management
2. Financial Management
3. Program Management
4. Logistics Management

B. INFORMATION SYSTEMS FOR OPERATIONAL SUPPORT OF:

1. PNP Crime Information Management
2. Firearms Information Management
3. Vehicle Information Management
4. Geographical Information System
5. PNP Personnel Clearance
6. Policy Referencing and Communication Monitoring

7. Private Security Guard Licensing
8. History-Documents Management
9. Crime Incident-Related Information
10. National Crime Information System
11. ASEANOPOL Database

C. EXECUTIVE INFORMATION SYSTEM

4.1.2 The current systems are not integrated and these can be attributed to several reasons which include among others the following:

a) Data standards and report content and formats does not render an integrated and analytic information that cut across organizational and functional levels possible at this time. Much needs to be done to properly structure data specifications, adopt data standards, develop standard reports for operational functions, and use analytic crime information to support crime analysis and trending, and strategic planning.

b) Budgetary support for a meaningful crime management information system has been extremely deficient for several years. Oversight agencies must recognize the desirability of investing in a good crime management information system for an efficient and effective police force and for improving investor confidence due to improved peace and order.

c) Need to upgrade institutional readiness and carefully plan a sophisticated information system. Institutional readiness means not just positive attitude about adopting IT. It means so much more. In particular, it means that processes are well structured and are actually practiced and required by top management. It requires that the PNP's organization culture is strong on information based planning and decision making. It also requires faithfulness in complying with reportorial procedures and in recording crime information. In other words a culture of information and information based operations should be developed.

4.2 IT Capabilities

4.2.1 The following is an assessment of PNP's capabilities in performing IT management best practices based on analysis of submitted documentation and interviews with PNP uniformed and non-uniformed personnel representing PNP units in all levels and performing varying functions.

Table 8.2
PNP IT PERFORMANCE

REF.	IT MANAGEMENT PROCESS	CURRENT LEVEL	DESIRED LEVEL	IMPORTANCE
PO1	Define a Strategic IT Plan	3	4	Critical
PO2	Define the Information Architecture	3	4	Critical
PO3	Capacity to Determine Technological Direction	3	4	
PO4	Define IT Organization and Relationships	3	4	Critical
PO5	Manage the IT Investment	3	4	
PO6	Communicate Management Aims and Direction	3	4	
PO7	Manage IT-related Human Resources	3	4	Critical
PO8	Ensure Compliance with External Requirements	3	4	
PO9	Assess IT-related Risks	3	4	
PO10	Manage IT Projects	3	4	Critical
PO11	Manage Quality of Info Systems	2	4	
AI1	Identify Automated Solutions	3	4	
AI2	Acquire and Maintain Application Software	3	4	
AI3	Acquire and Maintain Technology	3	4	
AI4	Develop and Maintain Info Management Systems and Procedures	2	4	Critical
AI5	Install and Accredit Application Systems	2	3	
AI6	Manage Application System Changes	2	4	
DS1	Define and Manage IT Service Levels	3	4	
DS2	Manage Third-Party IT Services	3	4	
DS3	Manage IT Performance and Capacity	3	4	
DS4	Ensure Continuous IT Service	3	4	
DS5	Ensure Info. Systems Security	3	4	Critical
DS6	Identify and Allocate IT-related Costs	3	4	
DS7	Educate and Train Users	3	4	
DS8	Assist and Advise IT System Clients	3	4	
DS9	Manage System Configuration	3	3	
DS10	Manage IT-Related Problems and Incidents	3	3	
DS11	Manage Data	2	4	
DS12	Manage IT Facilities	3	5	
DS13	Manage IT Operations	3	4	
M1	Monitor IT Management Processes	2	3	
M2	Assess Adequacy of IT Internal Controls	2	3	Critical
M3	Obtain Independent Assurance of Information Systems Quality	1	2	
M4	Provide for Independent Audit of Information Systems	1	2	

GENERIC CAPABILITY MATURITY LEVELS:

0 Non-Existent. Complete lack of any recognizable processes. The organization has not even recognized that there is an issue to be addressed.

1 Initial. There is evidence that the organization has recognized that the issues exist and need to be addressed. There are however no standardized processes but instead there are ad hoc approaches that tend to be applied on an individual or case by case basis. The overall approach to management is disorganized.

2 Repeatable. Processes have developed to the stage where similar procedures are followed by different people undertaking the same task. There is no formal training or communication of standard procedures and responsibility is left to the individual. There is a high degree of reliance on the knowledge of individuals and therefore errors are likely.

3 Defined. Procedures have been standardized and documented, and communicated through training. It is however left to the individual to follow these processes, and it is unlikely that deviations will be detected. The procedures themselves are not sophisticated but are the formalization of existing practices.

4 Managed. It is possible to monitor and measure compliance with procedures and to take action where processes appear not to be working effectively. Processes are under constant improvement and provide good practice. Automation and tools are used in a limited or fragmented way.

5 Optimized. Processes have been refined to a level of best practice, based on the results of continuous improvement and maturity modeling with other organizations. IT is used in an integrated way to automate the workflow, providing tools to improve quality and effectiveness, making the enterprise quick to adapt.

Desired level is determined as follows:

- Critical processes / best practices that must be in place must be level 4
- For other processes / best practices, the agency should strive to attain one level higher

4.2.2 The relative importance of IT management best practices is based on what practices the agency must do particularly well to ensure that information systems truly contribute to the goal attainment of a government agency such as the PNP.

5 SWOT ANALYSIS

5.2 Strengths

There is top management recognition of the strategic use of IT.

5.2.1 The PNP leadership is keenly aware of the strategic role of IT in three major areas: (1) improved operational efficiency, (2) increased access to the police by the public and vice versa, and (3) information sharing with other agencies.

There is core capacity for IT through the existence of formal, organic IT service organization within the PNP: the PNP Computer Service.

5.2.2 The PNP-CS has substantial manpower deployed throughout the police organization that can serve not just to provide basic IT support but to champion and advocate for improved information management and judicious, strategic use of technology. The PNP-CS, founded 1965, has evolved from an EDP support unit for administrative data processing to be the primary internal provider of IT technical services.

The security mindset and command and control culture of the PNP provides the environment for properly managing highly confidential and sensitive crime information.

5.2.3 Organizing command and control type operations and security awareness are two traits inherent in a law enforcement agency such as the PNP. Command and control organizational scheme is particularly appropriate and effective in managing centralized IT services such as network operations, managing data communication facilities, and developing standard computer systems. The development of the nationwide computerized roster of PNP personnel is a case in point. The security mindset is critical as an intrinsic requirement in handling law enforcement information and communication.

There is awareness of the importance of IT knowledge as a basic managerial competency

5.2.4 A report of the PNP Computer Service indicates that computer literacy initiatives have been institutionalized and a continuing activity. A Training Division is an organic unit of the PNP-CS whose primary focus is to develop appropriate training programs in computer literacy and IT skills proficiency.

Innovative capacity to use information technology for law enforcement exists.

5.2.5 There is core capacity for innovative use of information technology for law enforcement and this is demonstrated by prior attempts at more comprehensive crime information system which, even in failure, has provided tremendous experience and learning; in recent efforts at identifying and developing applications to support police operations, and in a fully organized and staffed information technology office.

There is capability to define data and technology infrastructure.

5.2.6 The PNP has the institutional and human capability through its PNP CS to define the PNP data and technology infrastructure.

5.3 Weaknesses

Information systems and information technology are most deficient where they are needed the most – in police stations.

5.3.1 Field units have relatively less access to computers and other data access devices, especially in light of increasing availability and affordability of handheld data communication devices. Access to tactical crime and operational information is particularly important at the police station and precinct level. Front-line police officers and personnel are the primary sources of information from performing investigative tasks and police operations. At the same time, front-line police work is enhanced if field officers have access to criminal information.

Generally, operational field information is still handled manually and shared or accessed locally.

5.3.2 Police blotter information are still generally in the form of manual log entries. Field units with computer access transcribe blotter data to electronic spreadsheets for faster transmittal but data consolidation still requires manual intervention; the process is not fully automated.

There is too much focus on use of technology to automate existing processes.

5.3.3 The underlying processes of the PNP – how it performs its work -- should undergo a streamlining process. After which IT systems can be introduced to support the information and communication needs necessary to make the streamlining work.

The lack of crime indicators and the absence of crime data standards will hinder the implementation of the crime information system and the broader criminal justice information system.

5.3.4 Crime indicators within the PNP and within the broader criminal justice system are deficient. A lot needs to be done in identifying and defining indicators useful in crime analysis and in peace and order planning. The absence of data standards across the criminal justice system will hinder the development of an automated criminal justice information system.

5.4 Opportunities

There is financial and capacity-building support of communities, civil society and other stakeholders to provide financial, logistics and capability-building support for its IT projects.

5.4.1 This partnership has been demonstrated in many instances at different levels. Some local police stations or precincts are supported – or "adopted" – by civic and church-based organizations by providing IT expertise, donation of IT equipment, developing stand-alone computer systems and providing for monthly connection charges. On another level, PNP leadership, particularly the Chief, PNP-CS, has expressed optimism that the PNP would get its much-needed improvements via donations, official development assistance (ODA) agencies, or grants from large financial organizations such as the World Bank and Asian Development Bank. There is opportunity to organize and integrate these various sources of resources in order to put in place an integrated crime management information system for the PNP.

Mainstreaming of mobile computing and digital data communication services provides several utilization opportunities for a more efficient and effective crime management operations.

5.4.2 Initial and recurring costs of ownership of IT devices and services are expected to decrease over time. In addition, IT security is increasingly being addressed by technology and service providers. There is also the convergence of cell phones, handheld computers and data communications into a single device. The data communication infrastructure in the country, at least for voice and SMS, is extensive and has a nationwide reach. More substantial, secured data communications capabilities are expected with the same base infrastructure.

Web and texting technologies are potent tool for enhanced community relations and community policing.

5.4.3 There is a vast opportunity to reach out to more communities and individuals than what is possible without the Internet, web and mobile communication technologies, particularly SMS or texting.

5.5 Threats

Lack of recognition by the government of the critical role of crime information management, and the problematic fiscal situation of the country could result in continued inadequate IT budget for the PNP.

5.5.1 This is particularly reinforced by the lack of recognition by oversight agencies of the government (particularly DBM and Congress) of the critical role of information technology in law enforcement and in particular in the management of criminality. The PNP in partnership with the other pillars of the criminal justice system must build a case for prioritizing information technology over other funding priorities of government.

5.5.2 Thus, while the PNP leadership recognizes the importance of implementing an effective information infrastructure for law enforcement, it may continue to have severely inadequate budget to implement its IT initiatives.

The failure of the National Crime Information System Project may discourage government decision makers to provide fresh and substantial budgets for another crime information system.

5.5.3 The NCIS was intended to provide (1) IT infrastructure (hardware, software and facilities for data storage and sharing), (2) computer systems to support criminal justice work processes, and (3) a framework for information sharing, made specially difficult because various national and local government agencies are involved in the dispensation of justice. Non-implementation of the NCIS Project leaves a huge gap in PNP's capabilities and IT resources for managing criminal justice information and inter-agency communication for enhanced criminal justice.

5.5.4 However, experience in the NCIS may have discouraged continued provision of huge investments in crime information technology

5.5.5 PNP's internal capacity strengths and weaknesses in all aspects of IT management are detailed in the table below.

Table 8.3
IT PLANNING AND ORGANIZING PRACTICES, STRENGTHS AND WEAKNESSES

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
PO1	Able to Define a Strategic IT Plan	Policy guidelines from the National Computer Center and internal planning guidelines define when and how to perform IT strategic planning. IT strategic planning follows a structured approach, which is documented and known to key staff, particularly the PNP Computer Service.	ISSP focused on the technical infrastructure.
PO2	Define the Information Architecture	PNP leadership is aware of the importance of implementing a formal information architecture for PNP. Capability for defining data and network architecture is internalized.	
PO3	Determine Technological Direction	There is explicit understanding of the need for and importance of technology planning. This need and importance is communicated throughout the PNP.	
PO4	Define IT Organization and Relationships	There is an implicit understanding of the need for an IT organization to manage the technology.	
PO5	Able to Manage the Agency's IT Investment	Through the NCC ISSP guidelines, the IT investment selection and budgeting processes are reasonably sound and cover key business and technology issues. Formal approval of IT investment selections and budgets is taking place. Informal self-training is occurring on information systems strategic planning.	
PO6	Communicate Management Aims and Direction	PNP management has an implicit understanding of the need to institutionalize and support information management and building a secure IT infrastructure.	However, practices are informal and not consistently documented. The need for IT control policies, procedures and standards are inherent in a law enforcement organization but lack of budget affects full enforcement.
PO7	Manage IT Human Resources	IT training is institutionalized. There is explicit understanding of the need to develop the IT and information management capabilities of PNP management and personnel. Formal trainings regularly conducted. Informal knowledge transfer acquired from local consultants.	
PO8	Ensure Compliance with External Requirements	Policies, procedures and processes have been developed, documented and communicated to ensure compliance with NCC guidelines and NCIS commitments.	

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
PO9	Assess IT Risks	Except for security risks which are addressed, there is an emerging understanding of other risks in computerizing information systems are important and need to be considered.	Some basic risk assessment is done, but the process is still under development.
PO10	Manage IT Projects	Senior management has gained and communicated an awareness of the need for IT project management. The PNP is in the process of learning and repeating certain techniques and methods from project to project. IT projects have informally defined business and technical objectives.	
PO11	Manage Quality of Computer System	Basic quality metrics may have been defined that could be repeated from project to project within the IT organization.	Basic IT management planning and monitoring practices may have been established over quality assurance activities but are not broadly enforced. Quality satisfaction surveys are conducted but based on unstructured, informal feedback.

Table 8.4
IT SERVICES ACQUISITION AND IMPLEMENTATION PRACTICES,
STRENGTHS AND WEAKNESSES

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
AI1	Identify Automated Solutions	IT solutions are identified based on the experience and knowledge of internal IT staff.	
AI2	Acquire and Maintain Application Software	Application software acquisition and maintenance processes are in place.	
AI3	Acquire and Maintain Technology	The acquisition and maintenance process for the IT infrastructure has developed to the point where it works well for most situations, is followed consistently within IT and is component-based and focused on reusing the same technology as a platform to develop other computer applications.	
AI4	Develop and Maintain IT-Related Procedures	Approaches are taken with regard to producing IT-related procedures and documentation, but they are not based on a structured approach or framework. User and operating procedures are documented, but there is no uniform approach and, therefore, their accuracy and availability relies to a large extent on individuals, rather than on a formal process. Training materials are available and used as standard reference material in internal training courses.	
AI5	Install and Accredit System	There is an informal approval process, not necessarily based on standardized criteria. Formal accreditation and sign-off is inconsistently applied.	Application systems undergo the usual rudimentary testing and debugging, but they are not based on any formal

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
			methodology. The individual development teams normally decide the testing approach and there is usually an absence of integration testing.
AI6	Manage Changes	Capacity for formal change management process is taking shape.	Being informal, change management is largely unstructured and address only basic issues and prone to error. Configuration documentation accuracy is inconsistent and only limited planning and impact assessment takes place prior to a change.

Table 8.5
IT SERVICES DELIVERY AND SUPPORT PRACTICES, STRENGTHS AND WEAKNESSES

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
DS1	Define and Manage Service Levels	More than thirty years experience with handling internal information system development projects. Responsibilities are well-defined and lines of authority are established.	The next step is to establish baseline and target service levels to improve the quality of its computer systems.
DS2	Manage Third-Party Services	Documented procedures are in place to govern third-party computer service providers, with clear processes ensuring proper delineation of functions.	
DS3	Manage Performance and Capacity	PNP leadership is aware of the impact of not managing performance and capacity of computer-based systems.	
DS4	Ensure Continuous IT Service	Responsibility for continuous IT service is assigned to IT units. The approaches to continuous service are fragmented. A reasonably reliable inventory of critical systems and components exists.	
DS5	Ensure IT Systems Security	Security awareness and procedures are practiced, particularly heightened at the PNP, where security is an integral part of the agency's mandate and functions.	Security of IT resources tend to respond reactively to IT security incidents and by adopting third-party offerings. IT resources security policies are being developed, but skills and tools to address security must be continually improved.
DS6	Identify and Allocate IT-related Costs	The NCC guidelines for IS planning prescribe a basic information services cost estimation framework. IT management (primarily PNP-CS) provide cost estimates for developing information systems.	

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
DS7	Educate and Train Users	There is awareness of the need for a training and education program and for other IT capability building activities throughout the Department. IT skills-building is identified in the individual performance plans of employees. Processes have developed to the stage where formal training and education classes are taught by in-house instructors. IT management is aware of issues of ethical conduct on the use of computers, system security awareness and practices.	
DS8	Assist and Advise Info. System Clients	There is organizational awareness of the need for a help desk function. Assistance is available via the technical support unit of PNP-CS primarily servicing PNP Headquarters. Elsewhere, technical support is performed through a network of knowledgeable individuals or volunteer experts provided by civil society or church-based groups.	On the field, IT support responsibility is left to the individual knowledgeable users. However, there is consistent communication on recurring and emerging technical issues and the need to address them.
DS9	Manage the configuration of IT support systems	Management is aware of the benefits of controlling the IT configuration and is delegated to technical personnel knowledge and expertise. Configuration management tools are being employed to a certain degree, but differ because computer systems have different operating system platforms.	
DS10	Manage IT Problems and Incidents	There is a wide awareness of the need and capacity to manage IT related problems and incidents within PNP Headquarters. The resolution process has evolved to a point where a few key individuals are responsible for managing the problems and incidents occurring.	Information is shared among IT staff; however, the process can be made more structured, formal and proactive. The service level to the user community varies and is hampered by insufficient structured knowledge available to the problem solvers. Management reporting of incidents and analysis of recurring problems is limited and informal.
DS11	Manage Data	The awareness of the need for data accuracy and maintaining integrity is prevalent throughout the Department. Data ownership begins to occur, but at a division or service level. The rules and requirements may be documented by key individuals and are not consistent across the different agencies and platforms. Data is in the custody of the IT units and the rules and definitions are driven by the IT requirements. Data security and integrity are primarily the IT units' responsibilities, with minor departmental involvement.	
DS12	Manage IT Facilities	The need to maintain a controlled computing environment is understood and accepted within the agency. The environmental controls, preventive maintenance and physical security are budgeted items.	

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
		Policy on access restrictions are applied, with only approved personnel being allowed access to the computing facilities. Visitors are logged.	
DS13	Manage IT Operations	The organization is fully aware of the key role that IT operations activities play in providing IT support functions. In addition, the organization communicates the need for coordination between users and systems operations. Budgets for tools are being allocated on a case-by-case basis. IT support operations are informal and intuitive.	

Table 8.6
IT SERVICES MONITORING PRACTICES, STRENGTHS AND WEAKNESSES

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
M1	Monitor the IT Management Processes	Basic measurements to be monitored have been identified. Collection and assessment methods and techniques have been defined, but the processes have not been adopted across the entire Department. Planning and management functions are created for assessing monitoring processes, but decisions are made based on the expertise of key individuals.	Limited tools are chosen and implemented for gathering information, but may not be used to their full capacity due to a lack of expertise in their functionality.
M2	Assess Adequacy of IT Internal Controls	The agency uses informal / ad hoc control for corrective action on information systems. Assessing the adequacy of information systems depends on the skill sets of key individuals. IT units may be monitoring the effectiveness of information systems on a periodic basis. Skilled IT staff is beginning to participate and conduct informal internal control assessments.	More formal methodologies and tools for establishing IT internal controls are starting to be used, but not consistently.
M3	Obtain Independent Assurance on Information Quality		The agency might have basic, informal information quality assurance process in place. Security policies are in place addressing traditional, paper-based information but not electronic information. Service level agreements for outsourced IT projects may have been developed but compliance is not rigorously measured.
M4	Provide for Independent Audit of its Information Systems		Provision of an independent audit function may be recognized by management as being potentially useful, but there is no written policy defining its purpose, authority and responsibilities. No established infrastructure and process to ensure that independent audits are performed on a regular basis. Independent

#	IT MANAGEMENT CAPABILITY	STRENGTHS IN CURRENT PRACTICE	WEAKNESSES IN CURRENT PRACTICE
			audit planning, managing and reporting follows a similar pattern, based on previously gained experience and the expertise of the team members. There is little coordination between audits and limited follow-up of previous audit findings.

6 DIRECTIONS FOR REFORM

6.1.1 Results of the SWOT analysis and capacity assessment as well as the criminal justice system overview point to the following directions for reforming the information technology of the PNP:

DEVELOP INTEGRATED, SHARED LAW ENFORCEMENT DATABASES, INCLUDING FRONT-LINE FUNCTIONS AT THE PRECINCT/ STATION LEVEL.

6.1.2 Agencies involved in all criminal justice pillars need to access and share information with every other pillar. Data sharing must cut across the different PNP sub-agencies as well as with other criminal justice agencies.

6.1.3 The PNP crime information system should be integrated vertically and horizontally. This involves providing a transaction procedure for recording and receiving complaints, a case tracking and updating system, and integration of crime information to support crime mapping, crime analysis and crime projections at various geographical levels. At the oversight level, integrated crime information system provides analytic statistical information useful in crime assessments, performance review, and in developing strategic actions for combating thematic and geographic specific criminality. In the overall, the information system provides an integrated technological resource that will considerably upgrade the capacity of the PNP in crime management at policy, strategic and specific case levels.

6.1.4 The integration of the crime information system of the PNP with those of the NBI, the BuCOR, NPS and Judiciary will provide a functionally integrated criminal justice information system that will be led by the PNP. The system will enable the tracking of all crime cases from the time the case is reported at the station level to the time the prisoner finishes his term in jail. This system provides a rich source of information that will allow deeper understanding of the socio-demography of criminality; provide mechanisms for ensuring timeliness of justice; establish mechanisms for the smooth sharing of crime information between law enforcement agencies, prosecution and Judiciary; and permits complete tracking and inventory of information related to the case, among others, promoting the provision of speedy, and quality justice.

effective mechanism for supporting an effective human resources development policy.

2.1.24 The NCMIS linked with the Judiciary's case management information system will provide the core upon which the integrated criminal justice system can be developed linking all the five pillars of justice.

H. THE PNP TRANSFORMATION PROGRAM WILL BE UNDERTAKEN AT A TIME WHEN THE TRUST AND CONFIDENCE OF THE PUBLIC IN THE POLICE FORCE IS VERY LOW.

2.1.25 The PNP must present to the public a well-crafted and credible transformation program. It must provide "quick wins" and models of success. An appropriate public information, education and advocacy strategy that will run throughout the reform period will be needed not only to sell the transformation program but also to engender contribution and active support of all concerned sectors.

I. REFORMING THE PNP WILL REQUIRE TREMENDOUS AMOUNT OF RESOURCES THAT ALLOCATED GOVERNMENT BUDGET RESOURCES CANNOT PROVIDE. THE PNP MUST ESTABLISH EFFECTIVE STRATEGIES FOR THE IDENTIFICATION, SOURCING AND MOBILIZATION OF NON-NATIONAL GOVERNMENT RESOURCES, AND PUT IN PLACE THE CORRESPONING MECHANISMS THAT WILL PRESERVE ITS INTEGRITY AND THE PROFESSIONAL INDEPENDENCE OF THE POLICE FORCE.

2.1.26 To be effective in combating and solving crime, the capacities of our law enforcement institutions must match if not surpass the capacities of criminals. As criminality is becoming more global and much more sophisticated, so must we update our legal framework and improve the institutional capacities of our law enforcement institutions. There is a need to considerably improve the NBI's crime laboratory, to provide up-to-date communications and transport equipment to policemen and investigators, to improve the quality of police education and training, to provide training to our law enforcers in the areas of terrorism, corporate crime, and transnational and organized crimes, and to strengthen core capacities in such areas as knowledge of law, human rights, evidence gathering and preservation, intelligence, and other related competency areas, and to improve crime information and communications technology. These reforms are fundamental to a well functioning criminal justice system.

2.1.27 The role of the local governments and the private sector in financing peace and order should also be explored. Most crimes are local and location specific in its benefits and cost. Local governments must improve their contribution to public services where their communities will directly benefit. The private sector's contribution through outsourcing, direct contributions by big business, and other related mechanisms should be explored not just to increase the real value of available resources but also to improve resource utilization efficiency.

J. THE SUCCESS OF THE PNP'S TRANSFORMATION PROGRAM WILL DEPEND ON A STRONG, CAPABLE, DETERMINED AND SUSTAINED LEADERSHIP AND INSTITUTIONAL CONTINUITY

2.1.28 The secret of any reform success is a strong and capable leader who will engender consensus, provide vision and leadership, and ensure reform continuity. Reforming the criminal justice and social defense systems will involve tremendous political challenge, risks and constraints, and the role of the leader will be critically important in overcoming them and in pursuing the reform process towards its completion.

2.1.29 Continuity is ensured by a capable program management capacity that should eventually be institutionalized. A successful reform program requires the acquisition of services of reform professionals, which will support a strong policy support team within the executing agency, and which will be reporting to a committed executive committee, which is also supporting the reform leader.

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GOALS, OBJECTIVES, EXPECTED OUTCOMES AND KEY RESULT AREAS

1 DEVELOPMENT VISION

1.1.1 Peace and order is the precondition for economic development and for the creation of an environment that provides choice and opportunity for achieving individual goals. This is made possible through the establishment of a society driven by the rule of law and which provides a system of redress of grievances and for ensuring that those who commit crimes are apprehended and accordingly punished in accordance with law and with due respect for their human rights. An effective law enforcement system and a well-functioning police force that will enforce the law with neutrality and dispatch is the basis for the development of society driven by rule of law.

SOCIETAL VISION

1.1.2 The proposed medium-term transformation program supports the vision of the PNP enunciated in the Medium-term Philippine Development Plan:

> *" To establish a safe place in which we can live, work and do business through a professional police force that is working with the community."*

1.1.3 The proposed transformation program covers a 6-10 year timeframe, and is comprised of a seamlessly integrated set of initiatives that will correct legal, policy, institutional and systemic dysfunctions, reinforce current strengths and exploit opportunities towards achieving the stated vision.

REFORM GOALS AND OBJECTIVES

1.1.4 This proposed transformation program has the ultimate goal of putting in place a coherent and integrated police strategy and institutional framework for the country's police system within which a well-functioning and effective PNP can operate, in the context of a well – coordinated criminal justice system. To achieve this goal, the program will pursue the following objectives:

a) To rationalize the overall institutional framework for the country's policing system by clearly delineating and defining the coordination of policing functions and structures.

b) To strengthen the focus and coordination of policing functions and operations by providing a national internal security policy and strategy that will harmonize objectives and activities.

c) To reengineer the police system institutional structure towards strengthening police oversight, removing institutionalized mechanisms that undermine PNP's unity of command and internal management authority, and render the PNP vulnerable to undue politicization and corruption.

d) To strengthen the overall institutional capacity of the PNP by improving the coherence and efficiency of its administrative structure and operating systems, and by strengthening the police stations.

e) To strengthen institutional mechanisms that will promote citizen access, and ensure police neutrality and non-discrimination, as well as respect for human rights and gender neutrality.

f) To strengthen institutional mechanisms for the recruitment and maintenance of a corps of competent, well compensated and motivated professional police force imbued with integrity, industry, and a high-sense of service and rectitude.

g) To clarity the public accountability of the PNP and its police force.

2 REFORM OUTCOME AND PERFORMANCE INDICATORS AND TARGETS

2.1.1 The proposed PNP transformation program is expected to generate public benefits. The proposed outcome indicators presented hereunder provide societal and performance outcomes and targets some of which may not be the sole responsibility of the PNP but which the PNP has primary responsibility of achieving.

OUTCOME INDICATOR	TARGET BY YEAR OF IMPLEMENTATION
1. Improvements of perception of peace and order in the country	
- % annual increase in number of Filipinos feeling secure	5% starting year 2 of implementation
- % increase in investor confidence in the country's peace and order situation	5% starting year 2 of implementation
- % annual improvement in the public trust and confidence in the PNP	2% starting year 1 of implementation
- % reduction in public perception of corruption in the PNP	10% starting year 2 of implementation
2. Improvements in the performance of the PNP	
- % reduction of reported human rights cases by policemen	10% starting year 1 of implementation

OUTCOME INDICATOR	TARGET BY YEAR OF IMPLEMENTATION
- % reduction in incidence of illegal arrest and detention	20% starting year of implementation
- % increase in the ratio of suspected criminals arrested and prosecuted	10% starting year 3 of implementation
- % conviction rate of police reported cases prosecuted in courts	20$ starting year 3 of implementation
- % increase in the number of cities experiencing reduction in crime incidence	10% starting year 3 of implementation
3 Improvements in the competence of PNP	
- No of police stations with operating community partnerships in policing	10% starting year 3 of implementation
- No. of cities with operational safer cities initiatives with the PNP	3 cities annually starting year 2 6 cities annually starting year 3 10 municipalities annually starting year 3
- No. of model police stations	3 stations annually starting year 1 6 stations annually starting year 3 10 stations annually starting year 4
- % reduction in duration of criminal case resolution in the PNP	10% annually starting year 3
4. Increased community-government partnership in crime prevention, control and solution	
- No of cities with working partnerships	3 cities annually starting year 1
- No of cities experiencing reduction in crime incidence	3 cities annually starting year 4
5 Improvements in Institutional Accountability	
- Cases against policemen resolved	100% resolution within year of complaint filing starting year 4
	100% enforcement if disciplinary decisions enforced starting year 4

3 KEY PROGRAMS AND RESULT AREAS

3.1.1 The PNP transformation program will be carried out by designing and implementing specific reform measures and development efforts in the following ten (10) programs and key result areas:

a) NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT, which will formulate and implement a national internal security policy and strategy, rationalize the overall institutional framework of the police system, improve the functional delineation and coordination between law enforcement agencies and the conventional police institutions, remove institutional mechanisms that render the PNP vulnerable to politicization and erode its unity of command and internal management authority, strengthen the NAPOLCOM as police, rule and

standards formulation body of the police system, put in mechanisms for institutional continuity and stability particularly in police leadership and firmly establish a self-administering and managing professional PNP.

b) POLICE OPERATIONS, which will involve reforms in the operating rules and procedures in police operations, providing the police stations the appropriate work tools and strengthening crime research to support more effective crime management operations.

c) FACILITIES DEVELOPMENT, which will strengthen capacities by improving the core physical facility support for effective police operations in the field, and will involve such initiatives as updating core police equipment standards and development of a multi-year financing and procurement plan; development and upgrading of the capacities and facilities as well as the organizational arrangements of the crime laboratory, and the provision of model infrastructure for police stations and substations.[1] An important component of this program is the improvement of capacities for the management and preservation of police evidence.

d) HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT, which will involve reforms in human resources development policies and improvement in the human resources management systems including staffing, recruitment and selection, personnel administration, career development and promotion, police remuneration, and police education and training, performance monitoring and evaluation, and police discipline. Two important components of this program include the reengineering of the institutional framework of police education and training and particularly strengthening the capacities and organization of the PPSC, integrating all police training therein, and strengthening police education and training curriculae; and the design and implementation of a PNP pension corporation.

e) ADMINISTRATIVE AND FINANCIAL MANAGEMENT, which will involve reforms in strengthening the resource generation capacity of the PNP, streamlining and improving the entire financial management system in infusing more appropriate tools that will allow systematic linkage between strategic and operations plans and budget prioritization and detail formulation, and decentralize administrative and financial management to the appropriate enterprise units in the field, while strengthening and integrating oversight administrative and financial management functions.

f) STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT, which will involve the design and institutionalization of a strategic planning system within the PNP, strengthening of operational planning capacities of mission-critical units, development of a results-based monitoring and evaluation system which will be operated at operations and oversight levels in the PNP organization. An essential component of this program will be the formulation and implementation of a crime indicators system that will identify and appropriate set of indicators that will guide the monitoring and evaluation of the country's crime situation

[1] The project on the development of model police stations, infrastructure component was designed by Mr. Alejo Ramon Mayoralgo, Consultant, Community Police Action Centers (COMPACT), Chair of the NAPOLCOM.

and its performance, and the corresponding procedures for data generation and reporting.

g) INFORMATION AND COMMUNICATION TECHNOLOGY, which will involve the development and implementation of a PNP integrated crime management information system to be designed within a broader criminal justice information system architecture. The PNP CMIS will operate at the police station level providing transaction processing modules that will feed into a crime database, tracking and monitoring system that will enable crime mapping and analysis at station and higher geographical levels.

h) DEMONSTRATION OF EXCELLENCE THROUGH DEVELOPMENT OF BEST PRACTICE, which will demonstrate the effectiveness of the fundamental institutional and system reforms by combining them with a more comprehensive locality/community – based peace and order planning and management that will involve various stakeholders.

i) PUBLIC INFORMATION AND ADVOCACY, which will support the implementation of the transformation program from start to finish by providing broad and stakeholder information, education and advocacy strategies and interventions that will engender active cooperation and support.

j) REFORM MANAGEMENT, an essential ingredient in a successful medium-term and complex reform effort, a reform management program, institutional framework and operating mechanisms will be put in place to address plan and manage the entire change management and day-to-day reform development, content synchronization and implementation management processes.

3.1.2 Proposed reforms affecting the entire law enforcement system of the government, prosecution, corrections and social defense were identified and organized along these key result areas.

11

STRATEGIES, PROGRAMS AND PROJECTS

1 INTRODUCTION

1.1.1 The diagnostic study identified policy, institutional, system and resource issues that should be addressed to achieve the PNP vision.

1.1.2 The reform objectives, outcome targets that will achieve that vision have been defined and programs/key result areas where significant changes and improvements are expected to occur have been identified. This section contains the menu of proposed projects and activities for each identified program and key result area that will comprise the transformation program.

2 PROPOSED PROJECTS

PROGRAM A
National Policy and Institutions Development

Project A.1 (01)
PUTTING IN PLACE IMMEDIATE MECHANISMS FOR PNP INTITUTIONAL STABILITY AND CONTINUITY

Objective

To put in place the interim and permanent mechanisms that will ensure the PNP's institutional continuity and stability.

Components

a) Preparation of draft Congressional Resolution suspending the implementation of the mandatory retirement age of 56 for policemen occupying managerial positions

b) Review of the appropriateness and the institutional continuity and stability implications of the mandatory retirement age of policemen and the fixed 4 – year tenure of the PNP Chief

c) Preparation of legislation amending relevant laws

d) Preparation and implementation of advocacy support to Congress

Outputs

- Draft Congressional Resolution
- Study Report
- Draft Legislation
- Legislative advocacy strategy

Project A.2 (02)
FORMULATION OF A NATIONAL INTERNAL SECURITY POLICY AND STRATEGY

Objective

To develop an effective and sustainable policy and strategy for improving the country's peace and order.

Components

a) Development of national internal security policy and strategy

b) Design of implementation plan and instruments

Outputs

- Internal Security Policy and Strategy document
- Implementation plan report
- Draft Implementation instrument

Project A.3 (03)
RATIONALIZATION OF THE INSTITUTIONAL FRAMEWORK OF THE POLICE SYSTEM

Objective

To remove duplication, fragmentation and overlapping of policing functions in the government and clearly define functional delineation and coordination.

To reintegrate core policing functions in the PNP and NBI and define the delineation of jurisdictions between these two agencies.

To define the oversight institutional framework for the police system in general and the PNP in particular insuring the preservation of the PNP's unity of command and internal administrative authority.

Components

a) Development of institutional framework for the police system (including removal of police functions of law enforcement agencies and their reintegration to the PNP or NBI and definition of operational collaboration mechanism).

b) Delineation of the jurisdictions of PNP and NBI and definition of the collaboration mechanisms.

c) Definition of the oversight institutional framework of the police system and the specific oversight institutional framework of the PNP including the design of operational flows between police agencies and oversight agencies within the context of self-administering police organizations.

Outputs

- Design of institutional framework
- Design of inter-agency operational collaboration mechanisms
- Implementation Plan
- Implementation instruments including draft legislation

Project A.4 (04)
STRENGTHENING THE NATIONAL POLICE COMMISSION

Objective

To strengthen the institutional competence of the NAPOLCOM as the oversight agency of the police system and of the PNP.

Components

a) Design of the appropriate administrative structure and internal functional configuration of the NAPOLCOM

b) Definition of NAPOLCOM mission-critical operating systems and outputs

c) Design of the NAPOLCOM staffing structure

d) Formulation of change management strategy

e) Implementation instruments

Outputs

- Administrative structure down to first level of supervision and function statements
- Staffing pattern and deployment
- Definition of mission-critical operating systems
- Definition of NAPOLCOM outputs

- Change Management strategy
- Implementation plan
- Implementation instruments

Project A.5 (05)
IMPROVING THE ORGANIZATION STRUCTURE AND INTERNAL FUNCTIONAL CONFIGURATION OF THE PNP

Objective

To strengthen the core institutional infrastructure of the PNP as a self-administering police organization.

To install the mechanisms that will insulate the PNP from undue politicization.

To streamline the administrative structure through decentralization, integration of functions and achieving clear delineation between oversight functions and operations.

To strengthen the police stations.

Components

a) Reengineering of the administrative structure and internal functional configuration of the PNP.

b) Formulation of the migration plan (in coordination with operating systems projects)

c) Development of policy and criteria for the creation of police stations and sub-stations

d) Development of organizational policy and operationalization plans for the creation of special tasks forces

e) Preparation of implementation instruments.

Outputs

- Administrative structure (down to police station level)
- Function statements
- Definition of key vertical and horizontal functional flows and relationships
- Policy and criteria for the creation of police stations and substations
- Policy and criteria for the creation and operationalization of special task forces
- Migration plan
- Draft implementation instruments

Project A.6 (06)
REDEFINITION AND DETAILED ENGINEERING OF THE FUNCTIONAL AND OPERATIONAL RELATIONSHIP BETWEEN PNP AND LOCAL GOVERNMENT UNITS

Objective

To clearly define the role and responsibility of local governments in the maintenance of local peace and order.

To clearly define the responsibility of local governments in financing the police force.

To design the operational relationship between the PNP and local government units within the context of a self-administering PNP.

Components

a) Definition of LGU and PNP roles and responsibilities in maintaining local peace and order and the proper organizational relationship of local governments with a self-administering PNP.

b) Conduct of detailed study, identification of guiding principles and formulation of mechanisms for the determination of the appropriate LGU contribution in financing the PNP.

c) Design of PNP-LGU operating policies and procedures and the internal policies and procedures of PNP.

d) Preparation of implementation strategy.

e) Design and implementation of advocacy program.

f) Preparation of implementation instruments.

Outputs

- Definition of LGU role and responsibility
- Definition of PNP role and responsibility
- Formula for the determination of LGU contribution to the PNP
- Design of the PNP-LGU operating policies and procedures
- Design of internal PNP operating policies and procedures
- Implementation strategy and schedule
- Advocacy program
- Draft implementation instruments

Project A.7 (07)
REENGINEERING THE PNP STAFFING AND POSITION CLASSIFICATION SYSTEM

Objective

To modify the staffing pattern of the PNP to suit the new administrative structure.

To establish a staffing policy that response to the changing manpower needs and competency mix of police operations in the field.

To ensure the provision of appropriate and expanded career development opportunities for the police force.

To provide mechanisms for clearly defining position roles, responsibilities, outputs and accountabilities and the parameters for the evaluation of performance.

Components

a) Conduct of work content, workload and competency needs analysis and detail review of staffing, position classification and position descriptions.

b) Detail review and design of the PNP staffing policy and staffing pattern including staffing models for police stations.

c) Development of the PNP position classification system

d) Development of position descriptions

e) Formulation of migration plan (coordinated with other PNP reforms)

f) Preparation of manuals and other implementation instruments

Outputs

- Needs analysis reports
- Staffing policy and staffing pattern
- Staffing models of police stations
- PNP position classification system
- PNP position descriptions
- Migration plan
- User manuals
- Implementing orders

PROGRAM B
Police Operations

Project B.1 (08)
IMPROVEMENT AND INTEGRATION OF THE PNP OPERATIONS MANUALS

Objective

To improve and integrate all PNP operations manuals to effectively support the job knowledge requirements at work.

To review and improve the consistency and timeliness of procedures with the relevant provisions of law and with the principles of human rights, access and gender equality.

To simplify the language and presentation of the manuals and provide for the translation into key dialects for the convenience of police officers.

Components

a) Detail review of PNP operating manuals, preparation of content and document outline, content development and document design.

b) Development and implementation of user training and orientation plan

c) Production and distribution.

Outputs

- Review report
- Content and document outline
- Integrated operating manual document
- Implementation and user training program report
- Completed user training/orientation program
- 200,000 copies distributed to all police officers

Project B.2 (09)
STRENGTHENING OF CRIME RESEARCH AND DEVELOPMENT CAPACITY AND FORMULATION OF RESEARCH AGENDA

Objective

To strengthen the institutional capacity for crime research.

To improve the use of crime research in the formulation of anticrime plans, strategies and operations.

Components

a) Detail review and reengineering design for the PNP Research and Development Office.

b) Formulation of Medium-term PNP crime research plan.

Outputs

- Detail review report and proposed internal structure and functions of the PNP crime research and development directorate
- Skills mix and staffing definition
- Output definitions
- Definition of key operating systems and linkages of the PNP crime research and development directorate
- Definition of resource requirements
- Implementation and migration plan

Program C
Facilities Development

Project C.1 (10)
UPDATING OF POLICE EQUIPMENT STANDARDS AND DEVELOPMENT OF MULTI-YEAR FINANCING/RESOURCE MOBILIZATION AND PROCUREMENT PLAN

Objective

To update the standards of police equipment.

To accelerate the equipping of all the delivery units of the PNP through an effective resource mobilization strategy.

Components

a) Review and updating of police equipment standards and operating rules and procedures.

b) To review and improve the management of police equipment including its acquisition, inventory, deployment, maintenance, disposal and accountability.

Outputs

- Equipment standards
- Operating policies, rules and procedures (in manuals)

- Equipment management plan (including proposals to improve organizational arrangements)
- Resource mobilization strategy
- Resource mobilization implementation plan

Project C.2 (11)
DEVELOPMENT OF UPGRADING PLAN FOR THE CRIME LABORATORY, ITS FACILITIES, ORGANIZATION, STAFFING AND OPERATING SYSTEMS

Objective

To strengthen the PNP's capacity for forensic/scientific investigation.

Components

a) Detailed review and strengthening of the structure, staffing and operating systems of the Crime Laboratory and those of the forensics operations in the field.

b) Formulation of facilities upgrading plan including its financial estimates and financing strategy.

c) Formulation of human competency development plan for the development of police scientists in the field of medicine

d) Formulation of horizontal career development plan for police scientists

Outputs

- detailed review report
- proposed organizational and operational arrangements of the crime laboratory and forensics operations in the field
- facilities upgrading plan and equipment specifications
- financial estimates and financing strategy
- human competency development plan and implementation program
- horizontal career development plan for police scientists

Project C.3 (12)
REVIEW AND IMPROVEMENT OF MATERIAL EVIDENCE MANAGEMENT POLICIES AND PROCEDURES

Objective

To improve current mechanisms for the collection, preservation/storage, accounting and disposal of material evidence in criminal cases.
To define the physical facility requirements for the proper storage and preservation of physical evidence.

Components

a) Detail review of evidence management policies and procedures, storage and preservation mechanisms, storage facilities, and accountability procedures of the PNP at central and field levels.

b) Formulation of policies, rules and procedures on the collection, storage/preservation, access, disposal and accounting of all material evidence.

c) Formulation of plans for the improvement of facilities for the storage of all material evidence.

Outputs

- Review report
- Proposed policies, rules and procedures
- Storage facility improvement plan
- Implementation and financing plan
- Manuals

PROGRAM D
Human Resources Development and Management

Project D.1 (13)
DEVELOPMENT OF POLICE PSYCHOMETRIC TESTING TOOLS

Objective

To strengthen mechanisms for weeding out the unfit candidates from joining the police force and to ensure the recruitment of candidates with the desired intellectual ability, psychological and emotional quality and values.

Components

a) Conduct of study and character profiling of an effective and professional police officer

b) Development of psychological testing instrument for police applicants and instrument testing

Outputs

- policeman normative character definition
- psychometric testing instrument and evaluation methodology
- training of policy psychometricians and recruitment officers

Project D.2 (14)
FORMULATION OF A POLICE CAREER DEVELOPMENT SYSTEM

Objective

To widen the career development opportunities and choices of the police force.

To develop a career development system that is integrated with education and training, compensation and performance evaluation.

Components

a) Detail review of current career development policies and procedures for the police force.

b) Design of the police career development system, identifying the vertical and horizontal career paths and the requirements of progression, and formulation of policies and operating procedures.

Outputs

- detail review report
- career development policy
- career development path definitions
- application rules and procedures
- financial requirements estimates for the medium-term
- implementation plan
- implementation instruments

Project D.3 (15)
REENGINEERING OF THE POLICE REMUNERATION SYSTEM

Objective

To attract and retain the best and the brightest to a career in the police force.

To motivate policemen toward continuous learning and professional growth

To establish the foundations for the integrity and prestige of the police force.

Components

a) Detail diagnostics of the police remuneration policy, national remuneration police and including inter-country comparisons

b) Definition of police remuneration philosophy, design of police remuneration policy and structure, including basic pay, salary supplements and other benefits, team and unit bonuses and other financial rewards for performance, and other compensation.

c) Development of financing and implementation plan.

d) Preparation of advocacy plan for Congress and Executive Branch

e) Preparation of implementation instruments.

Outputs

- Diagnostic report and comparative study
- Design of police remuneration package
- Design of application methodology
- Design of implementation plan
- Design of financing strategy
- Design of advocacy plan
- draft enabling law and implementing orders

Project D.4 (16)
DESIGN OF THE POLICE PENSION SYSTEM AND THE PNP PENSION AND INSURANCE CORPORATION

Objective

To provide an attractive deferred benefits system that provides choice and is commensurate to the noble service that policemen render.

To establish mechanisms for continuing improvement and financial viability of the system.

Components

a) Review of current police pension package and operational arrangements, including assessment of current pension policies, rules and regulation, and inter-country comparisons

b) Design of the police pension packages and qualification and availment procedures and payment schemes.

c) Design of the pension fund corporation, its organization structure, and operations, financing and capitalization, resource requirements, and financial projections.

d) Formulation of implementation plan and implementation instruments

Outputs

- policy and current system review
- review of international experience
- design of police pension packages
- design of pension fund corporation
- design of business strategy
- design of capital structure and financing plan
- projected financial statements
- implementation plan
- implementation instruments, including legislation

Project D.5 (17)
REVIEW AND STRENGTHENING OF THE POLICE DISCIPLINE SYSTEM

Objective

To remove mechanisms that render the police discipline system vulnerable to politicization.

To remove mechanisms that undermine unity of command and inherent authority of the Chief PNP in police discipline while ensuring that proper public accountability mechanism are in place.

To establish a stronger discipline system that will provide effective deterrent to police misconduct while ensuring better detection and application of appropriate sanctions to erring policemen.

Components

a) Detail diagnostics of current policies, processes and institutional arrangements for police discipline.

b) Detail design of strengthened police discipline policies, rules and procedures.

c) Design of institutional systems and procedures on the processing of cases within the context of a self-administering PNP.

d) Conduct of PNP wide orientation program

Outputs

- diagnostic report
- updated design of police discipline policies, rules and procedures
- institutional systems and procedures
- police discipline manual
- orientation program

Project D.6 (18)
DESIGN OF THE POLICE PERFORMANCE EVALUATION SYSTEM

Objective

To put in place a transparent performance evaluation system that provides more accurate measures for measuring police performance.

Components

a) Detail diagnostic study on current performance evaluation policies, rules and procedures on the evaluation of the performance of the police force.

b) Development of performance evaluation system including performance indicators, criteria and benchmarks for each position based on the position description and position class, and evaluation procedures

c) Preparation of performance evaluation manual.

d) Preparation and implementation of user training and staff orientation program.

Outputs

- diagnostic study report
- performance evaluation system
- performance evaluation manual
- user training and orientation plan
- completed user training and staff orientation program

Project D.7 (19)
ASSESSMENT AND REENGINEERING OF THE INSTITUTIONAL FRAMEWORK FOR POLICE EDUCATION AND TRAINING

Objective

To improve the capacity of the entire police training and education system.

To remove duplication of training functions between PNP and PPSC and improve the overall efficiency of the police education and training resources.

Components

a) Detail institutional review of the police education and training education system including review of proliferation and duplication of training functions between the PNP and PPSC, administrative structure and functional configuration and operating system of PPSC and its resources and technologies.

b) Design of the institutional framework and administrative structure of an integrated police education organization.

c) Review and design of staffing, faculty tenure arrangements and work loading.

d) Review and design of police training and education facilities, and financing plan.

e) Development of change management strategy.

f) Implementation

Outputs

- institutional review report
- design of institutional framework
- design of administrative structure and internal functional configuration of an integrated police education and training institution
- Staffing pattern
- Faculty tenure scheme
- Faculty work loading scheme
- Faculty remuneration scheme
- Change management plan

Project D.8 (20)
CONDUCT OF TNA FOR POLICE POSITIONS

Objective

To assess the training requirements of police positions and their incumbents as basis for the strengthening of the police education and training program.

Components

a) Review of position descriptions, education and training policies and programs, and other relevant issues on police education and training.

b) Development of survey instruments including determination of sampling frame.

c) Conduct of survey.

d) Descriptive and inferential statistical analysis.

Outputs

- survey instrument and sampling frame
- descriptive and inferential statistical analysis

Project D.9 (21)
REVIEW AND REVISION/STRENGTHENING OF THE PNP EDUCATION HAND TRAINING PROGRAM AND CURRICULA

Objective

To strengthen the relevance of police education and training to the competency and skills requirements of actual police functions and tasks.

Components

a) Detail review of the police education and training program curricula and training courses provided by PPSC and its agencies and the various offices of the PNP.

b) Development of police education and training philosophy and framework

c) Revision design of education and training curricula, including course content, schedule, delivery system, learning assessment mechanisms, instructional aids and equipment, faculty qualifications requirement, and post training monitoring and evaluation.

d) Pilot testing of core curricula and fine-tuning

e) Implementation plan formulation and implementation

Outputs

- diagnostic report
- police education and training philosophy and framework document
- design of training programs and curricula
- pilot implementation design
- completed pilot test and evaluation
- implementation plan report
- monitoring and evaluation reports

PROGRAM E
Administrative and Financial Management

Project E.1 (22)
DEVELOPMENT AND IMPLEMENTATION OF A PNP REVENUE AND RESOURCE MOBILIZATION STRATEGY

Objective

To improve the resources of the PNP without undermining mechanisms for integrity and insulation against politicization are in place.

To strengthen the PNP's capacity for entrepreneurial governance.

Components

a) Detail review of laws on PNP revenue generation and current PNP revenue generation practices, including revenue generation policies, pricing policy, revenue sourcing, generation/remittance/collection procedures and revenue accounting, monitoring, reporting and internal control mechanisms.

b) Development of revenue generation and strategy (identification of sources, pricing policy for fees and charges, and generation/remittance/collection procedures.

c) Design of revenue management policies and processes including revenue planning, recording, accounting, reporting and evaluation.

d) Formulation of advocacy ("marketing") plan to revenue source targets

e) Preparation of implementation plan and instruments

f) Design and implementation of user training and orientation program

g) Implementation

Outputs

- review report
- revenue generation strategy
- revenue management policies
- revenue generation/remittance/collection procedures
- recording, accounting, reporting and internal control procedures
- implementation plan
- implementation instruments
- user training and orientation plan
- operational revenue management system
- monitoring and evaluation reports

Project E.2 (23)
REENGINEERING OF THE PNP BUDGETING SYSTEM

Objective

To improve the quality and efficiency of the PNP budgeting system and improve its operational linkage between plans, budgets and resource generation capacities.

To remove duplication and splitting of budgeting functions and integrate budget processes at central and field levels, within the framework of decentralized PNP budgeting system consistent with the reengineered PNP administrative structure.

Components

a) Design and implementation of a medium-term budgeting system linked with strategic planning and revenue plans.

b) Design and implementation of the budget process (budget preparation, execution and accountability)

c) Design and implementation of budget decision support tools.

d) Development of user training plan and orientation program.

e) Implementation

Outputs

- medium-term budget policy, framework and process
- annual budget preparation system
- annual budget execution system

- annual budget accountability system
- proposed budget policies
- budget decision support tools
- implementation plan
- user training and orientation program
- operational budgeting system
- monitoring and evaluation reports

PROGRAM F
Strategic Planning and Performance Management

Project F.1 (24)
DESIGN AND INSTALLATION OF A PNP STRATEGIC PLANNING SYSTEM

Objective

To improve the prescience of PNP operations by placing them within the context of a strategic plan.

To strengthen capacities for strategic and operations planning linked with resource management and institutional performance evaluation.

Components

a) Design of a PNP strategic planning system, operations planning system and system linkages with budgeting, revenue generation and performance evaluation.

b) Formulation of user orientation program

c) Pilot testing and institutionalization

Outputs

- strategic planning system manual including operational planning process
- user orientation program
- institutionalized strategic planning system
- monitoring and evaluation report

Project F.2 (25)
DESIGN AND IMPLEMENTATION OF A PNP RESULTS-BASED MONITORING AND EVALUATION SYSTEM (RBMES)

Objective

To provide a mechanism for the results-based monitoring and evaluation system for the PNP.

Components

a) Design of a results –based monitoring and evaluation system, including formulation of RBMES framework, linkage with crime indicators system and development of internal indicators for measuring results, evaluation tools and processing procedures and reporting procedures.

b) Pilot testing and full implementation of system at police station, office and institutional levels.

Outputs

- Design of RBMES framework
- Design of RBMES
- Pilot implementation plan
- User training program
- Monitoring and evaluation reports

Project F.3 (26)
DEVELOPMENT OF CRIME INDICATORS SYSTEM

Objective

To formulate a comprehensive set of crime indicators that will allow better analysis of crime and planning of crime management strategies.

Components

a) Development of crime indicators framework

b) Identification and definition of crime indicators

c) Design of data generation procedures

d) Formulation of implementation and institutionalization plan in PNP and key crime data generating agencies

Outputs

- crime indicators framework
- crime indicators and definition
- data generation procedures
- implementation and institutionalization plan

PROGRAM G
Information and Communication Technology

Project G.1 (27)
DESIGN OF THE CRIMINAL JUSTICE SYSTEM ARCHITECTURE

Objective

To ensure the integration and linkage of crime information systems across the 5 pillars of the justice system by providing an ICT and system architecture that will ensure connectivity and data sharing.

Components

a) Diagnostic review of the information systems and high level requirements of the 5 pillars of justice

b) Design of ICT and system architecture for an integrated criminal justice system

Outputs

- diagnostic report
- ICT and system architecture

Project G.2 (28)
DESIGN OF THE PNP CRIME MANAGEMENT INFORMATION SYSTEM CONCEPT, AND SYSTEM FUNCTIONAL SPECIFICATIONS AND CRIME DATA STANDARDS

Objective

To improve the capacity of the PNP to manage criminality at local and national levels through an automated enterprise-wide crime management information system.

Components

a) Design of IS architecture

b) Definition of information systems that will comprise the crime management information system including definition of systems at police stations, and oversight levels and the vertical and horizontal workflows, the data bases and transaction processes, crime mapping and the decision support systems.

c) Definition of user requirements and system functional specifications which will detail how the users want the systems to function in order to support work processes and decision making and the translation of this into the functional specifications of the identified information systems.

d) Development of data standards, ensuring linkages with the PNP RBMES, performance evaluation system and the crime indicators system.

Outputs

- IS architecture
- Identified information systems
- User requirements definition
- Systems functional definition
- Data standards

Project G.3 (29)
PNP CRIME MANAGEMENT INFORMATION SYSTEM – APPLICATION SYSTEMS DESIGN AND IMPLEMENTATION

Objective

To improve the capacity of the PNP to manage criminality at local and national levels through an automated enterprise-wide crime management information system.

Components

a) Application systems development and design

b) Design of user training program

c) Formulation of deployment plan

d) System testing, procurement and installation of hardware and software and system roll out including implementation of user training, system maintenance and user handholding

Outputs

- application systems and program document
- user training program
- system deployment plan
- operational NCMIS
- monitoring and evaluation reports

PROGRAM H
Demonstration of Excellence Through Development of Best Practice

Project H.1 (30)
DEVELOPMENT AND IMPLEMENTATION OF MODEL POLICE STATIONS

Objective

To integrate and showcase the PNP reforms and best practices in policing and police organization management within a defined locality under the jurisdiction of a municipal or city police office.

Components

a) Development and application of criteria for the selection of pilot police stations.

b) Conduct of crime mapping and analysis leading to definition of policing requirements.

c) Detail organization and systems assessment of the police stations, leading to gap identification and definition of institutional strengthening measures.

d) Development and installation of design of organization and core operating setup of the model police station, including definition of internal operational structure; competency mix, staffing and deployment procedures and schedule; training needs analysis and provision and implementation of training; implementation of new human resource development policies in remuneration, career development and promotion, discipline, and personnel administration; provision of equipage, strengthening of police operations procedures (application of integrated operations manuals), installation of records management and other auxiliary operations and procedures and improvement of physical facilities.

e) Development and implementation crime management plan for the city/municipality including a crime monitoring and evaluation methodology.

f) Installation of crime management information system – police station modules;

g) Application of crime indicators and development of RBMES for the police station.

h) Design and implementation of community relations and community partnership schemes in peace and order maintenance

i) Design and implementation of community information, education and advocacy towards improving awareness and vigilance and engendering active support to the community police force.

j) Implementation of LGU- PNP operational relationships and LGU resource contribution scheme.

k) Development and implementation of evidence management policies and procedures.

l) Development and implementation of vertical workflows to the higher levels in the PNP organization hierarchy.

m) Development and implementation of supplies and physical assets management system and financial operations procedures.

n) Design and implementation of a change management strategy.

o) Development and application of pilot project monitoring and evaluation system.

p) Formulation of upscaling plan

Outputs

- Criteria for the selection of pilot police stations.
- Crime mapping and analysis report
- Detail organization and micro-systems assessment report
- Design of detail formal structure
- Design of detail staffing and deployment scheme and schedule
- Design of detail police operations procedures
- Design of detail records management procedures
- Design of physical assets management system – police station modules
- MOA with LGUs on LGU funding contribution and remittance procedures
- Crime management plan for city/municipality
- Crime monitoring and evaluation system
- Installed and operational automated crime management information system – police station modules
- Design of community relations and partnership schemes
- Design of community information, education and advocacy program
- Custom design of evidence management procedures – police station
- Pilot project monitoring and evaluation system
- Operational model police stations

- Monitoring and evaluation reports
- Upscaling plan

Project H.2 (31)
SAFER CITIES AND COMMUNITIES PROJECT

Objective

To make safer cities both real and perceived

To test local solutions to local crime problems

Components

a) Planning the built environment with crime reduction as a consideration (including the application of urban design and spatial/demographic and economic distribution strategies towards reducing and preventing crime and to reduce crime opportunities and integrating these into city plans and zoning ordinances)

b) Strengthening policing and surveillance, particularly in crime hot spots, and improving police response time

c) Development of local social and economic upliftment plans as best strategies for reducing criminality.

d) Design of multi-stakeholder synchronized approach – to crime prevention and management (establishing community partnership mechanisms to support police in preventing and combating criminality.

e) Review and reengineering local governance towards crime prevention and reduction based government policies, programs and activities (such as improving regulation, conduct of crime vulnerability audits of key establishments such as markets and shopping malls, developing and enforcing safety standards and certification of safe design for private establishments such as malls, markets, residential developments, recreation centers, hotels, etc.

f) Development and institutionalization of safer cities processes (such as regular economic, demographic and crime mapping and surveys, inventory of criminals, development and of community safety plans for each community/barangay, institutionalized local governance processes, etc.

g) Creation of safer cities fund to finance safer cities initiatives in the city or municipality to be funded from stakeholder contributions – both public and private.

h) Application of model police station arrangements in pilot safer cities.

i) Local citizen, community and stakeholder information and advocacy program.

j) Safer cities project RBMES

k) Implementation and implementation management

Outputs

- Criteria for pilot city selection and identified pilots
- Planning guide on crime prevention oriented urban development and local legislation
- Planning guide to crime reduction oriented local social and economic development plans
- Development of crime-prevention oriented city/municipal plans and ordinances
- Design of police surveillance mechanisms in crime hot spots
- Design of quick response mechanisms – police station
- Design of multi-stakeholder partnerships in crime prevention and management
- Design of safer cities processes
- Design of safer cities fund including organization and operating systems and procedures
- local citizen, community and stakeholder information and advocacy program.
- Safer cities project RBMES
- Operational safer cities and communities pilot project in 3 pilot cities and municipalities

Project H.3 (32)
COMMUNITY POLICE ACTION CENTERS, COMMUNITY POWER IN ACTION (COMPACT)

This project was designed by Mr. Alejo Ramon Mayoralgo, Consultant, Chair of the NAPOLCOM and Secretary of DILG as part of the project he designed which is entitled: Community Police Action Centers (COMPACT). COMPACTs will be established at the barangay level nationwide. These are centers organized to reinvigorate the concept of community oriented policing system (COPS). These COMPACTs shall be established through mutual support network of communications and logistical support.

Objectives

To provide high police visibility, accessibility, and acceptability to the general public, with effective, relevant, and meaningful community leadership action, inspiring community involvement and support, to augment government constraints, towards building a true national community under the rule of law through the establishment of Community Police Action Centers.

To systematize and institutionalize community support for law enforcement in a manner that is transparent and above board

To institutionalize community oriented policing and capacitate the police at the local level to sustain COPS orientation and implementation

To invigorate community's involvement and sense of social responsibility in support and commitment to the rule of law, in coordination with the police.

Components

a) Review of successful community oriented policing models

b) Architectural/ Physical Design Coordination

c) Rationalize Deployment strategy and Land utilization strategy

d) Development of Communications / Marketing Strategy

e) Development of Systems Motivation Program

f) Development of Funding strategy – financial/logistics

g) Installation of Electronic governance technologies

h) Review / Enhance Capacity Building & Training for Community Oriented Policing & Leadership and values formation

i) Enhancing Community Involvement in Problem solving

j) Central monitoring of performance & recognition development

Outputs

- COPS Models Review
- Coordinated Architectural/ physical design of COMPACTS
- Deployment and land utilization strategy
- Communication/ Marketing Strategy
- Systems Motivation Program
- Funding Strategy
- Electronic governance technologies
- Review of Capacity Building and Training for COPS and Leadership Values Formation
- Networking and capacity development for problem solving for the community
- Central Monitoring of performance and recognition system

PROGRAM I
Public Information and Advocacy

Project I.1 (33)
DESIGN AND IMPLEMENTATION OF PUBLIC INFORMATION AND ADVOCACY PLAN FOR THE TRANSFORMATION PROGRAM

Objective

To provide mechanism for winning the transformation program through public understanding and support.

To provide effective mechanisms for public and stakeholder information, information and feedback on the reform process.

Components

a) Design of communication and advocacy program (including identification of key targets, determination and formulation of key messages, selection of medium of communication delivery, integration of advocacy components in police education and training programs, and in PNP regular meetings and discussion forums, and implementation plan and schedule)

Outputs

- Design of advocacy plan
- Production of instruments
- Operational advocacy plan

PROGRAM J
Reform Management

Project J.1 (34)
ESTABLISHMENT AND OPERATIONALIZATION OF THE REFORM MANAGEMENT OFFICE

Objective

To provide the appropriate mechanisms that will ensure the sound management of the transformation process.

Components

a) Formulation of reform management framework and methodology

b) Detail designing of the organization of work and operating systems of the Program Management Office

c) Detail definition of multi-year expertise requirements and staffing development

d) Definition and provision of physical facility requirements

e) Support to PMO operations

Outputs

- program management framework and methodology
- PMO work organization and operating systems
- Competency mix definition
- Multi-year staffing development
- List and specifications of office equipment and other facility requirements and procurement
- Providing funds to support PMO operations

12

IMPLEMENTATION MANAGEMENT ARRANGEMENTS

1 INTRODUCTION

1.1.1 PNP's commitment and good leadership are necessary elements for the success and effective implementation of its medium-term public investment program. Effective plan implementation moreover calls for an efficient program management process in the PNP to ensure the proper scoping, sequencing and coordination of the reform design and implementation, build consensus and support, and ensure the generation and proper programming and utilization of reform resources.

1.1.2 A program management team must be organized within the PNP for the purpose, to be headed by a senior, highly respected and highly skilled PNP official. The team must be participated in and/or manned by professionals and specialists with expertise and experience in law enforcement and public safety program development and implementation, project management, institution reengineering, law reform and enforcement, investigation, capacity building, information and communications technology, financial management, training and other relevant fields, who could be recruited or identified from among the ranks of the PNP or other law enforcement agencies, or outsourced if necessary. These personnel and experts will be fielded to comprise the program management team.

1.1.3 The key elements of an implementation management strategy for the further development and eventual implementation, as well as management of the medium-term PNP public investment program are identified and discussed in this Chapter.

2 SCOPE OF PROGRAM DEFINITION

2.1.1 The proposed public investment programs and projects for the PNP are expected to result in societal outcomes and institutional reform outcomes. Previous sections of this report have identified and presented some key indicators for program/project performance. The proposed reforms will cover the entire reform process starting with conceptualization and detailed diagnostics that will lead to design and reengineering, through to implementation, results monitoring, and evaluation. The project development scope of the proposed PNP public investment plan and program will specifically consist of the following key processes:

a) DEEPER AREA SPECIFIC DIAGNOSTIC STUDIES. This leads to the identification of more specific and implementable initiatives.

b) DETAILED DESIGN OR REENGINEERING (as the case may be). This involves detailed technical design, including the formulation of policies; design of detailed operational procedures, formal structures, and training curricula, testing and teaching methods, development of user manuals and learning/implementation tools; and conduct of other detailed design activities, as the case may be.

c) PILOT OR FULL IMPLEMENTATION (as the case may be). This covers the installation testing, commissioning of systems, development and implementation of change management strategies (consensus building, stakeholder and system user education and training, and handholding), and system review and improvement.

d) PERFORMANCE MONITORING AND EVALUATION using the RESULTS BASED MONITORING AND EVALUATION SYSTEM. This involves the development of methodology, criteria and indicators for performance evaluation and monitoring as well as the actual monitoring and evaluation of the success or failure of the reforms.

3 PHASING OF PROJECTS

3.1.1 The activities to be undertaken under the PNP public investment programs and projects will be phased in accordance with their proper technical order, as follows:

PHASE 1 VISION DEFINITION

PHASE 2 DIAGNOSTICS

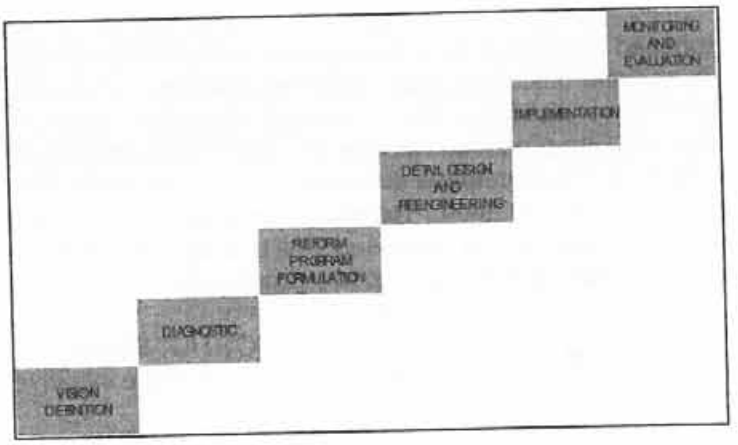
PHASE 3 REFORM PROGRAM FORMULATION

PHASE 4 DETAILED DESIGN AND REENGINEERING

PHASE 5 IMPLEMENTATION

PHASE 6 MONITORING AND EVALUATION

Figure 12.1
PROJECT PHASES



3.1.2 A change management strategy covering all stages in the plan and containing specific action plans for advocacy, consensus building and stakeholder information and education must be started together with the commencement of the reform process.

4 IMPLEMENTATION TIMEFRAME AND SCHEDULE

4.1 Overall Timeframe

4.1.1 The PNP public investment plan is estimated to have a start-to-finish duration of at least six (6) years with respect to the development, design and implementation of institutional and capacity building programs. The implementation of its component programs and projects will be institutionalized and continue over the long-term to form part of the development and strengthening of the police systems and practices.

4.2 Multi-Year Schedule

4.2.1 The multi-year timetable for the medium-term public investment plan of the PNP is presented in Table 12.1 of this report. The following assumptions were used in the formulation of the timetable:

a) Necessary resources for the execution of the detailed assessment, design and installation activities will be available as scheduled. Thus, the early constitution of the Program Management Office will be necessary to immediately mobilize donor and partner resources and firm up commitments in accordance with the medium-term plan implementation timetable.

b) Agencies involved will commit participation in the development and implementation of the PNP investment plan for the medium-term, and observe the proper sequencing and coordination of activities. It is therefore necessary that an early advocacy and partnership program be started, prior to actual implementation. The Program Management Office will be responsible for the early realization of key partnerships along this line.

c) There is a professional program management team with the expertise to undertake management of the technical, administrative and political aspects of the plan. The PNP must invest in establishing an able program management team. The appropriate activities to be undertaken for the purpose include training in-house personnel, involving partners, and outsourcing expertise not available in house through donor assistance.

d) There is strong determined and sustained top management commitment in PNP to institute reform initiatives in the police.

5 PROGRAM MANAGEMENT ARRANGEMENTS

5.1.1 A PNP PMO, instead of an inter-agency committee is recommended to serve as the program management team to achieve efficiency and effectiveness. Inter-agency committees may be created to facilitate the achievement of project specific collaborative efforts, but not for the management of the public investment plan, as this will undermine the independence of the PNP and consequently the credibility of the plan.

5.1.2 The following program management arrangements are specifically recommended:

a) ASSUMPTION BY CHIEF, PNP HIMSELF OF TOP LEADERSHIP AND MANAGEMENT IN PLAN IMPLEMENTATION

The Chief, PNP will provide the inspiration that will generate firm and sustained commitment and participation of institutions and the general public, and provide the intellectual directions that will synchronize and ensure mutually reinforcing efforts by various stakeholders.

b) ESTABLISHMENT OF THE PROGRAM MANAGEMENT OFFICE (PMO)

The Program Management Office should be headed by a Program Manager who is a PNP senior officer, and who has relevant experience in reform planning and implementation management. It is important that the Program Manager must have an extensive experience in collaboration with various stakeholders, as well as a familiarity with the structure and the operations of the government bureaucracy. The Program Manager must be of impeccable integrity and reputation, and has gained the stature and respect not only within the PNP, but also within the government. He should be trained in project management and such relevant areas as may be needed in running the PNP medium-term programs and projects of this scale.

The PMO will report directly to the Chief, PNP.

The PMO will be responsible for the overall planning, implementation management, sequencing and inter-agency coordination and programming of all reform activities. It will also take responsibility for coordinating with donor institutions and generating resources from the national government and donor community, for the annual programming and management of the prioritization and release of reform budgets, and for the monitoring and evaluation of the plan's performance.

There are many organizational arrangements that can be adopted for the PMO. The recommended formal administrative structure presented in Figure 12.2 organizes the program management work into areas of specialization. In Figure 12.3 the suggested specialization and competency mix for the positions that will initially comprise the staffing of each of the recommended organizational subdivisions of the PMO are indicated.

The internal structure and staffing composition of the PMO will be firmed up once the mix, content and timetable of projects and implementation activities have been identified and defined. The management style which the Chief, PNP and his Program Manager will be comfortable with can likewise be considered in organizing the internal structure of the PMO.

The above suggested set-up for initial operationalization of the PMO may evolve into one that will attend to the required coordinative services and oversight supervision and monitoring of programs and projects even during the implementation phase. Necessary specialization of PMO staff and required resources may be identified as programs and projects progress.

c) ESTABLISHMENT/UTILIZATION OF INTER-AGENCY COMMITTEES

The setting up/ utilization of currently organized inter-agency committees with specific partners will be significant in order to facilitate information flow, mobilization of resources and execution of project activities. Membership in inter-agency committees must be as participatory as possible. For example, a committee concerned with police community program and service advocacy and promotion which must necessarily involve members from the civil society and communities.

FIGURE 12.2
PROGRAM MANAGEMENT STRUCTURE

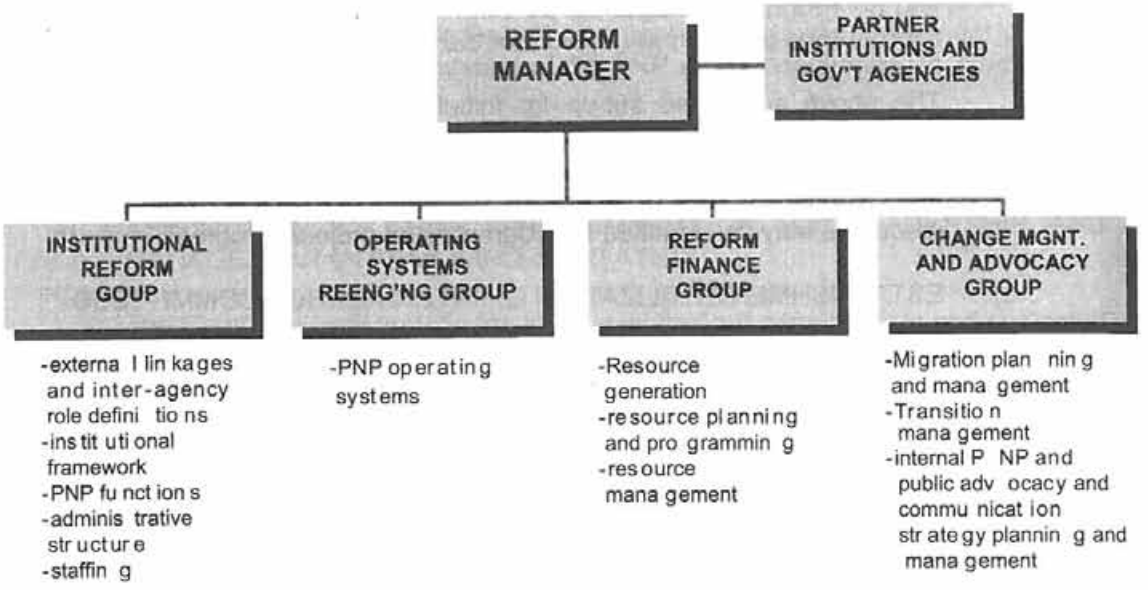
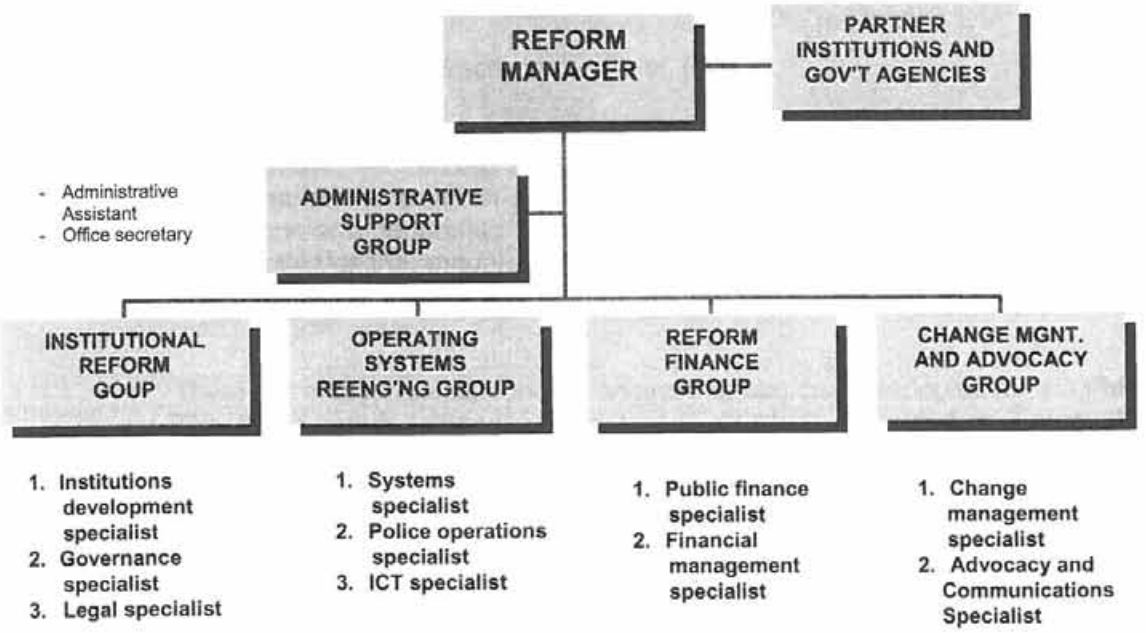


Figure 12.3
PMO INITIAL STAFFING
Reform Planning and Detailed Design Phase



PROGRAM / PROJECT / ACTIVITY	2005				2006				2007				2008				2009				2010				2011	
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT																										
A. Development of police psychometric testing tool																										
B. Development of a Police Career Development System																										
C. Reengineering the Police Remuneration System																										
D. Design of the Police Pension System and the PNP Pension and Insurance Corporation																										
E. Review and strengthening of Police Discipline System																										
F. Design of the Police Performance Evaluation System																										
G. Assessment and reengineering of the institutional framework for police education and training																										
H. Conduct of TNA for police positions																										
I. Review and revision/strengthening of the PNP education and training program																										
ADMINISTRATIVE AND FINANCIAL MANAGEMENT																										
A. Development and implementation of a PNP revenue and resource mobilization strategy																										
B. Reengineering of the PNP financial Budgeting System																										
STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT																										
A. Design and installation of a PNP Strategic Planning System																										
B. Design and implementation of a PNP RBMES																										
C. Development of Crime Indicators System																										
INFORMATION AND COMMUNICATION TECHNOLOGY																										
A. Design of the Criminal Justice Information System architecture																										
B. Design of the PNP Crime Managament Information System Concept, and systems functional specifications and crime data standards																										
C. PNP Crime Nanagement Information System - application systems design and implementation																										

TABLE 12.1

IMPLEMENTATION SCHEDULE

PROGRAM / PROJECT / ACTIVITY	2005				2006				2007				2008				2009				2010				2011	
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT																										
A. Putting in place immediate mechanism for the PNP institutional stability and continuity																										
B. Formulation of a National Internal Security Policy and Strategy																										
C. Rationalization of the Institutional Framework of the Police System																										
D. Strengthening the National Police Commission																										
E. Improving the Organization Structure and Functional Configuration of the PNP, and legislation																										
F. Redefinition and detailed reengineering of the functional and operational relationships between the PNP and Local Government Units																										
G. Reengineering the PNP Staffting and position classification system																										
POLICE OPERATIONS																										
A. Improvement and integration of the PNP operation manuals																										
B. Strengthening of crime research and development capacity and formulation of research agenda																										
FACILITIES DEVELOPMENT																										
A. Updating of police equipment standards and development of multi-year financing/ resource mobilization and procurement plan																										
B. Development of Upgrading Plan for the Crime Laboratory, its facilities, organization, staffing and operating systems																										
D Review and improvement of material evidence management policies and procedures																										

IMPLEMENTATION SCHEDULE

PROGRAM / PROJECT / ACTIVITY	2005				2006				2007				2008				2009				2010				2011	
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
DEMONSTRATING EXCELLENCE THROUGH THE DEVELOPMENT OF BEST PRACTICES																										
A. Development and implementation of model police stations																										
B. Safer Cities and Communities Project																										
C. Community Police Action Centers, Community Power in Action (COMPACT)																										
PUBLIC INFORMATION AND ADVOCACY																										
A. Development and implementation of public information and advocacy for the transformation program																										
REFORM MANAGEMENT																										
A. Establishment and operationalization of the Reform Management Office																										

LEGEND:

Design Phase
Implementation Phase

13

MEDIUM-TERM PUBLIC INVESTMENT PROGRAM

1 INTRODUCTION

1.1.1 This chapter presents the medium-term public investment program for the PNP. It contains the financial estimates for the implementation of the plan over the six year period and is presented by program, project, and project components. Indicative financing arrangements for each component (i.e., as to financing source) and the annual cash drawdown required for the implementation of the plan is also presented on a six-year timeframe.

2 RESOURCE CONFIGURATION

2.1 Assumptions

2.1.1 The timeframe for the implementation of the program is expected to be six (6) years, from 2005 to 2011. The bulk of the expenses, however, will be within the first three (3) years which will comprise the detailed designing, testing or piloting, implementation, training, provision of media instruments, construction and procurement of equipment and information technology. Years 4 to 6 will involve mainly stabilization, finetuning, performance evaluation and monitoring, and maintenance of fixed assets procured during the design and implementation stage.

2.1.2 While some of the project components may require funding for implementation, others may be implemented by the PNP within its normal course of operation and within its current resources. Thus, in the investment program some project components with implementation phase that stretches out until the end of the six-year period do not anymore include financial estimates.

2.1.3 The investment program shows two schemes of financing arrangements: (1) donor-assisted and (2) GOP Counterpart.

2.1.4 It is assumed that a major portion of the public investment program will be funded by donor institutions while the national government will focus on providing the PNP annual budgetary requirements in order to strengthen its institutional capacity and sustain reforms that will be funded mainly by donor resources. Donor institutions as used in this report includes Official Development Assistance (ODA) Institutions such the World Bank, Asian Development Bank (ADB), Japan Bank for International Cooperation (JBIC), European Union, etc., as well as local donors such as Local

Government Units (LGUs), Non-Government Organizations (NGOs), Civil Society Groups and business organizations.

2.1.5 The GOP-counterpart are cost estimates for staff-time, use of office facilities and equipment, as well as funding for meetings, training and conferences that are not shouldered by donor institutions but are necessary for the maintenance or stabilization of the program/project. It also includes the cost for the maintenance and upkeep as well as regular operating expenditures of facilities procured by donor institutions for the PNP.

2.2 Costing Methodology

2.2.1 The cost computation of each of the programs and projects as well as project components is done through the following process:

a) review of the scope of work and outputs

b) breaking down of the scope of work into task groups

c) determination of the skills required to do each task group

d) determination of the timeframe required to complete each task group

e) estimation of the man-months required to complete each task group

f) estimation of professional fees (see computation formula below)

g) identification of cost items in the tasks of each task group (e.g. training, training materials, workshop expenses, travel, etc)

h) identification of equipment and other capital outlay requirements

2.2.2 The standard costing methodology adopted are as follows:

Professional Fees:

International Consultants	-	$ 20,000 per month
Local Consultants	-	$ 7,000 per month
Researchers	-	$ 1,000 per month

Travel Expenses:

International travel:		
Airfare - International	-	$ 4,000 RT/person
Per Diem – International	-	$ 150/day
Local travel:		
Computed at the average land/airfare	-	P7,000.00/person
Per Diem – Local	-	P5,000.00/person/day

Workshops/Trainings/Seminars	-	P1,500.00/person – one day - P2,500.00/person – overnight
Operating Expenses	-	20% of total Professional Fees
GOP Counterpart	-	30% of total financing requirement of the project, except for some project components where detailed costing for GOP counterpart was made and other items that should not be included in the 30% standard rate

2.2.3 Estimates for IT Equipment, furniture, fixtures, and other supplies and materials are based on the current prices in the market plus reasonable allowances for price increases.

2.2.4 The costing for the Development of the Police Pension System and the PNP Pension and Insurance Corporation refers only to the design and implementation of the system and the setting-up of the corporation. It does not include the cost for the operationalization of the corporation.

2.2.5 The total investment requirement for Community Police Action Centers, Community Power in Action (COMPACT) was done in consultation with Mr. Alejo Ramon Valdez Mayoralgo, Consultant to the Chairman of NAPOLCOM and Secretary of the DILG, who actually designed the project, using ten (10) pilot COMPACT units across the country, which will be initially set-up for the study.

2.2.6 The exchange rate used in converting the costs from Philippine Currency to dollar and vice versa is pegged at PhP55.00 to a US$1.00.

2.2.7 The multi-year programming of costs is based on the implementation schedule of each program, project and activity.

3 INVESTMENT PROGRAM

3.1 Total Investment Cost

3.1.1 The total investment requirement is equal to US$40.23 million or PhP2.21 billion. Table 13.1 shows the total investment cost by program/project components in US Dollar and Philippine Pesos.

3.2 Multi-year Programming

3.2.1 The six-year programming of the total Public Investment Program in Philippine Peso and United States Dollar denominations are contained in Tables 13.2 and 13.3, respectively.

TABLE 13.3
MEDIUM-TERM PUBLIC INVESTMENT PROGRAM
Annual Programming in USD

PROGRAM/PROJECT	2005			2006			2007			2008		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
TOTAL INVESTMENT	10,154,430	2,274,856	12,429,286	13,170,058	3,687,619	16,857,677	4,889,637	728,647	5,618,285	3,279,099	236,793	3,515,892
A. NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT	1,279,091	381,545	1,660,636	954,382	286,315	1,240,696	72,873	21,862	94,735	-	-	-
1. Putting in place immediate mechanism for the PNP institutional stability and continuity	37,691	11,307	48,998	-	-	-	-	-	-	-	-	-
2. Formulation of a National Internal Security Policy and Strategy	606,000	179,618	785,618	-	-	-	-	-	-	-	-	-
3. Rationalization of the Institutional Framework of the Police System	191,673	57,502	249,175	82,145	24,644	106,789	-	-	-	-	-	-
4. Strengthening the National Police Commission	174,796	52,439	227,235	74,913	22,474	97,387	-	-	-	-	-	-
5. Improving the Organization Structure and Functional Configuration of the PNP	43,724	13,117	56,841	174,895	52,468	227,363	72,873	21,862	94,735	-	-	-
6. Redefinition and detailed reengineering of the functional and operational relationships between the PNP and Local Government Units	225,207	67,562	292,769	337,811	101,343	439,154	-	-	-	-	-	-
7. Reengineering the PNP Staffing and position classification system	-	-	-	284,618	85,385	370,004	-	-	-	-	-	-
B. POLICE OPERATIONS	969,587	203,603	1,173,191	1,252,590	244,868	1,497,458	-	-	-	-	-	-
1. Improvement and integration of the PNP operation manuals	835,060	163,245	998,305	1,252,590	244,868	1,497,458	-	-	-	-	-	-
2. Strengthening of crime research and development capacity and formulation of research agenda	134,527	40,358	174,885	-	-	-	-	-	-	-	-	-
C. FACILITIES DEVELOPMENT	516,156	154,411	670,567	592,871	177,207	770,078	-	-	-	-	-	-
1. Updating of police equipment standards and development of multi-year financing/resource mobilization and procurement plan	117,565	34,839	152,425	176,378	52,259	228,637	-	-	-	-	-	-
2. Development of Upgrading Plan for the Crime Laboratory, its facilities, organization, staffing and operating systems	180,935	54,280	235,215	271,402	81,421	352,822	-	-	-	-	-	-
3. Review and improvement of material evidence management policies and procedures	217,636	65,291	282,927	145,091	43,527	188,618	-	-	-	-	-	-
D. HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT	518,207	154,589	672,797	2,813,194	840,467	3,653,661	418,825	125,648	544,473	115,185	34,556	149,741
1. Development of police psychometric testing tool	115,520	34,656	150,176	28,880	8,664	37,544	-	-	-	-	-	-
2. Development of a Police Career Development System	78,720	22,743	101,463	118,080	34,115	152,195	-	-	-	-	-	-
3. Reengineering the Police Remuneration System	45,440	13,632	59,072	11,360	3,408	14,768	-	-	-	-	-	-
4. Design of the Police Pension System and the PNP Pension and Insurance Corporation	128,364	38,509	166,873	898,545	269,564	1,168,109	256,727	77,018	333,745	-	-	-
5. Review and strengthening of Police Discipline System	-	-	-	268,055	80,416	348,471	-	-	-	-	-	-
6. Design of the Police Performance Evaluation System	-	-	-	202,168	58,469	260,637	-	-	-	-	-	-
7. Assessment and reengineering of the institutional framework for police education and training	-	-	-	422,215	126,664	548,879	46,913	14,074	60,987	-	-	-
8. Conduct of TNA for police positions	150,164	45,049	195,213	-	-	-	-	-	-	-	-	-
9. Review and revision/strengthening of the PNP education and training program	-	-	-	863,891	259,167	1,123,058	115,185	34,556	149,741	115,185	34,556	149,741

Workshops/Trainings/Seminars	-	P1,500.00/person – one day
	-	P2,500.00/person – overnight
Operating Expenses	-	20% of total Professional Fees
GOP Counterpart	-	30% of total financing requirement of the project, except for some project components where detailed costing for GOP counterpart was made and other items that should not be included in the 30% standard rate

2.2.3 Estimates for IT Equipment, furniture, fixtures, and other supplies and materials are based on the current prices in the market plus reasonable allowances for price increases.

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2.2.6 The exchange rate used in converting the costs from Philippine Currency to dollar and vice versa is pegged at PhP55.00 to a US$1.00.

2.2.7 The multi-year programming of costs is based on the implementation schedule of each program, project and activity.

3 INVESTMENT PROGRAM

3.1 Total Investment Cost

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3.2 Multi-year Programming

3.2.1 The six-year programming of the total Public Investment Program in Philippine Peso and United States Dollar denominations are contained in Tables 13.2 and 13.3, respectively.

TABLE 13.1
MEDIUM-TERM PUBLIC INVESTMENT PROGRAM

PROGRAM/PROJECT	TOTAL (in PHP)			TOTAL (in USD)		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
TOTAL INVESTMENT	1,796,873,138	415,721,591	2,212,594,729	32,670,421	7,558,574	40,228,995
A. NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT	126,849,000	37,934,700	164,783,700	2,306,345	689,722	2,996,067
1. Putting in place immediate mechanism for the PNP institutional stability and continuity	2,073,000	621,900	2,694,900	37,691	11,307	48,998
2. Formulation of a National Internal Security Policy and Strategy	33,330,000	9,879,000	43,209,000	606,000	179,618	785,618
3. Rationalization of the Institutional Framework of the Police System	15,060,000	4,518,000	19,578,000	273,818	82,145	355,964
4. Strengthening the National Police Commission	13,734,000	4,120,200	17,854,200	249,709	74,913	324,622
5. Improving the Organization Structure and Functional Configuration of the PNP	16,032,000	4,809,600	20,841,600	291,491	87,447	378,938
6. Redefinition and detailed reengineering of the functional and operational relationships between the PNP and Local Government Units	30,966,000	9,289,800	40,255,800	563,018	168,905	731,924
7. Reengineering the PNP Staffing and position classification system	15,654,000	4,696,200	20,350,200	284,618	85,385	370,004
B. POLICE OPERATIONS	122,219,750	24,665,925	146,885,675	2,222,177	448,471	2,670,649
1. Improvement and integration of the PNP operation manuals	114,820,750	22,446,225	137,266,975	2,087,650	408,113	2,495,763
2. Strengthening of crime research and development capacity and formulation of research agenda	7,399,000	2,219,700	9,618,700	134,527	40,358	174,885
C. FACILITIES DEVELOPMENT	60,996,500	18,238,950	79,235,450	1,109,027	331,617	1,440,645
1. Updating of police equipment standards and development of multi-year financing/resource mobilization and procurement plan	16,168,000	4,790,400	20,958,400	293,964	87,098	381,062
2. Development of Upgrading Plan for the Crime Laboratory, its facilities, organization, staffing and operating systems	24,878,500	7,463,550	32,342,050	452,336	135,701	588,037
3. Review and improvement of material evidence management policies and procedures	19,950,000	5,985,000	25,935,000	362,727	108,818	471,545
D. HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT	215,765,250	64,489,575	280,254,825	3,923,005	1,172,538	5,095,542
1. Development of police psychometric testing tool	7,942,000	2,382,600	10,324,600	144,400	43,320	187,720
2. Development of a Police Career Development System	10,824,000	3,127,200	13,951,200	196,800	56,858	253,658
3. Reengineering the Police Remuneration System	3,124,000	937,200	4,061,200	56,800	17,040	73,840
4. Design of the Police Pension System and the PNP Pension and Insurance Corporation	70,600,000	21,180,000	91,780,000	1,283,636	385,091	1,668,727
5. Review and strengthening of Police Discipline System	14,743,000	4,422,900	19,165,900	268,055	80,416	348,471
6. Police Performance Evaluation System	11,119,250	3,215,775	14,335,025	202,168	58,469	260,637
7. Assessment and reengineering of the institutional framework for police education and training	25,802,000	7,740,600	33,542,600	469,127	140,738	609,865
8. Conduct of TNA for police stations	8,259,000	2,477,700	10,736,700	150,164	45,049	195,213
9. Review and revision/strengthening of the PNP education and training program	63,352,000	19,005,600	82,357,600	1,151,855	345,556	1,497,411
E. ADMINISTRATIVE AND FINANCIAL MANAGEMENT	42,818,000	12,725,400	55,543,400	778,509	231,371	1,009,880
1. Development and implementation of a PNP revenue and resource mobilization strategy	19,652,000	5,835,600	25,487,600	357,309	106,102	463,411
2. Reengineering of the PNP Budgeting System	23,166,000	6,889,800	30,055,800	421,200	125,269	546,469

PROGRAM/PROJECT	TOTAL (In PHP)			TOTAL (In USD)		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
F. STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT	25,231,000	7,186,800	32,417,800	458,745	130,669	589,415
1. Design and installation of a PNP Strategic Planning System	7,845,000	2,233,500	10,078,500	142,636	40,609	183,245
2. Design and implementation of a PNP RBMES	5,821,000	1,626,300	7,447,300	105,836	29,569	135,405
3. Development of Crime Indicators System	11,565,000	3,327,000	14,892,000	210,273	60,491	270,764
G. INFORMATION AND COMMUNICATION TECHNOLOGY	317,824,000	32,887,200	350,711,200	5,778,618	597,949	6,376,567
1. Design of the Criminal Justice Information System architecture	22,678,000	6,803,400	29,481,400	412,327	123,698	536,025
2. Design of the PNP Crime Managament Information System Concept, and systems functional specifications and crime data standards	32,446,000	9,733,800	42,179,800	589,927	176,978	766,905
3. PNP crime information system application systems development and implementation	262,700,000	16,350,000	279,050,000	4,776,364	297,273	5,073,636
H. DEMONSTRATING EXCELLENCE THROUGH THE DEVELOPMENT OF BEST PRACTICES	652,563,750	150,811,275	803,375,025	11,864,795	2,742,023	14,606,819
1. Development and implementation of model police stations	264,361,250	79,308,375	343,669,625	4,806,568	1,441,970	6,248,539
2. Safer Cities and Communities Project	289,427,500	41,870,400	331,297,900	5,262,318	761,280	6,023,598
3. Community Police Action Centers, Community Power in Action (COMPACT)	98,775,000	29,632,500	128,407,500	1,795,909	538,773	2,334,682
I. PUBLIC INFORMATION AND ADVOCACY						
1. Development and implementation of public information and advocacy for the transformation program	27,686,000	8,305,800	35,991,800	503,382	151,015	654,396
J. REFORM MANAGEMENT						
1. Establishment and operationalization of the Reform Management Office	204,919,888	58,475,966	263,395,854	3,725,816	1,063,199	4,789,016

TABLE 13.2
MEDIUM-TERM PUBLIC INVESTMENT PROGRAM
Annual Programming in PhP

PROGRAM/PROJECT	2005			2006			2007			2008		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
TOTAL INVESTMENT	558,493,654	125,117,103	683,610,757	724,353,165	202,819,053	927,172,218	268,930,053	40,075,606	309,005,658	180,350,428	13,023,612	193,374,039
A. NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT	70,350,000	20,985,000	91,335,000	52,491,000	15,747,300	68,238,300	4,008,000	1,202,400	5,210,400	-	-	-
1. Putting in place immediate mechanism for the PNP institutional stability and continuity	2,073,000	621,900	2,694,900	-	-	-	-	-	-	-	-	-
2. Formulation of a National Internal Security Policy and Strategy	33,330,000	9,879,000	43,209,000	-	-	-	-	-	-	-	-	-
3. Rationalization of the Institutional Framework of the Police System	10,542,000	3,162,600	13,704,600	4,518,000	1,355,400	5,873,400	-	-	-	-	-	-
4. Strengthening the National Police Commission	9,613,800	2,884,140	12,497,940	4,120,200	1,236,060	5,356,260	-	-	-	-	-	-
5. Improving the Organization Structure and Functional Configuration of the PNP	2,404,800	721,440	3,126,240	9,619,200	2,885,760	12,504,960	4,008,000	1,202,400	5,210,400	-	-	-
6. Redefinition and detailed reengineering of the functional and operational relationships between the PNP and Local Government Units	12,386,400	3,715,920	16,102,320	18,579,600	5,573,880	24,153,480	-	-	-	-	-	-
7. Reengineering the PNP Staffing and position classification system	-	-	-	15,654,000	4,696,200	20,350,200	-	-	-	-	-	-
B. POLICE OPERATIONS	53,327,300	11,198,190	64,525,490	68,892,450	13,467,735	82,360,185	-	-	-	-	-	-
1. Improvement and integration of the PNP operation manuals	45,928,300	8,978,490	54,906,790	68,892,450	13,467,735	82,360,185	-	-	-	-	-	-
2. Strengthening of crime research and development capacity and formulation of research agenda	7,399,000	2,219,700	9,618,700	-	-	-	-	-	-	-	-	-
C. FACILITIES DEVELOPMENT	28,388,600	8,492,580	36,881,180	32,607,900	9,746,370	42,354,270	-	-	-	-	-	-
1. Updating of police equipment standards and development of multi-year financing/resource mobilization and procurement plan	6,467,200	1,916,160	8,383,360	9,700,800	2,874,240	12,575,040	-	-	-	-	-	-
2. Development of Upgrading Plan for the Crime Laboratory, its facilities, organization, staffing and operating systems	9,951,400	2,985,420	12,936,820	14,927,100	4,478,130	19,405,230	-	-	-	-	-	-
3. Review and improvement of material evidence management policies and procedures	11,970,000	3,591,000	15,561,000	7,980,000	2,394,000	10,374,000	-	-	-	-	-	-
D. HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT	28,501,400	8,502,420	37,003,820	154,725,650	46,225,695	200,951,345	23,035,400	6,910,620	29,946,020	6,335,200	1,900,560	8,235,760
1. Development of police psychometric testing tool	6,353,600	1,906,080	8,259,680	1,588,400	476,520	2,064,920	-	-	-	-	-	-
2. Development of a Police Career Development System	4,329,600	1,250,880	5,580,480	6,494,400	1,876,320	8,370,720	-	-	-	-	-	-
3. Reengineering the Police Remuneration System	2,499,200	749,760	3,248,960	624,800	187,440	812,240	-	-	-	-	-	-
4. Design of the Police Pension System and the PNP Pension and Insurance Corporation	7,060,000	2,118,000	9,178,000	49,420,000	14,826,000	64,246,000	14,120,000	4,236,000	18,356,000	-	-	-
5. Review and strengthening of Police Discipline System	-	-	-	14,743,000	4,422,900	19,165,900	-	-	-	-	-	-
6. Design of the Police Performance Evaluation System	-	-	-	11,119,250	3,215,775	14,335,025	-	-	-	-	-	-
7. Assessment and reengineering of the institutional framework for police education and training	-	-	-	23,221,800	6,966,540	30,188,340	2,580,200	774,060	3,354,260	-	-	-
8. Conduct of TNA for police stations	8,259,000	2,477,700	10,736,700	-	-	-	-	-	-	-	-	-
9. Review and revision/strengthening of the PNP education and training program	-	-	-	47,514,000	14,254,200	61,768,200	6,335,200	1,900,560	8,235,760	6,335,200	1,900,560	8,235,760

PROGRAM/PROJECT	2005			2006			2007			2008		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
E. ADMINISTRATIVE AND FINANCIAL MANAGEMENT	-	-	-	34,254,400	10,180,320	44,434,720	8,563,600	2,545,080	11,108,680	-	-	-
1. Development and implementation of a PNP revenue and resource mobilization strategy	-	-	-	15,721,600	4,668,480	20,390,080	3,930,400	1,167,120	5,097,520	-	-	-
2. Reengineering of the PNP Budgeting System	-	-	-	18,532,800	5,511,840	24,044,640	4,633,200	1,377,960	6,011,160	-	-	-
F. STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT	4,281,950	1,216,335	5,498,285	19,786,700	5,641,485	25,430,185	1,160,350	328,980	1,489,330	-	-	-
1. Design and installation of a PNP Strategic Planning System	1,961,250	558,375	2,519,625	5,883,750	1,675,125	7,558,875	-	-	-	-	-	-
2. Design and implementation of a PNP RBMES	1,164,200	325,260	1,489,460	4,074,700	1,138,410	5,213,110	582,100	162,630	744,730	-	-	-
3. Development of Crime Indicators System	1,156,500	332,700	1,489,200	9,830,250	2,827,950	12,658,200	578,250	166,350	744,600	-	-	-
G. INFORMATION AND COMMUNICATION TECHNOLOGY	11,024,800	3,307,440	14,332,240	44,099,200	13,229,760	57,328,960	118,215,000	-	118,215,000	118,215,000	-	118,215,000
1. Design of the Criminal Justice Information System architecture	4,535,600	1,360,680	5,896,280	18,142,400	5,442,720	23,585,120	-	-	-	-	-	-
2. Design of the PNP Crime Managament Information System Concept, and systems functional specifications and crime data standards	6,489,200	1,946,760	8,435,960	25,956,800	7,787,040	33,743,840	-	-	-	-	-	-
3. PNP Crime Nanagement Information System - application systems design and implementation	-	-	-	-	-	-	118,215,000	-	118,215,000	118,215,000	-	118,215,000
H. DEMONSTRATING EXCELLENCE THROUGH THE DEVELOPMENT OF BEST PRACTICES	281,763,438	53,058,536	334,821,974	270,972,688	72,300,236	343,272,924	70,195,125	16,562,753	86,757,878	14,816,250	4,444,875	19,261,125
1. Development and implementation of model police stations	39,654,188	11,896,256	51,550,444	198,270,938	59,481,281	257,752,219	26,436,125	7,930,838	34,366,963	-	-	-
2. Safer Cities and Communities Project	202,599,250	29,309,280	231,908,530	57,885,500	8,374,080	66,259,580	28,942,750	4,187,040	33,129,790	-	-	-
3. Community Police Action Centers, Community Power in Action (COMPACT)	39,510,000	11,853,000	51,363,000	14,816,250	4,444,875	19,261,125	14,816,250	4,444,875	19,261,125	14,816,250	4,444,875	19,261,125
I. PUBLIC INFORMATION AND ADVOCACY												
1. Development and implementation of public information and advocacy for the transformation program	19,380,200	3,737,610	23,117,810	5,537,200	1,661,160	7,198,360	2,768,600	830,580	3,599,180	-	830,580	830,580
J. REFORM MANAGEMENT												
1. Establishment and operationalization of the Reform Management Office	61,475,966	14,618,992	76,094,958	40,983,978	14,618,992	55,602,969	40,983,978	11,695,193	52,679,171	40,983,978	5,847,597	46,831,574

PROGRAM/PROJECT	2009			2010			2011			TOTAL		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
TOTAL INVESTMENT	49,561,094	15,081,417	64,642,511	10,061,747	11,360,713	21,422,461	5,122,997	8,244,088	13,367,086	1,796,873,138	415,721,591	2,212,594,729
A. NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT	-	-	-	-	-	-	-	-	-	126,849,000	37,934,700	164,783,700
1. Putting in place immediate mechanism for the PNP institutional stability and continuity	-	-	-	-	-	-	-	-	-	2,073,000	621,900	2,694,900
2. Formulation of a National Internal Security Policy and Strategy	-	-	-	-	-	-	-	-	-	33,330,000	9,879,000	43,209,000
3. Rationalization of the Institutional Framework of the Police System	-	-	-	-	-	-	-	-	-	15,060,000	4,518,000	19,578,000
4. Strengthening the National Police Commission	-	-	-	-	-	-	-	-	-	13,734,000	4,120,200	17,854,200
5. Improving the Organization Structure and Functional Configuration of the PNP	-	-	-	-	-	-	-	-	-	16,032,000	4,809,600	20,841,600
6. Redefinition and detailed reengineering of the functional and operational relationships between the PNP and Local Government Units	-	-	-	-	-	-	-	-	-	30,966,000	9,289,800	40,255,800
7. Reengineering the PNP Staffing and position classification system	-	-	-	-	-	-	-	-	-	15,654,000	4,696,200	20,350,200
B. POLICE OPERATIONS	-	-	-	-	-	-	-	-	-	122,219,750	24,665,925	146,885,675
1. Improvement and integration of the PNP operation manuals	-	-	-	-	-	-	-	-	-	114,820,750	22,446,225	137,266,975
2. Strengthening of crime research and development capacity and formulation of research agenda	-	-	-	-	-	-	-	-	-	7,399,000	2,219,700	9,618,700
C. FACILITIES DEVELOPMENT	-	-	-	-	-	-	-	-	-	60,996,500	18,238,950	79,235,450
1. Updating of police equipment standards and development of multi-year financing/resource mobilization and procurement plan	-	-	-	-	-	-	-	-	-	16,168,000	4,790,400	20,958,400
2. Development of Upgrading Plan for the Crime Laboratory, its facilities, organization, staffing and operating systems	-	-	-	-	-	-	-	-	-	24,878,500	7,463,550	32,342,050
3. Review and improvement of material evidence management policies and procedures	-	-	-	-	-	-	-	-	-	19,950,000	5,985,000	25,935,000
D. HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT	3,167,600	950,280	4,117,880	-	-	-	-	-	-	215,765,250	64,489,575	280,254,825
1. Development of police psychometric testing tool	-	-	-	-	-	-	-	-	-	7,942,000	2,382,600	10,324,600
2. Development of a Police Career Development System	-	-	-	-	-	-	-	-	-	10,824,000	3,127,200	13,951,200
3. Reengineering the Police Remuneration System	-	-	-	-	-	-	-	-	-	3,124,000	937,200	4,061,200
4. Design of the Police Pension System and the PNP Pension and Insurance Corporation	-	-	-	-	-	-	-	-	-	70,600,000	21,180,000	91,780,000
5. Review and strengthening of Police Discipline System	-	-	-	-	-	-	-	-	-	14,743,000	4,422,900	19,165,900
6. Design of the Police Performance Evaluation System	-	-	-	-	-	-	-	-	-	11,119,250	3,215,775	14,335,025
7. Assessment and reengineering of the institutional framework for police education and training	-	-	-	-	-	-	-	-	-	25,802,000	7,740,600	33,542,600
8. Conduct of TNA for police stations	-	-	-	-	-	-	-	-	-	8,259,000	2,477,700	10,736,700
9. Review and revision/strengthening of the PNP education and training program	3,167,600	950,280	4,117,880	-	-	-	-	-	-	63,352,000	19,005,600	82,357,600

PROGRAM/PROJECT	2009			2010			2011			TOTAL		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
E. ADMINISTRATIVE AND FINANCIAL MANAGEMENT	-	-	-	-	-	-	-	-	-	42,818,000	12,725,400	55,543,400
1. Development and implementation of a PNP revenue and resource mobilization strategy	-	-	-	-	-	-	-	-	-	19,652,000	5,835,600	25,487,600
2. Reengineering of the PNP Budgeting System	-	-	-	-	-	-	-	-	-	23,166,000	6,889,800	30,055,800
F. STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT	-	-	-	-	-	-	-	-	-	25,231,000	7,186,800	32,417,800
1. Design and installation of a PNP Strategic Planning System	-	-	-	-	-	-	-	-	-	7,845,000	2,233,500	10,078,500
2. Design and implementation of a PNP RBMES	-	-	-	-	-	-	-	-	-	5,821,000	1,626,300	7,447,300
3. Development of Crime Indicators System	-	-	-	-	-	-	-	-	-	11,565,000	3,327,000	14,892,000
G. INFORMATION AND COMMUNICATION TECHNOLOGY	26,270,000	4,905,000	31,175,000	-	6,540,000	6,540,000	-	4,905,000	4,905,000	317,824,000	32,887,200	350,711,200
1. Design of the Criminal Justice Information System architecture	-	-	-	-	-	-	-	-	-	22,678,000	6,803,400	29,481,400
2. Design of the PNP Crime Managament Information System Concept, and systems functional specifications and crime data standards	-	-	-	-	-	-	-	-	-	32,446,000	9,733,800	42,179,800
3. PNP Crime Nanagement Information System - application systems design and implementation	26,270,000	4,905,000	31,175,000	-	6,540,000	6,540,000	-	4,905,000	4,905,000	262,700,000	16,350,000	279,050,000
H. DEMONSTRATING EXCELLENCE THROUGH THE DEVELOPMENT OF BEST PRACTICES	9,877,500	2,963,250	12,840,750	4,938,750	1,481,625	6,420,375	-	-	-	652,563,750	150,811,275	803,375,025
1. Development and implementation of model police stations	-	-	-	-	-	-	-	-	-	264,361,250	79,308,375	343,669,625
2. Safer Cities and Communities Project	-	-	-	-	-	-	-	-	-	289,427,500	41,870,400	331,297,900
3. Community Police Action Centers, Community Power in Action (COMPACT)	9,877,500	2,963,250	12,840,750	4,938,750	1,481,625	6,420,375	-	-	-	98,775,000	29,632,500	128,407,500
I. PUBLIC INFORMATION AND ADVOCACY												
1. Development and implementation of public information and advocacy for the transformation program	-	415,290	415,290	-	415,290	415,290	-	415,290	415,290	27,686,000	8,305,800	35,991,800
J. REFORM MANAGEMENT												
1. Establishment and operationalization of the Reform Management Office	10,245,994	5,847,597	16,093,591	5,122,997	2,923,798	8,046,796	5,122,997	2,923,798	8,046,796	204,919,888	58,475,966	263,395,854

PROGRAM/PROJECT	2009			2010			2011			TOTAL		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
E. ADMINISTRATIVE AND FINANCIAL MANAGEMENT	-	-	-	-	-	-	-	-	-	778,509	231,371	1,009,880
1. Development and implementation of a PNP revenue and resource mobilization strategy	-	-	-	-	-	-	-	-	-	357,309	106,102	463,411
2. Reengineering of the PNP Budgeting System	-	-	-	-	-	-	-	-	-	421,200	125,269	546,469
F. STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT	-	-	-	-	-	-	-	-	-	458,745	130,669	589,415
1. Design and installation of a PNP Strategic Planning System	-	-	-	-	-	-	-	-	-	142,636	40,609	183,245
2. Design and implementation of a PNP RBMES	-	-	-	-	-	-	-	-	-	105,836	29,569	135,405
3. Development of Crime Indicators System	-	-	-	-	-	-	-	-	-	210,273	60,491	270,764
G. INFORMATION AND COMMUNICATION TECHNOLOGY	477,636	89,182	566,818	-	118,909	118,909	-	89,182	89,182	5,778,618	597,949	6,376,567
1. Design of the Criminal Justice Information System architecture	-	-	-	-	-	-	-	-	-	412,327	123,698	536,025
2. Design of the PNP Crime Managament Information System Concept, and systems functional specifications and crime data standards	-	-	-	-	-	-	-	-	-	589,927	176,978	766,905
3. PNP Crime Nanagement Information System - application systems design and implementation	477,636	89,182	566,818	-	118,909	118,909	-	89,182	89,182	4,776,364	297,273	5,073,636
H. DEMONSTRATING EXCELLENCE THROUGH THE DEVELOPMENT OF BEST PRACTICES	179,591	53,877	233,468	89,795	26,939	116,734	-	-	-	11,864,795	2,742,023	14,606,819
1. Development and implementation of model police stations	-	-	-	-	-	-	-	-	-	4,806,568	1,441,970	6,248,539
2. Safer Cities and Communities Project	-	-	-	-	-	-	-	-	-	5,262,318	761,280	6,023,598
3. Community Police Action Centers, Community Power in Action (COMPACT)	179,591	53,877	233,468	89,795	26,939	116,734	-	-	-	1,795,909	538,773	2,334,682
I. PUBLIC INFORMATION AND ADVOCACY												
1. Development and implementation of public information and advocacy for the transformation program	-	7,551	7,551	-	7,551	7,551	-	7,551	7,551	503,382	151,015	654,396
J. REFORM MANAGEMENT												
1. Establishment and operationalization of the Reform Management Office	186,291	106,320	292,611	93,145	53,160	146,305	93,145	53,160	146,305	3,725,816	1,063,199	4,789,016

MEDIUM-TERM PUBLIC INVESTMENT PROGRAM
(Annual Programming in USD)

TABLE 13.3
MEDIUM-TERM PUBLIC INVESTMENT PROGRAM
Annual Programming in USD

PROGRAM/PROJECT	2005			2006			2007			2008		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
TOTAL INVESTMENT	10,154,430	2,274,856	12,429,286	13,170,058	3,687,619	16,857,677	4,889,637	728,647	5,618,285	3,279,099	236,793	3,515,892
A. NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT	1,279,091	381,545	1,660,636	954,382	286,315	1,240,696	72,873	21,862	94,735	-	-	-
1. Putting in place immediate mechanism for the PNP institutional stability and continuity	37,691	11,307	48,998	-	-	-	-	-	-	-	-	-
2. Formulation of a National Internal Security Policy and Strategy	606,000	179,618	785,618	-	-	-	-	-	-	-	-	-
3. Rationalization of the Institutional Framework of the Police System	191,673	57,502	249,175	82,145	24,644	106,789	-	-	-	-	-	-
4. Strengthening the National Police Commission	174,796	52,439	227,235	74,913	22,474	97,387	-	-	-	-	-	-
5. Improving the Organization Structure and Functional Configuration of the PNP	43,724	13,117	56,841	174,895	52,468	227,363	72,873	21,862	94,735	-	-	-
6. Redefinition and detailed reengineering of the functional and operational relationships between the PNP and Local Government Units	225,207	67,562	292,769	337,811	101,343	439,154	-	-	-	-	-	-
7. Reengineering the PNP Staffting and position classification system	-	-	-	284,618	85,385	370,004	-	-	-	-	-	-
B. POLICE OPERATIONS	969,587	203,603	1,173,191	1,252,590	244,868	1,497,458	-	-	-	-	-	-
1. Improvement and integration of the PNP operation manuals	835,060	163,245	998,305	1,252,590	244,868	1,497,458	-	-	-	-	-	-
2. Strengthening of crime research and development capacity and formulation of research agenda	134,527	40,358	174,885	-	-	-	-	-	-	-	-	-
C. FACILITIES DEVELOPMENT	516,156	154,411	670,567	592,871	177,207	770,078	-	-	-	-	-	-
1. Updating of police equipment standards and development of multi-year financing/resource mobilization and procurement plan	117,585	34,839	152,425	176,378	52,259	228,637	-	-	-	-	-	-
2. Development of Upgrading Plan for the Crime Laboratory, its facilities, organization, staffing and operating systems	180,935	54,280	235,215	271,402	81,421	352,822	-	-	-	-	-	-
3. Review and improvement of material evidence management policies and procedures	217,636	65,291	282,927	145,091	43,527	188,618	-	-	-	-	-	-
D. HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT	518,207	154,589	672,797	2,813,194	840,467	3,653,661	418,825	125,648	544,473	115,185	34,556	149,741
1. Development of police psychometric testing tool	115,520	34,656	150,176	28,880	8,664	37,544	-	-	-	-	-	-
2. Development of a Police Career Development System	78,720	22,743	101,463	118,080	34,115	152,195	-	-	-	-	-	-
3. Reengineering the Police Remuneration System	45,440	13,632	59,072	11,360	3,408	14,768	-	-	-	-	-	-
4. Design of the Police Pension System and the PNP Pension and Insurance Corporation	128,364	38,509	166,873	898,545	269,564	1,168,109	256,727	77,018	333,745	-	-	-
5. Review and strengthening of Police Discipline System	-	-	-	268,055	80,416	348,471	-	-	-	-	-	-
6. Design of the Police Performance Evaluation System	-	-	-	202,168	58,469	260,637	-	-	-	-	-	-
7. Assessment and reengineering of the institutional framework for police education and training	-	-	-	422,215	126,664	548,879	46,913	14,074	60,987	-	-	-
8. Conduct of TNA for police positions	150,164	45,049	195,213	-	-	-	-	-	-	-	-	-
9. Review and revision/strengthening of the PNP education and training program	-	-	-	863,891	259,167	1,123,058	115,185	34,556	149,741	115,185	34,556	149,741

PROGRAM/PROJECT	2005			2006			2007			2008		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
E. ADMINISTRATIVE AND FINANCIAL MANAGEMENT	-	-	-	622,807	185,097	807,904	155,702	46,274	201,976	-	-	-
1. Development and implementation of a PNP revenue and resource mobilization strategy	-	-	-	285,847	84,881	370,729	71,462	21,220	92,682	-	-	-
2. Reengineering of the PNP Budgeting System	-	-	-	336,960	100,215	437,175	84,240	25,054	109,294	-	-	-
F. STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT	77,854	22,115	99,969	359,795	102,572	462,367	21,097	5,981	27,079	-	-	-
1. Design and installation of a PNP Strategic Planning System	35,659	10,152	45,811	106,977	30,457	137,434	-	-	-	-	-	-
2. Design and implementation of a PNP RBMES	21,167	5,914	27,081	74,085	20,698	94,784	10,584	2,957	13,541	-	-	-
3. Development of Crime Indicators System	21,027	6,049	27,076	178,732	51,417	230,149	10,514	3,025	13,538	-	-	-
G. INFORMATION AND COMMUNICATION TECHNOLOGY	200,451	60,135	260,586	801,804	240,541	1,042,345	2,149,364	-	2,149,364	2,149,364	-	2,149,364
1. Design of the Criminal Justice Information System architecture	82,465	24,740	107,205	329,862	98,959	428,820	-	-	-	-	-	-
2. Design of the PNP Crime Managament Information System Concept, and systems functional specifications and crime data standards	117,985	35,396	153,381	471,942	141,583	613,524	-	-	-	-	-	-
3. PNP Crime Nanagement Information System - application systems design and implementation	-	-	-	-	-	-	2,149,364	-	2,149,364	2,149,364	-	2,149,364
H. DEMONSTRATING EXCELLENCE THROUGH THE DEVELOPMENT OF BEST PRACTICES	5,122,972	964,701	6,087,672	4,926,776	1,314,550	6,241,326	1,276,275	301,141	1,577,416	269,386	80,816	350,202
1. Development and implementation of model police stations	720,985	216,296	937,281	3,604,926	1,081,478	4,686,404	480,657	144,197	624,854	-	-	-
2. Safer Cities and Communities Project	3,683,623	532,896	4,216,519	1,052,464	152,256	1,204,720	526,232	76,128	602,360	-	-	-
3. Community Police Action Centers, Community Power in Action (COMPACT)	718,364	215,509	933,873	269,386	80,816	350,202	269,386	80,816	350,202	269,386	80,816	350,202
I. PUBLIC INFORMATION AND ADVOCACY												
1. Development and implementation of public information and advocacy for the transformation program	352,367	67,957	420,324	100,676	30,203	130,879	50,338	15,101	65,440	-	15,101	15,101
J. REFORM MANAGEMENT												
1. Establishment and operationalization of the Reform Management Office	1,117,745	265,800	1,383,545	745,163	265,800	1,010,963	745,163	212,640	957,803	745,163	106,320	851,483

MEDIUM-TERM PUBLIC INVESTMENT PROGRAM
(Annual Programming in USD)

PROGRAM/PROJECT	2009			2010			2011			TOTAL		
	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total	Donor Assisted	GOP Counterpart	Total
TOTAL INVESTMENT	901,111	274,208	1,175,318	182,941	206,558	389,499	93,145	149,893	243,038	32,670,421	7,558,574	40,228,995
A. NATIONAL POLICY AND INSTITUTIONS DEVELOPMENT	-	-	-	-	-	-	-	-	-	2,306,345	689,722	2,996,067
1. Putting in place immediate mechanism for the PNP institutional stability and continuity	-	-	-	-	-	-	-	-	-	37,691	11,307	48,998
2. Formulation of a National Internal Security Policy and Strategy	-	-	-	-	-	-	-	-	-	606,000	179,618	785,618
3. Rationalization of the Institutional Framework of the Police System	-	-	-	-	-	-	-	-	-	273,818	82,145	355,964
4. Strengthening the National Police Commission	-	-	-	-	-	-	-	-	-	249,709	74,913	324,622
5. Improving the Organization Structure and Functional Configuration of the PNP	-	-	-	-	-	-	-	-	-	291,491	87,447	378,938
6. Redefinition and detailed reengineering of the functional and operational relationships between the PNP and Local Government Units	-	-	-	-	-	-	-	-	-	563,018	168,905	731,924
7. Reengineering the PNP Staffting and position classification system	-	-	-	-	-	-	-	-	-	284,618	85,385	370,004
B. POLICE OPERATIONS	-	-	-	-	-	-	-	-	-	2,222,177	448,471	2,670,649
1. Improvement and integration of the PNP operation manuals	-	-	-	-	-	-	-	-	-	2,087,650	408,113	2,495,763
2. Strengthening of crime research and development capacity and formulation of research agenda	-	-	-	-	-	-	-	-	-	134,527	40,358	174,885
C. FACILITIES DEVELOPMENT	-	-	-	-	-	-	-	-	-	1,109,027	331,617	1,440,645
1. Updating of police equipment standards and development of multi-year financing/resource mobilization and procurement plan	-	-	-	-	-	-	-	-	-	293,964	87,098	381,062
2. Development of Upgrading Plan for the Crime Laboratory, its facilities, organization, staffing and operating systems	-	-	-	-	-	-	-	-	-	452,336	135,701	588,037
3. Review and improvement of material evidence management policies and procedures	-	-	-	-	-	-	-	-	-	362,727	108,818	471,545
D. HUMAN RESOURCES DEVELOPMENT AND MANAGEMENT	57,593	17,278	74,871	-	-	-	-	-	-	3,923,005	1,172,538	5,095,542
1. Development of police psychometric testing tool	-	-	-	-	-	-	-	-	-	144,400	43,320	187,720
2. Development of a Police Career Development System	-	-	-	-	-	-	-	-	-	196,800	56,858	253,658
3. Reengineering the Police Remuneration System	-	-	-	-	-	-	-	-	-	56,800	17,040	73,840
4. Design of the Police Pension System and the PNP Pension and Insurance Corporation	-	-	-	-	-	-	-	-	-	1,283,636	385,091	1,668,727
5. Review and strengthening of Police Discipline System	-	-	-	-	-	-	-	-	-	268,055	80,416	348,471
6. Design of the Police Performance Evaluation System	-	-	-	-	-	-	-	-	-	202,168	58,469	260,637
7. Assessment and reengineering of the institutional framework for police education and training	-	-	-	-	-	-	-	-	-	469,127	140,738	609,865
8. Conduct of TNA for police positions	-	-	-	-	-	-	-	-	-	150,164	45,049	195,213
9. Review and revision/strengthening of the PNP education and training program	57,593	17,278	74,871	-	-	-	-	-	-	1,151,855	345,556	1,497,411

BIBLIOGRAPHY

PUBLISHED DOCUMENTS

Bayley, David. *Patterns of Policing, A Comparative International Practice*, 1985.

_____. "Community Policing: A Report from the Devil's Advocate," *Community Policing* by Greene and Mastrofiski's, eds., 1988.

Berkley, George & Rouse,John. *The Craft of Public Administration*, seventh edition, McGraw-Hill Companies, Inc., U.S.A., 1977.

Bernas, Joaquin G. *The 1987 Philippine Constitution, A Reviewer – Primer*, third edition, REX Book Store, Quezon City: 1997.

Bittner, Egon. *The Functions of the Police in Modern Society*, 1970.

Bohm, Robert M. and Haley, Keith N., *Introduction to Criminal Justice*, McGraw Hill, New York, New York, 1997.

Braswell, Michael & Miller, Larry, *Human Relations and Police Work*, Waveland Press, Inc., Ill., U.S.A., 1993.

Bureau of Justice Assistance, U.S. Department of Justice. *Understanding Community Policing, A Framework For Action*, Monograph , Washington D.C., USA, August 1994.

Cael, Basilio G. *Police Operations and Basic Police Responsibilities in Philippine Society* ed., 2000.

Campos, Cicero. "The Philippine Police System Within the Third World Context", *Criminal Justice Journal*, September-December 1986.

_____. "A Comparative Study of National Police Academies of Some Selected Countries, With Recommendations for Improving the Quality of Education and Training Program of the Philippine National Police Academy," *Criminal Justice,* May-August 1985.

Campos,Edgardo & Pradhan, Sanjay. *Building Blocks Toward a More Effective Public Sector*, The International bank for Reconstruction and Development/The World Bank, 1998.

Carter, David L., *Policy Paper Revised for Regional Community Policing Institute at Wichita State University*, School of Criminal Justice, Michigan State University, 2000.

Casal, Gabriel et al., *The People and Art of the Philippines*, Los Angeles, 1981.

Cloward, R.A. and Ohlin, L.E. *Delinquency and Opportunity: A Theory of Delinquent Gangs*, New York, Free Press, 1960.

Coronel, Miguel, *People Empowerment Against Crime*, Zita Publishing Corporation, Manila, Philippines, 1996.

Cuaderno, Reynaldo P. "Proposed Configuration of the New National Police Organization under the 1987 Constitution," *Journal of the Integrated Bar of the Philippines,* Vol. XVI, No.2, 2nd Quarter 1988, pp. 1-15.

_____. "Community Involvement in Crime Prevention, A Comparative Overview of Citizens' Crime Prevention Projects in the Philippines and other Jurisdictions," *Criminal Justice*, 3rd and 4th Quarter, 1984, pp. 31-47.

_____. "The Need for Restraint in Police Use of Force," *Criminal Justice Journal*, Vol. XI No.2/3rd & 4th Quarter, 1993, pp. 19-33.

CPRM Consultants, Inc. (Supreme Court World Bank Grant). *Philippines: Formulation of Case Decongestion and Delay Reduction Strategy Project – Phase*, 2002.

Davis, Kenneth Culp. *Discretionary Justice: A Preliminary Inquiry*, 1971

De Leon, H. *Philippine Constitutional Law, Principles & Cases 723,* 1991

Department of State. *Survey of Philippine Law Enforcement*:1966.

Feliciano, Myrna & Muyot (World Bank Grant). *The Philippine Criminal Justice System*: 2000.

Goldstein, Herman. *Police Corruption: A Perspective on its Nature and Control*, 1975.

Hale, Charles D. *Fundamentals of Police Administration*, Holbrook Press, Inc., USA, 1977.

Hagan, J. "Why is the There So Little Criminal Justice Theory? Neglected Macro- and Micro-Level Links Between Organization and Power," *Journal of Research in Crime & Delinquency* 26,2, 1989, pp.116-35.

Hess, Karen M. & Wrobleski, Henry M. *Police Operations: Theory and Practice, Second Edition*, 1997.

Hirschi, T. *Causes of Delinquency*. Berkeley, Univ. of Ca Press,1969.

_____. "Crime and the Family" in J. Wilson (ed.) *Crime and Public Policy*. San Francisco,ICS, 1983

Hirschi, T. & M. Gottfredson. (1986). "The Distinction Between Crime and Criminality". In *Critique and Explanation: Essays in Honor of Gwynne Nettler*, edited by T. Hartnagel & R. Silverman (pp. 44-69). NJ:Transaction.

Kaplan, A. *The Conduct of Social Inquiry*. San Francisco: Chandler, 1964.

Kania, Richard. "Should We Tell the Police to Say 'Yes' to Gratuities?", *Criminal Justice Ethics, 7, no.2*, 1988, pp.37-49.

Leonard, Vivian Anderson. *Police Traffic and Control,* Charles C. Thomas Publisher, Springfield, Illinois, USA, 1971.

Lorenzo Jr., Harry C. "Police Education and Training: Transcending Traditional Institutional Values and Boundaries," *Public Safety: Dimensions and Concerns*, ed. Harry Lorenzo Jr. and Archimedes R. Piga

Lynch, Lawrence M., Thibult, Edward A., & McBride, R. Bruce. *Proactive Police Management, 4th Edition.* Prentice-Hall, Inc., 1998.

McLean, *Corruption Indices,* BBC, 2002.

Mc Mullen. "A Theory of Corruption," *Sociological Review, 9*, June 1961, pp. 184-185.

Merton, Robert K. Social Structure and Anomies, American Sociological Review, 3, October 1938, pp. 672-682.

Mills, C. Wright, *The Sociological Imagination*, 1959.

Moore, W. *The Professions: Rules and Roles*: 1970

National Statistics Coordinating Board, *2003 Philippine Statistical Yearbook*, National Statistics Coordinating Board Publishing, Makati, Philippines, 2003.

National Statistics Office, *2002 Philippine Yearbook*, Philippine National Statistics Office, Manila, Philippines, 2002.

Nolledo, Jose. *Handbook on the Philippine National Police with (1996 Supplement),* ed., 1995.

Schwendinger, Julia, "Defenders of Order or Guardians of Human Rights" in *Critical Criminology ed. by Taylor, Paul Walton & Jack Young,* 1975, pp.113-46.

Sellin,Thorstein, *Culture Conflict and Crime*, New York, Social Science Council, 1938.

Shionoya, Yasuo. "The Police of Japan: Its Philosophy and Key to Success," *Criminal Justice,* September-December 1988, pp. 3-18.

Sherman, Lawrence. *Police Corruption: A Sociological Perspective*,1974.

Sison, Perfecto S. *Personnel and Human Resources Management*, sixth edition, Rex Printing Co., Inc., Quezon City,1991.

Skogan, *Disorder and Decline: Crime and the Spiral of Decay in American Neighborhoods*, 1990.

Sparrow, Malcolm. "Implementing Community Policing," *Perspectives in Policing, No.9*, 1988, pp 8-9.

Spiropoulos, John. *Cyber Crime Fighting: The Law Enforcement Officer's Guide to Online Crime,* 2002 (Excerpts provided by the PNP Computer Service Unit).

Stoddard, Ellwyn. "The 'Informal Code' of Police Deviance: A Group Approach to 'Blue Coat Crime,'" *Journal of Criminal Law, Criminology and Police Science, 59, no.2*: 1968, pp. 201-221.

Sutherland, E.H. *Principles of Criminology*, 4th Edition, Philadelphia, Lippincott, 1947.

Office of Public Safety, Agency for International Development Department. *Survey of Philippine Law Enforcement*,. Department of State, Washington DC

Tappan, Paul, "Who is the Criminal?", *American Sociological Review 12*, pp. 1, 96-102: 1947.

United Nations Interregional Crime and Justice Research Institute (UNICRI) in Manila covering trends from 1995 to 2000.

UN Milan Plan of Action, 1985.

US Library of Congress, *Country Studies*, 1997.

US Library of Congress, *U.S. Crime Recording System, 2000.*

US Department of Justice. *NIJ Report*, 2004.

_____, *Neighborhood Team Policing*, 1977.

_____, *Improving Police/ Community Relations*, 1973.

_____, "Principles for Promoting Integrity," January 2001, p. 10.

Walker, Samuel. *The Police in America, An Introduction*, 1992.

Weisbord, M., Lamb, H. & Drexler, A. *Improving Police Department Management through Problem-solving Task Forces*,1974.

Wilson & McLaren, *Police Administration*, 1977.

Wilson & Kelling, "Broken Windows: The Police and Neighborhood Safety," *Thinking About Crime, rev. edition*:1985.

Wilson, O.W. *Varieties of Police Behavior*, 1977.

ELECTRONIC SOURCES

O'Conner, T., 199, http:///www.faculty/ncwu/oconner.html

www.ched.gov.ph

www.ppsc.gov.ph

http://www.unodc.org/pdf/crime/seventh_survey/7pv.pdf

http://www.fee.org/vnews.php?nid=439

http://www.dbm.gov.ph/dbm_publications/pbm_2003/stamping_terrorism_criminality.htm

http://www.davaonorte.gov.ph/profile/sep_6_5_1.htm

http://www.mandaluyong.gov.ph/public.html

http://www.adb.org/documents/manuals/serv_and_preserve/Chapter10.pdf

http://www.pnp.gov.ph/index.php

http://www.dbm.gov.ph/dbm_publications/opif_2004/Part%2010%20Harmonized%20DBM%20NEDA%20MFOs%20%20Working%20List/Harmonized%20MFOs-DILG.doc

http://www.pssg.gov.bc.ca/police_services/publications/summary_statistics/Chapter_5.pdf

http://www.news.ops.gov.ph/archives2002/nov22.htm#Gov't%20making

http://www.police.govt.nz/resources/2000/annual-report/6-service_centres.pdf

Transparency International website,2003.

NATIONAL LAWS AND ISSUANCES

Commonwealth Act No. 1. In 1936

Commonwealth Act No. 88

Commonwealth Act No. 343 in 1938

Republic Act No. 175, The Organization and Government of Insular Constabulary and for Inspection of the Municipal Police, 1901

Republic Act No.7659 An Act to Impose the Death Penalty on Certain Heinous Crimes, Amending for that Purpose the Revised Penal Laws, and for Other Purposes December 13, 1993

Republic Act No. 3815, as amended, "The Revised Penal Code, " first edition, second printing, NBSI Editorial Staff comp. and ed. in consultation with Anita S. Regalado, National Bookstore, Mandaluyong: 2000.

Republic Act No. 4864 08, September 1966

Republic Act No 6975, 13 December 1990, "An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and For Other Purposes"

Republic Act No. 8551, 25 February 1998, "An Act Providing for the Reform and Reorganization of the Philippine National Police and for Other Purposes, Amending Certain Provisions of Republic Act Numbered Sixty-Nine Hundred and Seventy-Five, Entitled 'An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and For Other Purposes"

Republic Act No. 7438, 1992

Republic Act No. 8353 (Anti-Rape Law of 1997)

Republic Act No. 8505 (Rape Victim Assistance and Protection Act of 1998)

Republic Act No. 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act of 1992)

Republic Act No. 8749 (Philippine Clean Air Act of 1999)

Republic Act No. 8550 (Philippine Fisheries Code of 1998)

Republic Act No. 8550, 29 June 2000

Republic Act No. 8048 (Coconut Preservation Act of 1995)

Republic Act No. 9147 (Wildlife Resources Conservation and Protection Act of 2001)

Republic Act No. 7166 (An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for other Purposes, 1991)

Republic Act No. 7279 (Urban Development and Housing Act of 1992)

Republic Act No. 7898 (The AFP Modernization Act of 1995)

Republic Act No. 9208 (Anti-Trafficking in Person Act, 2003)

Republic Act No. 9262 (Violence Against Women and Their Children Act, 2004)

Republic Act No. 9165 (The Comprehensive Dangerous Drugs Act of 2002)

Republic Act No. 7438

Republic Act No. 9262 (Anti Violence Against Women and Their Children Act)

Republic Act No. 8505 (Rape Victim Assistance and Protection Act of 1998)

Republic Act No. 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act of 1992)

Executive Order No. 389 dated 23 December 1950

Executive Order 292 dated 25 July 1987

Executive Order No. 1040, 10 July 1985

Executive Order No. 1040

Executive Order No. 10, 1999

Executive Order No. 295 Amending Executive Order No. 8 Creating A Presidential Anti-Organized Commission, to Investigate and Prosecute Criminal Elements in the Country, September 28, 2000.

Executive Order No. 8 Creating a Presidential Anti-Organized Commission and A Presidential Anti-Organized Crime Task Force to Investigate and Prosecute Criminal Elements in the Country, July 22,1998.

Executive Order No. 62 Creating the Philippine Centre on Transnational Crime to Formulate and Implement a Concerted Program of Action of All Law Enforcement, Intelligence and Control of Transnational Crime, January 15, 1999.

Presidential Decree No. 1, 1972

Presidential Decree No. 1250, 1978.

Presidential Decree No. 765, 1975

Presidential Decree No. 1566 (Strengthening the Philippine Disaster Control Capability and Establishing the National Program on Community Disaster Preparedness,1978)

Presidential Decree 1606, as amended by Presidential Decree 1861

General Rule No. 81066, January 29, 1990, 181 SCRA 508.

Implementing Rules and Regulations of RA 8505

Rules and Regulations on the Reporting and Investigation of Child Abuse Cases Pursuant to RA 7610 (1993)

Rules and Regulations on the Establishment, Safeguarding and Maintenance of Fish Sanctuaries Within Laguna de Bay (June 29 2000)

DBM. National Budget Circular No. 490 CY 2003 1st Semester – Agency Performance Review (APR), September 23, 2003

DBM. National Budget Circular No. 481 Mid-year Agency Performance Review for FY 2002, August 19, 2003

DBM. Budget of Expenditures and Sources of Financing FY 2000.

_____ Budget of Expenditures and Sources of Financing FY 2001.

_____ Budget of Expenditures and Sources of Financing FY 2002.

_____ Budget of Expenditures and Sources of Financing FY 2003.

_____ Budget of Expenditures and Sources of Financing FY 2004.

_____ Budget of Expenditures and Sources of Financing FY 2005.

DBM. Staffing Summary FY 2000.

____ Staffing Summary FY 2001.

____ Staffing Summary FY 2002.

____ Staffing Summary FY 2003.

____ Staffing Summary FY 2004.

____ Staffing Summary FY 2005.

____General Appropriations Act, 1998.

____General Appropriations Act, 1999.

____General Appropriations Act, 2000.

____General Appropriations Act, 2002.

____General Appropriations Act, 2003.

____ National Expenditure Program, 2001

____ National Expenditure Program, 2002

____ National Expenditure Program, 2003

____ National Expenditure Program, 2004

____ National Expenditure Program, 2005

OTHER DOCUMENTS

Government Finance Statistics Yearbook 2002

IMF Statistics 2003, IMF

State of the Nation Address, Batasang Pambansa, Quezon City, July 23, 2001

The Medium-Term Philippine Development Plan, 2001-2004, Manila, Philippines, November 2001

Miranda vs. Arizona ,384 US 436 [June 1966].

People v. Meris, 329 SCRA 33, 45 (March 2000)

Philippine Daily Inquirer, as bylined by Christian V. Esguerra and Gil C. Cabacungan Jr., "Official Denounces PNP Payroll Racket", October 18, 2004

_____ as bylined by Christian V. Esguerra and Gil C. Cabacungan Jr., "PNP Starts Probe on Corruption Raps", November 2, 2004

_____as bylined by Christian V. Esguerra, "PNP Begins Morale Check In the Ranks", October 26, 2004.

The Philippine Star, as bylined by Marvin Sy, "Palace Welcomes Lifestyle Checks", October 18, 2004.

_____as bylined by Christina Mendez, "PNP Generals In Pyramid Scams Included in Lifestyle Checks", November 9, 2004.

_____as bylined by Christina Mendez, "PNP May Civilianize Its Entire Comptrollership", November 3, 2004

Civil Service Commission, Resolution No. 98-0010 dated January 13, 1998, as amended under CSC issued Resolution 021288 dated October 8, 2002.

PPSC Operations Manual, 1998 Edition.

SELECTED PNP DOCUMENTS/ INTERNAL ISSUANCES/ NAPOLCOM ISSUANCES

Philippine National Police, DPRM Memorandum dated October 21, 2003, in reference to Executive Order 226 dated February 17, 1995 on institutionalization of the doctrine of command responsibility in all government offices particularly at all levels of command in the Philippine National police and other law enforcement agencies.

NAPOLCOM, Memorandum Circular 2003-002, 10 January 2003 "Amending Further Sections8 (a and b) and 11 of NAPOLCOM Memorandum Circular No. 1992-016 which Provides for Specific Policies/Rules on Promotion on PNP Uniformed Personnel"

_____ Memorandum Circular 2003-003, 10 January 2003, Amending Further Section 7 of NAPOLCOM Memorandum Circular No. 980-08 dated February 26, 1998, entitled, "Guidelines and Procedures Governing the Selection and Placement of Police Commissioned Officers to Key Positions in the PNP"

_____ Memorandum Circular 2003-002, as amended by Memorandum Circular 2003-003, "Institutionalization of the participation of policewomen in the different Promotion, Selection and Placement Boards of the PNP"

_____ Memorandum Circular 2003-004, 10 January 2003, "Guidelines in Establishing PNP Gender and Development (GAD)Mechanisms to Ensure that GAD Concerns of the PNP and its Clientele are Recognized and Addressed"

_____ Memorandum Circular 2003-009, 07 October 2003, Further Amending NAPOLCOM MC 92-015 Entitled, "Prescribing a Standard Procedure for the Recruitment, Selection and Appointment of PNP Uniformed Personnel and Other Related Issuances"

_____ Memorandum Circular 2003-010, 14 October 2003, "Prescribing the Guidelines and Procedures for Lateral Entry of Officers into the PNP"

_____ Resolution 2003-001, 02 January 2003, "Granting the PNP the Authority to Recruit 2,000 New Policemen from November 1 to December 31, 2002 Pursuant to the Special Allotment Release Order (SARO) from the DBM Released on October 28, 2002 and Fill Up 3,495 Vacancies in the PNP Brought About by Normal Attrition"

_____ Resolution 2003-013. 23 January 2003, "Prescribing the New Percentage Rank Distribution of Star Ranks in the Philippine National Police"

_____ Resolution 2003-025, 15 April 2003, "Granting the PNP Authority to Increase the Quota for Lateral Entry by One Hundred Forty Six (146)"

_____ Resolution 2003-068, 04 August 2003, "Granting the Chief, PNP the authority to Fill Up Promotional Vacancies of Police Officer 2 to Senior Superintendent for Calendar Year 2003"

_____Resolution 2003-119, 11 November 2003, "Granting the PNP the Authority to Recruit 6,000 New Police Officers from November 15 to December 3, 2003 Pursuant to the Special Allotment Release Order (No. D-03-03808 Issued by the DBM on September 26, 2003.... For PO1"

_____ Memorandum Circular 2002-001, 10 January 2002, "Further amending Memorandum Circular 99-007 as Amended by Memorandum Circular 2000-009 Relative to the Guidelines in the Grant of Cultural Minority Preference"

_____ Memorandum Circular 2002-002, 12 April 2002, "Clarifying the Delineations of the Functions of Chiefs of Police and City/Municipal Mayors as Deputies of the National Police Commission Relative to the Exercise of Powers and Functions Over PNP Units within their Jurisdiction"

_____ Memorandum Circular 2002-003, 12 April 2002, "Defining the Functions of Provincial Governors as Deputies of the National Police Commission as Well as their Relationships with the PNP Provincial Directors, Chiefs of Police and Mayors"

_____ Memorandum Circular 2002-007, 20 July 2002, "Clarifying the Concept of Reassignment, Transfer or Relief of PNP Personnel by Amending Memorandum Circular No 95-024"

_____ Memorandum Circular 2002-010, 24 September 2002, "Revised Rules of Procedure in the Hearing and Adjudication of Citizens Complaints Against Uniformed Members of the Philippine National Police (PNP) Before the People's Law Enforcement Board (PLEB)"

_____ Memorandum Circular 2002-011, 11 October 2002, "Operationalizing the Participation of Local Chief Executives in the Administration of the Philippine National police as Provided for Under RA 6975"

_____ Memorandum Circular 2002-013, 11 December 2002, "Prescribing the Rules and Procedure in the Investigation and Disposition of Administrative Complaints Against Uniformed Personnel of the Philippine National Police Before the Internal Affairs Service, Including Administrative Offenses and Penalties Appropriate Thereto"

_____ Resolution 2001-072, 09 November 2001, "Reducing the time in grade for Promotion from Police Senior Inspector to Police Chief Inspector from 5 years to 3 years"

_____ Resolution 2001-074, 09 November 200, "Extending the Option for Reinstatement to officers/Non-Officers Who have Retired Under Section 40 of RA 6975"

_____Memorandum Circular 2001-05, 22 May 2001, Amending NAPOLCOM MC 99-013 dated December 15, 1999 Entitled, "Clarifying the Scope and Extent of the NAPOLCOM's Power of Administrative Control and Supervision Over the PNP under Section 14 of RA 6975, as Amended on Personnel Matters"

_____Memorandum Circular 2001-07, 09 August 2001, "Prohibiting the Philippine National Police (PNP) from Issuing Special Orders for Either Appointments or Promotions Before Attestation Thereof by the Civil Service Commission (CSC)"

_____ Memorandum Circular 2001-10, 22 August 2001, " Amending NAPOLCOM MC 2001-005 dated May 22, 2001 by Prescribing the Tour of Duty to Police Officers Assigned or Reassigned to Key Positions in the Philippine National Police"

_____Memorandum Circular 00-006, 31 July 2000, "Clarifying the term "Salary" as Used Under Section 41 of PD 1184 and Section 35 of RA 8551"

_____ Resolution 99-009, 11 January 1999, "Approving the Initial Appointment to the PNP of MNLF Elements Who are Non-College Graduates but with at Least 72 Collegiate Units"

_____ Resolution 99-069, 11 May 1999, "Clarifying the Role of the Personnel Action Boards/Committees of the Philippine National Police"

_____ Resolution 99-092, 25 June 1999, as amended by Resolution 99-135, 11 October 1999, "Providing Policy Guidance in the Promotion and Placement of PNP Officers to Key Positions in the Various Levels of Command"

_____ Resolution 99-116, 31 August 1999, "Updating Police Eligibilities for PNP Ranks"

_____ Memorandum Circular 99-002, February 1999, "Authorizing the PNP to Issue Order Of Promotion of PNP Personnel Up to the Rank of Police Superintendent Prior to Review, Confirmation and/or Endorsement by NAPOLCOM"

_____ Memorandum Circular 99-004, 11 May 1999, "Regulating the Assignment or Designation of a Police Officer with the Rank of Superintendent or Higher to 2 or More Positions Within or Outside the PNP Organizations"

_____ Memorandum Circular 99-005, 11 May 1999, "Guidelines and Procedures Governing the Grant of Waiver on the Minimum Qualification for Initial Appointment to the Uniformed Component of the Philippine National Police"

_____ Memorandum Circular 99-006, 11 August 1999, Procedure Governing Administrative Complaints Brought Before or Filed with the Chief, PNP or to Other PNP Disciplinary Authorities Pursuant to Sections 41 (41-b) and 42 of RA 8551"

_____ Memorandum Circular 99-009, 14 September 1999, Further Amending NAPOLCOM MC 95-011 Entitled, " Prescribing the Rules and Regulations in the Implementation of NAPOLCOM Scholarship Program for Surviving Children of Deceased and/or Permanently Incapacitated PNP Personnel Under RA 6973 and NAPOLCOM Resolution 94-947"

_____ Memorandum Circular 99-011, 11 October 1999, "Authorizing the National Police (PNP) to Establish ND Implement on a Continuing Basis an Educational Support Program for Deserving PNP Uniformed Personnel"

_____ Memorandum Circular 99-012, 10 December 1999, "Prioritization of Women to be Assigned to the Women's and Children's Desks in the PNP Recruitment, Selection, Training and Education Quota Annually"

_____ Resolution 98-005, 09 January 1998, as amended by Resolution 98 – 017, 19 January 1998, "Approving Processing of Applicants for Lateral Entry Pursuant to Resolution No 93-1 dated January 20, 1993"

_____, Circular 2002-002 , Paragraph g, Section IV dated February 8, 2002, re: Amended Guidelines and Procedures Implementing Section 33 of RA 697, in relation to Section 30 of same Act. It may be noted that prior to the issuance of this guidelines, the PMA was the biggest source of "commissionship" through lateral entry in the PNP

_____Circular No. 99-016, re: Guidelines on the Transfer/Reassignment of PNP Personnel

_____Circular No. 99-016, Paragraph 4.b.9, "Guidelines on the Transfer/Re-Assignment of PNP Personnel"

_____. 1997 Approved Staffing Pattern.

_____. Operational Procedures, 2002.

_____. *National Crime Prevention Plan*, 2003.

Philippine National Police, High level PNP organizational structure and briefing on the structure (which includes functions of directorate offices and national support units)

_____. General Order No. DPL 01-03 entitled Strengthening of Units (Functions of units of CIDG)

_____. General Order No. DPL 04-02 dated February 19, 2004 amending GO DPL 01-03 (Functions of units of CIDG)

_____. Letter to DILG Secretary specifying the purpose of the restructuring of CIDG under GO No. DPL 04-02

_____. Memo to the Chief PNP from CIDG identifying the proposed changes in the organizational structure of the CIDG dated February 11, 2004

_____. Memo to the Chief PNP from CIDG identifying the proposed changes in the organizational structure of CIDG amending GO No. DPL 01-03 dated February 19, 2004

_____. List of CIDG regional units (directory including location and officers)

_____. LOI (02/2004 (Traffic Safety)

_____. Police Community Relations Manual

_____. Revised PNP Medium Term Development Plan (2001-2004)

_____. Annual Operations Plan (2002-2004)

_____. Plantilla of Non-uniformed personnel 2002

_____. PNP Annual Accomplishment Reports (1994-2003)

_____. Internal Affairs Service, Annual Report (2000-2003)

_____. Directorate for Comptrollership, July 2002 – March 2004 Accomplishment Report (specifying activities conducted by each division under it).

_____. Crime Laboratory Annual statistical report 2001 – 1st semester 2004 (specifying the number of lab exam received, support to investigation, SOCO, FLW and court duties attended).

_____. Crime Laboratory Annual accomplishment report 2001 – 1st semester 2004 specifying type of examination and crime lab unit responsible for the examination.

_____. Logistics Support Service Accomplishment Report January 1- July 31, 2002.

_____. LSS Accomplishment Report 2002, 2003, 2004.

_____. Annual PNP FS Performance Report (1994-2003)

_____. Maritime Group Accomplishment Report (1997-2004)

_____. Crime statistics CY 1995- 2003 (specifying type of crime and number of occurrence per region)

_____. 1994-2003 Statistics on violations of Special Laws (Statistics on Dangerous/ Prohibited Drugs, Statistics on Anit-Carnapping, Statistics on Illegal Gambling, Statistics on Illegal Logging, Statistics on Illegal Fishing, Statistics on Cattle Rustling, Statistics on Organized/ syndicated crime groups, Statistics on Wanted persons, Statistics on Loose firearms, Statistics on Prostitution/ Vagrancy, Statistics on Smuggling)

_____. List of programs and projects of the PNP 2001-2004

_____. Research Agenda which includes a 5 year project proposal (2005-2009)

_____. Research and subsequent instrument for implementation of research findings (Amendment of specifications for Pistol Cal. 45, Development of specifications for Motorcycle, 600-700cc, Equipment standards and policies in: Conducting eligibility and acceptance test for firearms, ammunition, explosive and other ordinance items; SOP on disposition of firearms samples & other ordinance equipment submitted by proponents after pre-qualification test; Vehicle test parameters; Test and evaluation procedures for PNP radio transceiver)

_____. Memo/circular for test and evaluation of multi-trucked radio system and other similar equipment

_____. PNP Operations Manual

_____. Three-tiered defense system

_____. Revised PNP ISO Master Plan 07/02 (SANDUGO)

_____. PNP Action Against LCM Attack on Government/ Public Vital Installations (LOI 25/02)

_____. Action Plan "AGAP" (LOI 38/Y2)

_____. Crisis Management Task Coordinator

_____. Creation and Organization of Police Anti Crime and Emergency Response (LOI 12/02

_____. PNP Women's Desk (LOI 64/96)

_____. KABATAAN (for special protection against child abuse, exploitation, and discrimination) LOI 6596

_____. Special Project BATA-S (LOI 36-98)

_____. KALINISAN (PNP Campaign Plan to Protect our Environment and Nature Resources) LOI 17/94

_____. SANGYAMAN (PNP Master to help protect and preserve our environment, cultural properties and natural resources

_____. KATAPAT (PNP Plan against possession of loose firearms and carrying of licensed firearms without PTCFOR) LOI 24/Y2

_____. PNP Anti Illegal Drug Special Operations Task Force (LOI 21/03)

_____. PNP Anti-Crime Strategy for the 3rd Millenium- Revised

_____. Rule 14 Undercover Operations

_____. Standing Operating Procedure No. 1 dated December 4, 1991 on guidelines on dealing with foreign visitors in the PNP installations and area of operations

_____. Directorate for Intelligence clearance system or procedure in securing clearance (including performance evaluation rating system for PROs; clearance fees and clearance form, criteria for performance evaluation 2004,)

_____. RA 7438 on the rights of arrested persons and duties of arresting, detaining and investigating officers

_____. Aviation Security Manual

_____. Scene of the crime operations (SOCO)

_____. Fiscal Directives 1999-2003 (specifies mostly personnel benefits and payment schemes for the years specified)

_____. Yearly updated fiscal directives 1999-2004

_____. Comptrollership Manual

_____. COMMEL Inventory of equipment (2004)

_____. Accomplishment Report from Logistics Support Services 2003, 2004

_____. Actual Inventory of PNP properties (BW), June 3, 2003; May 27, 2003

_____. Verification of Firearms CY 2003

_____. TMG, General Dispatch Vehicles as of October 23, 2003

_____. Density/ status of TMD organic vehicles as of October 23, 2003

_____. Accomplishment report, BFS as of January 1 – October 31, 2002 from LSS

_____. Summary of COMMEL Assets 2nd quarter 2004 (specifying serviceable, repairable, average repair cost and acquisition cost of telephone systems, trunked radio system, HF/ SSB, VHF/ Lowband, satellite phones, transport, fire power, power generator)

_____. Real Estates Properties

_____. Standing Operating Procedure No. 6 specifying the policies and responsibilities in the procurement of suppolies and equipment for all PNP units and procedures to be followed in the processing procurement documents, October 12, 1995

_____. EO 302 on procurement of goods and supplies by national government, February 19, 1996

_____. Procurement Manual 1998

_____. Government Procurement Reform Act

_____. Doctrine (procedures) on decentralization of petroleum, oil and lubricants (POL) supplies to ensure continuous availability to all operating units, April 29, 1999
Guidelines on the use/ maintenance of PNP vehicles

_____. Policy directive on storage and withdrawal of ammo to all directors and PROs and NSUs, October 24, 2000

_____. Guidelines on the use/ maintenance of PNP vehicles, November 22, 1995

_____. Proper care, handling and maintenance of explosive ordinance for regional directors/ directors NSSUs, November 22, 1995

_____. Cir. No. 14: Disposal of PNP properties and disposition of the income derived therefrom (specifies reporting, turn-in and disposal of Republic and Non-Republic properties), May 23, 1993

_____. List of titled lots in the name of PNP (signed by PSS Llamas)

_____. Accomplishments of the unit specifying constructed buildings for police stations (by type), provincial headquarters, regional headquarters, and other PNP offices from 1994-present (signed by PSS Llamas)

_____. Number of on-base and off-base housing projects by building, unit and beneficiaries from 1994 to present (signed by PSS Llamas)

_____. PNP LSS Program of Expenditures 3rd quarter 2002 – 2nd quarter 2003

_____. Direct support funds for CY 2004

_____. Direct and General support for 2002 and 2003 (fuel)

_____. Fund releases for direct support (3rd and 4th quarters CY 2002; 1st and 2nd quarter CY 2003)

_____. From LSS: Report on Allocation of MOOE for 3rd and 4th quarter CY 2003 and 1st and 2nd quarter CY 2004

_____. From Crime Laboratory – MOOE for 1999-2003

_____. From Directorate for Operations – "Mga Payo ni SPO4 Piyo" Mga dapat alamin tungkol sa mga regular and collateral pay allowances para sa unipormadong kawani ng PNP (Series 2, June 2002)`

_____. List Local training program for the PNP uniformed personnel

_____. Mandatory course for police commissioned officers (PCO)

_____. Fundamental courses for police non-commissioned officers (PNCO)

_____. Local Training Program for the PNP non-uniformed personnel :Foundational courses, Specialized skills training basic courses (competency building for 1st level employees); Specialized skills training advance courses (competency building for 2nd level employees)

_____. From LSS: Productivity/ incentives benefits 3rd quarter – 4th quarter 2002 and 1st and 2nd quarter 2003

_____. CIDG location and disposition of personnel

_____. CES rank and profile of personnel (specifying the rank and to what communication and electronics office from HQS to regional offices located; salary grade)

GOVERNMENT OF THE PHILIPPINES - UNITED NATIONS DEVELOPMENT PROGRAMME

(GOP-UNDP)

STUDY

Transforming the Philippine National Police into a More Capable, Effective and Credible Police Force

Annexes







CPRM CONSULTANTS, INC.

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ANNEX 4.1
EXCERPTS FROM REPUBLIC ACT 6975
(as amended by RA 8551)

This law provides that the National Police Commission (NAPOLCOM), the Philippine Public Safety College, PNP, Bureau of Fire Protection, and the Bureau of Jail Management and Penology are under the Department of the Interior and Local Government (DILG).[1]

THE DILG SECRETARY

The DILG Secretary has specific powers and functions:

(1) Act as Chairman and Presiding Officer of the National Police Commission;

(2) Prepare and submit periodic reports, including a quarterly Anti-crime Operations Report and such other reports as the President and Congress may require; and

(3) Delegate authority to exercise any substantive or administrative function to the members of the National Police Commission or other officers of rank within the Department.[2]

NATIONAL POLICE COMMISSION

The National Police Commission is a collegial body composed of a Chairman and four (4) regular commissioners, one of whom shall be designated as the Vice-chairman by the President. The DILG Secretary is the ex-officio Chairman of the Commission while the Vice-Chairman acts as the executive officer of the Commission.[3]

1 Powers and Functions

The NAPOLCOM exercises the following powers and functions:

"(a) Exercise administrative control and operational supervision over the Philippine National Police which shall mean the power to:

"1) Develop policies and promulgate a police manual prescribing rules and regulations for efficient organization, administration, and operation, including criteria for manpower allocation, distribution and deployment, recruitment, selection, promotion, and retirement of personnel and the conduct of qualifying entrance and promotional examinations for uniformed members;

[1] Rep. Act No. 6975 (1990), sec. 6.
[2] *Id.*, sec. 10.
[3] *Id.*, sec. 13.

"2) Examine and audit, and thereafter establish the standards for such purposes on a continuing basis, the performance, activities, and facilities of all police agencies throughout the country;

"3) Establish a system of uniform crime reporting;

"4) Conduct an annual self-report survey and compile statistical data for the accurate assessment of the crime situation and the proper evaluation of the efficiency and effectiveness of all police units in the country;

"5) Approve or modify plans and programs on education and training, logistical requirements, communications, records, information systems, crime laboratory, crime prevention and crime reporting;

"6) Affirm, reverse or modify, through the National Appellate Board, personnel disciplinary actions involving demotion or dismissal from the service imposed upon members of the Philippine National Police by the Chief of the Philippine National Police;

"7) Exercise appellate jurisdiction through the regional appellate boards over administrative cases against policemen and over decisions on claims for police benefits;

"8) Prescribe minimum standards for arms, equipment, and uniforms and, after consultation with the Philippine Heraldry Commission, for insignia of ranks, awards, and medals of honor. Within ninety (90) days from the effectivity of this Act, the standards of the uniformed personnel of the PNP must be revised which should be clearly distinct from the military and reflective of the civilian character of the police;

"9) Issue *subpoena* and *subpoena duces tecum* in matters pertaining to the discharge of its own powers and duties, and designate who among its personnel can issue such processes and administer oaths in connection therewith;

"10) Inspect and assess the compliance of the PNP on the established criteria for manpower allocation, distribution, and deployment and their impact on the community and the crime situation, and thereafter formulate appropriate guidelines for maximization of resources and effective utilization of the PNP personnel;

"11) Monitor the performance of the local chief executives as deputies of the Commission; and

"12) Monitor and investigate police anomalies and irregularities.

"(b) Advise the President on all matters involving police functions and administration;

"(c) Render to the President and to the Congress an annual report on its activities and accomplishments during the thirty (30) days after the end of the calendar year, which shall include an appraisal of the conditions obtaining in the organization and administration of police agencies in the municipalities, cities and provinces throughout the country, and recommendations for appropriate remedial legislation;

"(d) Recommend to the President, through the Secretary, within sixty (60) days before the commencement of each calendar year, a crime prevention program; and

"(e) Perform such other functions necessary to carry out the provisions of this Act and as the President may direct."[4]

Under Section 32, as amended by RA 8551, the NAPOLCOM shall administer the entrance and promotional examinations for policemen on the basis of its set standards.

2 Staff Services

(a) The Staff Services of the NAPOLCOM are as follows:

"(1) The Planning and Research Service, which shall provide technical services to the Commission in areas of overall policy formulation, strategic and operational planning, management systems or procedures, evaluation and monitoring of the Commission's programs, projects and internal operations; and shall conduct thorough research and analysis on social and economic conditions affecting peace and order in the country;

"(2) The Legal Affairs Service, which shall provide the Commission with efficient and effective service as legal counsel of the Commission; draft or stud contracts affecting the Commission and submit appropriate recommendations pertaining thereto; and render legal opinions arising from the administration and operation of the Philippine National Police and the Commission;

"(3) The Crime Prevention and Coordination Service, which shall undertake criminological researches and studies; formulate a national crime prevention plan; develop a crime prevention and information program and provide editorial direction for all criminology research and crime prevention publications;

"(4) The Personnel and Administrative Service, which shall perform personnel functions for the Commission, administer the entrance and

[4] *Id.*, sec. 14 as amended by Rep. Act No. 8551 (1998).

promotional examinations for policemen, provide the necessary services relating to records, correspondence, supplies, property and equipment, security and general services, and the maintenance and utilization of facilities, and provide services relating to manpower, career planning and development, personnel transactions and employee welfare;

"(5) The Inspection, Monitoring and Investigation Service, which shall conduct continuous inspection and management audit of personnel, facilities and operations at all levels of command of the PNP, monitor the implementation of the Commission's programs and projects relative to law enforcement; and monitor and investigate police anomalies and irregularities;

"(6) The Installations and Logistics Service, which shall review the Commission's plans and programs and formulate policies and procedures regarding acquisition, inventory, control, distribution, maintenance and disposal of supplies and shall oversee the implementation of programs on transportation facilities and installations and the procurement and maintenance of supplies and equipment; and

"(7) The Financial Service, which shall provide the Commission with staff advice and assistance on budgetary and financial matters, including the overseeing of the processing and disbursement of funds pertaining to the scholarship program and surviving children of deceased and/or permanently incapacitated PNP personnel.

"(b) The Commission shall establish a formal administrative disciplinary appellate machinery consisting of the National Appellate Board and the regional appellate boards.

"(c) The National Appellate Board shall decide cases on appeal from decisions rendered by the PNP chief, while the regional appellate boards shall decide cases on appeal from decisions rendered by officers other than the PNP chief, the mayor, and the People's Law Enforcement Board (PLEB).[5]

3 Regional Offices

The NAPOLCOM operates and maintains regional offices headed by regional directors to implement polices and programs of the Commission in their respective regions. Also, these offices adjudicate benefit claims.[6]

[5] *Id.*, sec. 20, as amended by Rep. Act No. 9551 (1998).
[6] *Id.*, sec. 21.

PHILIPPINE NATIONAL POLICE (PNP)

The Philippine National Police (PNP) has been established initially consisting of the following:

(a) Members of the police force who were integrated into the Integrated National Police (INP) pursuant to PD 765;

(b) Officers and enlisted personnel of the Philippine Constabulary (PC) which include:

- Those assigned with the Narcotics Command (NARCOM);
- Those assigned with the Criminal Investigation Service (CIS);
- Those of the technical services of the AFP assigned with the PC.
- Civilian operatives of the CIS.

(c) Regular operatives of the abolished NAPOLCOM Inspection, Investigation and Intelligence Branch may also be absorbed by the PNP.[7]

In addition, the PNP shall absorb the Office of the National Action Committee on Anti-Hijacking (NACAH) of the DND, all the functions of the Philippine Air Force Security Command (PAFSECOM), as well as the police functions of the Coast Guard.[8]

1 The PNP Organization

The PNP shall be headed by a Chief who shall be assisted by two (2) deputy chief, one (1) for operations and one (1) for administration, both of whom shall be appointed by the President upon recommendation of the Commission from among the most senior and qualified officers in the service: *Provided, however*, That in no case shall any officer who has retired or is retirable within six (6) months from his compulsory retirement age be appointed as Chief of the PNP. The PNP shall be composed of a national office, regional offices, provincial offices, district offices, city or municipal stations.

At the national level, the PNP shall maintain its office in Metropolitan Manila which shall house the directorial staff, service staff and special support units.

At the regional level, the PNP shall have regional offices, including that of the National Capital Region, which may be divided into two (2) separate regions without prejudice to the pertinent provisions of the Organic Act for the Autonomous Regions of the Cordilleras and Muslim Mindanao relative to the creation of a regional office force in the area of autonomy. Each of these regional offices shall be headed by a regional director for peace and order.

At the provincial level, there shall be a PNP office, each headed by a provincial director. In the case of large provinces, police districts may be established by the Commission to be headed by a district director.

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[7] *Id.*, sec. 23.
[8] *Id.*, sec. 24, last par.

At the city or municipal level, there shall be a PNP station, each headed by a chief of police.[9]

2 Powers and Functions

The PNP shall have the following powers and functions:

(a) Enforce all laws and ordinances relative to the protection of lives and properties;

(b) Maintain peace and order and take all necessary steps to ensure public safety;

(c) Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution;

(d) Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws;

(e) Detain an arrested person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution;

(f) Issue licenses for the possession of firearms and explosives in accordance with law;

(g) Supervise and control the training and operations of security agencies and issue licenses to operate security agencies, and to security guards and private detectives, for the practice of their professions; and

(h) Perform such other duties and exercise all other functions as may be provided by law.[10]

3 Powers and Functions of the PNP Chief

The command and direction of the PNP shall be vested in the Chief of the PNP with the following powers and functions:

(a) Direct and control tactical as well a strategic movements, deployment, placement, utilization of the PNP or any of its units and personnel, including its equipment, facilities and other resources. Such command and direction may be delegated to subordinate officials with the respect to units under their respective commands in accordance with the prescribed NAPOLCOM rules and regulations.

(b) Issue detained implementing policies and instructions regarding personnel, funds, properties, records, correspondence and such as other matters.[11]

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[9] *Id.*, sec. 25.
[10] *Id.*, sec. 24.
[11] *Id.*, sec. 26.

4 PNP Support Units

The PNP shall be supported by the following support units:

(a) Administrative Support Units.

(1) *Crime Laboratory*. There shall be established a central Crime Laboratory to be headed by a Director with the rank of chief superintendent, which shall provides scientific and technical investigative aid and support to the PNP and other government investigative agencies. It shall also provide crime laboratory examination, evaluation and identification of physical evidences involved in crimes with primary emphasis on their medical, chemical, biological and physical nature.

There shall be likewise be established regional and city crime laboratories as may be necessary in all regions and cities of the country.

(2) *Logistic Unit*. Headed by a Director with the rank of chief superintendent, the Logistics Unit shall be responsible for the procurement, distributions and management of all the logistical requirements of the PNP including firearms and ammunition.

(3) *Communications Unit*. Headed by a Director with the rank of chief superintendent, the Communications Unit shall be responsible for establishing an effective police communications network.

(4) *Computer Center*. Headed by a Director with the rank of chief superintendent, the Computer Center shall be responsible for the design, implementation and maintenance of a database system for the PNP.

(5) *Finance Center*. Headed by a Director with the rank of chief superintendent, the Finance Center shall be responsible for providing finance services to the PNP.

(6) *Civil Security Unit*. Headed by a Director with the rank of chief superintendent, the Civil Security Unit shall provide administrative services and general supervision over organization, business operation and activities of all organized private detectives, watchmen, security guard agencies and company guard houses.

The unit shall likewise supervise the licensing and registration of firearms and explosives.

The approval applications for licenses to operate private security agencies, as well as the issuance of licenses to security guards and the licensing of firearms and explosives, shall be decentralized to the PNP regional offices.[12]

(b) Operational Support Units.

(1) *Maritime Police Unit*. Headed by a Director with the rank of chief superintendent, the Maritime Police Unit shall perform all police functions over Philippine territorial waters and rivers.

(2) *Police Intelligence Unit*. Headed by a Director with the rank of chief superintendent, the Police Intelligence Unit shall serve as the intelligence and counterintelligence operating unit of the PNP.

(3) *Police Security Unit*. Headed by a Director with the rank of chief superintendent, Police Security Unit shall provide security for government officials, visiting dignitaries and private individuals authorized to be given protection.

(4) *Criminal Investigation Unit*. Headed by a Director with the rank of chief superintendent, the Criminal Investigation Unit shall undertake the monitoring, investigation and prosecution of all crimes involving economic sabotage, and other crimes of such magnitude and extent as to indicate their commission by highly placed or professional criminal syndicates and organizations. This unit shall likewise investigate all major cases involving violations of the Revised Penal Code and operate against organized crime groups, unless the President assigns the case exclusively to the National Bureau of Investigation (NBI).

(5) *Special Action Force*. Headed by a Director with the rank of chief superintendent, the Special Action Force shall function as a mobile strike force or reaction unit to augment regional, provincial, municipal and city police forces for civil disturbance control, counterinsurgency, hostage-taking rescue operations, and other special operations.

(6) *Narcotics Unit*. Headed by a Director with the rank of chief superintendent, the Narcotics Unit shall enforce all laws relative to the protection of the citizenry against dangerous and other prohibited drugs and substances.

(7) *Aviation Security Unit*. Headed by a Director with the rank of chief superintendent, the Aviation Security Unit, in coordination with airport authorities, shall secure all the country's airports against offensive and terroristic acts that threaten civil aviation, exercise operational control and supervision over all agencies involved in airport security operation, and enforce all laws and regulations relative to air travel protection and safety.

[12] *Id.*, sec.35(1)-(6).

(8) *Traffic Management Unit.* Headed by a Director with the rank of chief superintendent, the Traffic Management Unit shall enforce traffic laws and regulations.

(9) *Medical and Dental Centers.* Headed by a Director with the rank of chief superintendent, the Medical and Dental Centers shall be responsible for providing medical and dental services for the PNP.

(10) *Civil Relations Units.* Headed with a Director with the rank of chief superintendent, the Civil Relations Unit shall implement plans and programs that will promote community and citizens' participation in the maintenance of peace and order and public safety.[13]

5 Status of PNP Members

The members of the PNP shall be considered employees of the National Government and shall draw their salaries therefrom: *Provided,* That PNP members assigned in Metropolitan Manila, chartered cities and first class municipalities may be paid in additional monthly allowance by the local government unit concerned.

6 Internal Affairs Service

An Internal Affairs Service (IAS) of the PNP has been created to have the following powers and functions:

(a) Pro-actively conduct inspections and audits on PNP personnel and units;

(b) Investigate complaints and gather evidence in support of an open investigation;

(c) Conduct summary hearings on PNP members facing administrative charges;

(d) Submit a periodic report on the assessment, analysis, and evaluation of the character and behavior of PNP personnel and units to the Chief PNP and the Commission;

(e) File appropriate criminal cases against PNP members before the court as evidence warrants and assist in the prosecution of the case;

(f) Provide assistance to the Office of the Ombudsman in cases involving the personnel of the PNP.

The IAS shall also conduct, *motu proprio*, automatic investigation of the following cases:

(a) Incidents where a police personnel discharges a firearm;

(b) Incidents where death, serious physical injury, or any violation of human rights occurred in the conduct of a police operation;

[13] *Id.*, sec. 35(b)(1)-(10).

(c) Incidents where evidence was compromised, tampered with, obliterated, or lost while in the custody of police personnel;

(d) Incidents where a suspect in the custody of the police was seriously injured; and

(e) Incidents where the established rules of engagement have been violated.

Finally, the IAS shall provide documents or recommendations as regards to the promotion of the members of the PNP or the assignment of PNP personnel to any key position.[14]

[14] Rep. Act No. 8551 (1998), sec. 39.

ANNEX 4.2
POLICING AGENCIES AND THEIR FUNCTIONS

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
Philippine National Police *(RA 6975)*	▪ Enforce all laws and ordinances relative to the protection of lives and properties ▪ Maintain peace and order and take all necessary steps to ensure public safety ▪ Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution
National Bureau of Investigation *(RA 157)*	▪ Undertake investigations of crime and other offenses against the laws of the Philippines, upon its own initiative and as public interest may require ▪ Render assistance, whenever properly requested in the investigation or defection of crimes and other offenses ▪ Act as a national clearinghouse of crimes and other information for the benefit and use of all prosecuting and law enforcement entities of the Philippines, identification of records of all persons without criminal convictions, records of identifying marks, characteristics and ownership of possession of all firearms as well as of test bullets fired therefrom
Philippine Drug Enforcement Agency *(RA No. 9165 otherwise known as the Comprehensive Dangerous Drugs Act of 2002)*	▪ Conducts investigation and intelligence on cases in the commission of any crime relative to the use, abuse and trafficking of dangerous drugs and/or controlled precursor and essential chemical as provided under the Dangerous Drug Act and provisions of PD No. 1619. ▪ Arrests and apprehends as well as searches all violators and seizes or confiscates, the effects or proceeds of the crimes as provided by law and take custody thereof ▪ Take charge and custody of all dangerous drugs and/ or controlled precursors and essential chemicals seized, confiscated or surrendered to any national, provincial or local law enforcement agency, if no longer needed for purposes of evidence in court ▪ Establish forensic laboratories in each PNP office in every province and city in order to facilitate action or seize or confiscate drugs, thereby hastening its destruction without delay ▪ Initiate and undertake the formation of nationwide organization which shall coordinate and supervise all activities against drug abuse in every province, city, municipality and barangay with the active participation of local government units, NGOs, citizenry, subject to the provision of previously formulated programs of action against dangerous drugs ▪ Establish and maintain a national drug intelligence system in cooperation with law enforcement agencies and other government agencies ▪ Establish and maintain close coordination, cooperation and linkage with international drug control and administration agencies and organizations and implement the applicable provisions of international conventions and agreements related to dangerous drugs to which the Philippines is signatory ▪ Initiate and undertake national campaign for drug prevention and drug control program
Civil Relations Service, Armed Forces of the Philippines *(Based on functions stated as part of the National Law Enforcement Coordinating Council)*	▪ Conduct community and civic action and other community-related activities; ▪ Assist government agencies concerned and non-governmental organizations (NGOs) in the anti-drug campaign; ▪ Facilitate the rehabilitation and development of rebel returnees/ surrenderees; ▪ Assists the PNP and other law enforcement agencies in maintaining peace and order
Philippine Coast Guard , Department of Transportation and Communication *(from the DOTC website)*	▪ Enforce laws and regulations on the high seas and waters under Philippine jurisdiction, in cases such as intrusion/ poaching, piracy, smuggling, drugs, arms and explosive trafficking, illegal fishing and the like. It is the main government unit tasked to promote safety of life and property at sea, safeguard marine resources and environment, promote maritime security, and assist in the enforcement of laws on the high seas under jurisdiction of the Philippines. ▪ Conducts surveillance and enforcement activities in coordination with other concerned government agencies ▪ Operations of the PCG is supervised by an Office of the Commandant. The Commandant also heads the Board of Marine Inquiry (BMI) which investigate marine accidents in relation to the liability of the ship owners and officers as well as complaints against marine officers arising from the accidents
Airport Police Department (APD) of the Manila International Airport Authority *(from NALECC website)*	▪ Maintain airport security, safety, and efficiency of the MIAA complex by controlling access in restricted areas

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
Metro Manila Development Authority *(RA 7924)*	▪ Implements the programs and projects concerning traffic management it has developed in pursuance of its set policies ▪ Collects fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of such traffic laws and regulations, the provisions of RA 4136 and PD 1605 to the contrary notwithstanding. ▪ Enforces all traffic laws and regulations in Metro Manila, through its traffic operation center, and may deputize members of the PNP, traffic enforcers of local government units, duly licensed security guards, or members of non-governmental organization to whom may be delegated certain authority, subject to such conditions and requirements as the Authority may impose
Bureau of Customs *(Department of Finance website)*	▪ Has supervisory and police authority over seas within the jurisdiction of the Philippines and all over the coasts, ports, airports, harbors, bays, rivers, and inland waters whether navigable or not, from the sea in prevention of smuggling and other frauds, control vessels/aircrafts doing foreign trade, enforcement of tariff and customs laws, control of the handling of foreign mails for revenues and prevention purposes, control of import ▪ Has jurisdiction over forfeiture and seizure cases
Bureau of Fisheries and Aquatic Resources *(BFAR website)*	▪ Enforces all laws, rules and regulations governing the conservation and management of fishery resources, except in municipal waters, and to settle conflicts of resource use and allocations in consultation with the NFARMC, LGUs and local Farms
Bureau of Immigration (EO 292)	▪ Investigate entry applications, and admissibility of aliens upon arrival Administratively determine citizenship status; ▪ Execute exclusion or deportation orders; ▪ Arrest and detain erring foreigners after due process of law. ▪ The Commissioner of Immigration is empowered to issue warrants of arrest against alien violators of Philippine Immigration Laws. ▪ Act as the primary enforcement arm of the Department of Justice and the President of the Philippines in ensuring that all foreigners within its territorial jurisdiction comply with existing laws.
Bureau of Internal Revenue *(Sec. 2 of the National Internal Revenue Code of 1997)*	▪ Enforce all forfeitures, penalties and fines connected therewith, including the execution of judgements in all cases decided in its favor by the Court of Tax Appeals and the ordinary courts
Land Transportation Office *(LTO website)*	▪ Enforces the Land Transportation rules and regulations and Traffic Code, the Public Service Act, supervises the activities of land transportation and traffic enforcement agencies ▪ Inspection and Registration of Motor Vehicles
Philippine Ports Authority (PD 857 as amended)	▪ Exercises police authority in the areas of providing security to cargo, port equipment, structures, facilities, personnel and documents; of regulating movement of cargo and people in ports; and in maintaining peace and order within the port premises
Philippine Center on Transnational Crime *(EO No. 62 dated January 15, 1999)*	▪ Establish, through the use of modern information and telecommunications technology, a shared central database and government agencies for information of criminals, methodologists, arrests and convictions on the following transnational crimes: o illicit trafficking of narcotic drugs and psychotropic substances; o money laundering; o terrorism; o arms smuggling; o trafficking of persons; o piracy; o and other crimes that have an impact on the stability and security of the country ▪ Performs law enforcement coordination and operation against all forms of transnational crime in coordination with concerned law enforcement agencies ▪ Design programs and projects aimed at enhancing national capacity-building in combating transnational crime, as well as supporting the related programs and projects of other international centers

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
Optical Media Board *(RA 9236)*	▪ Conduct inspections, by itself or in coordination with other competence agencies of the government, at anytime, with or without prior notice, of establishments or entities including those within the economic zones engaged in the activities as provided in Section 13(a), (b) and (c) of this Act, and employ reasonable force in the event that the responsible person or persons of such establishment or entity evades, obstructs, or refuses such inspection. For this purpose, the agents of the OMB shall be considered agents in authority; ▪ Apply for or obtain search warrants from any court of law, or take into preventive custody any optical media and/or material or equipment, including parts, accessories and paraphernalia used for the mastering, manufacture or replication of optical media which are found in any premises if the OMB has reasonable ground to believe or suspect that these are evidence of violation of the provisions of this Act; ▪ Act as complainant in the criminal prosecution of violators of this Act; ▪ Call upon law enforcement agencies and the managing authorities in the economic zones for assistance in the implementation and enforcement of its decisions, orders, rules and regulations; ▪ To deputize, whenever necessary, provincial governors, city and municipal mayors, and representatives of the national government agencies, organizations representing copyright owners, neighboring rights owners and concerned sectors to help monitor compliance with and report to the OMB any violation of this Act;
Chief Executive, Local Barangay *(Local Government Code, Sec. 389, Chapter 3)*	(b) For efficient, effective and economical governance, the purpose of which is the general welfare of the barangay and its inhabitants pursuant to Section 16 of this Code, the punong barangay shall: (1) Enforce all laws and ordinances which are applicable within the barangay; (3) Maintain public order in the barangay and, in pursuance thereof, assist the city or municipal mayor and the sanggunian members in the performance of their duties and functions; (6) Organize and lead an emergency group whenever the same may be necessary for the maintenance of peace and order or on occasions of emergency or calamity within the barangay; (9) Enforce laws and regulations relating to pollution control and protection of the environment; (10) Administer the operation of the Katarungang Pambarangay in accordance with the provisions of this Code; (12) Ensure the delivery of basic services as mandated under Section 17 of this Code; (b) In the performance of his peace and order functions, the punong barangay shall be entitled to possess and carry the necessary firearm within his territorial jurisdiction, subject to appropriate rules and regulations.
Sanguniang Barangay Members (Local Government Code, Sec. 392, Chap. 4)	(b) Act as peace officers in the maintenance of public order and safety;
Municipal/ City Mayor (Local Government Code, Sec. 444, Chap. 3; Sec. 455, Chap.3)	(1) (b) (vii) Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities; (2) Enforce all laws and ordinances relative to the governance of the municipality and the exercise of its corporate powers provided for under Section 22 of this Code, implement all approved policies, programs, projects, services and activities of the municipality and, in addition to the foregoing, shall: Ensure that the acts of the municipality's component barangays and of its officials and employees are within the scope of their prescribed powers, functions, duties and responsibilities; (iv) Be entitled to carry the necessary firearm within his territorial jurisdiction; (vi) Call upon the appropriate law enforcement agencies to suppress disorder, riot, lawless violence, rebellion or sedition or to apprehend violators of the law when public interest so requires and the municipal police forces are inadequate to cope with the situation or the violators;
Provincial Governor (Local Government Code, Sec 465, Chap.3)	(2) Enforce all laws and ordinances relative to the governance of the municipality and the exercise of its corporate powers provided for under Section 22 of this Code, implement all approved policies, programs, projects, services and activities of the municipality and, in addition to the foregoing, shall: Ensure that the acts of the municipality's component barangays and of its officials and employees are within the scope of their prescribed powers, functions, duties and responsibilities; (iv) Be entitled to carry the necessary firearm within his territorial jurisdiction; (vi) Call upon the appropriate law enforcement agencies to suppress disorder, riot, lawless violence, rebellion or sedition or to apprehend violators of the law when public interest so requires and the municipal police forces are inadequate to cope with the situation or the violators;
National Anti-Kidnapping Task Force (NAKTAF)	▪ Enforce laws on and implement plans and measures to combat kidnapping

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
Presidential Anti Organized Crime Commission (PAOCC) and Task Force (PAOC-TF) [1]	▪ Conduct intelligence and counter - intelligence to identify government officials and employees crime syndicates and their cohorts who are involved in criminal activities; ▪ Cause or direct the immediate arrest, investigation and speedy prosecution of crime syndicates, government officials and employees and their cohorts, with due regard to constitutional processes; ▪ Refer the cases at hand, as the Commission or the Task Forces, may deem proper and necessary, to the Department of Justice, and /or other appropriate law enforcement agencies for investigation or prosecution, as the case may be; ▪ Follow - up the progress of on - going investigation and prosecution of cases taken cognizance of by the Task Forces; ▪ Select and recruit personnel from within the PNP, The AFP and other law enforcement agencies for assignment to the Task Forces subject to the conformity of the agency concerned; ▪ Coordinate with the Witness Protection Security and benefit Program Committee of the Department of Justice to evaluate and assess witnesses who may qualify under the provisions of Republic Act No 6981, otherwise known as the Witness Protection and Benefit Act; ▪ Subject to the approval of the President, authorized access to documents, installations and facilities and pursuit of specific crime investigation over government agencies and government - owned or controlled corporations; and ▪ Recruit civilian personnel and enlist their services for intelligence gathering efforts. *(The PAOCC oversees and creates Task Forces for anti crime initiative and implementation of plans and programs against crime, as directed by the President. One of the task Forces under it is the PAOC-TF)*
National Anti-Crime Commission (NACC)[2]	▪ Direct the conduct of anti-crime operations of law enforcement agencies as may be ordered by the President ▪ Cause or direct the immediate investigation and speedy prosecution of cases involving heinous offenses, or other cases that the President may refer to it from time to time and monitor the progress of such cases ▪ Prepare and implement fast-track anti-crime action agenda and adopt appropriate measures to ensure and efficient and effective anti-crime drive
Inter-Agency Council Against Trafficking (IAC-AT)[3]	▪ Pursue the detection and investigation of suspected or alleged trafficking activities at airports, seaports and/or harbors, and at land transportation, terminals and when appropriate, file the appropriate charges to the traffickers ▪ Formulate plans and programs for the prevention and/or reduction of trafficking in persons
Joint Task Force Against Trafficking in Persons (JTF-ATP)[4]	▪ Implement plans and programs for the prevention and/or reduction of trafficking in persons
Presidential Anti-Illegal Recruiters Task Force (PAIRTF)[5]	▪ Conduct surveillance and entrapment operations of persons alleged to be engaged in illegal recruitment including, but not limited to, "escort" services at international airports and other points of departure; ▪ Cause or direct the immediate investigation and speedy prosecution of cases involving illegal recruitment and monitor the progress of such cases; ▪ Coordinate with existing bodies, agencies and other instrumentalities currently involved in the campaign against illegal recruitment;

[1] Executive Order 8, January 22, 1998. The Task Force is composed of selected PNP/AFP members and representatives from other government agencies.

[2] Executive Order 23

[3] RA 9208, 2003. The Secretary of Justice Chairs the Council with the Secretary of Social Welfare and Development as Co-Chairperson, with members including Secretary of Department of Foreign Affairs and Department of Labor and Employment, Administrator of Philippine Overseas Employment Agency, Commissioner of the Bureau of Immigration, Director General of Philippine National Police, Chairperson of the National Commission on the Role off Filipino Women, 1 representative of NGO from the women's sector, 1 representative of NGO from the children's sector, and 1 representative of NGO from the overseas foreign workers sector.

[4] RA 9208, 2003. The Task Force is assigned at airports and composed of Prosecution, BI, PNP, and NBI personnel and another Task Force at land transportation terminals and local seaports and airports to be composed of Prosecution, PNP, BI, PPA and PCG personnel.

[5] Executive Order 325, January 9, 2004; The PAIRTF is composed of a Chairman, appointed or designated by the President, and a sufficient number of members as may be determined by the Chairman, from the staff of the National Bureau of Investigation, the Philippine National Police and other relevant government agencies, who shall be detailed to the PAIRTF by their respective heads.

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
Presidential Anti Smuggling Task Force (PASTF)[6]	▪ Combat smuggling, unlawful importations and other frauds upon customs committed in large scale or by organized and syndicated groups
National Council for Civil Aviation Security (NCCAS)[7]	▪ Formulate plans to direct, control, supervise and integrate all measures aimed at preventing and suppressing hijacking, other threats to civil aviation, and all other forms of terrorism with the end in view of protecting national interests ▪ Adopt measures to monitor the activities of suspected terrorists, and (develop the capability of local law enforcement agencies to contain the threats of terrorism
Presidential Task Force on Transportation Strikes and/or Mass Actions (PTF-TSMA)[8]	▪ Ensure responses and options to cover to cover transport strikes and/or mass actions within Metro Manila and its immediate environs ▪ Prepare a long range plan to prepare for similar incidents in the future, taking note of the need to balance transportation rates, wage levels, and other economic and social factors
Metro-Manila Land Transportation Coordinating Council (MMLTCC)[9]	▪ Responsible for the improvement of the enforcement of traffic laws, rules and regulations in Metropolitan Manila
Inter Agency Council on Anti-Violence Against Women and Their Children (IAC-AVAWC)[10]	▪ Formulate plans, programs and strategies on the prevention of crimes that deal with domestic/family violence, abuse of women in intimate relations, child abuse and juvenile delinquency, and other interrelated issues
National Drug Law Enforcement and Prevention Coordinating Center (NDLEPCC)[11]	Orchestrate efforts of national government agencies, local government units, and non-government organizations for a more effective anti-drug campaign Prepare and fast track the implementation of an inter-agency anti-drug action plan, and prepare intelligence and counter-intelligence plans and programs to identify personalities and/or groups and their cohorts who are involved in the illegal drugs activities
National Anti-Crime Commission (NACC)[12]	Direct the conduct of anti-crime operations of law enforcement agencies as may be ordered by the President Cause or direct the immediate investigation and speedy prosecution of cases involving heinous offenses, or other cases that the President may refer to it from time to time and monitor the progress of such cases Prepare and implement fast-track anti-crime action agenda and adopt appropriate measures to ensure and efficient and effective anti-crime drive
GAB Illegal Gambling Unit of the Games and Amusement Board [13]	Enforce laws on anti-illegal gambling

[6] Executive Order 45b, December 3, 1998 The Task Force is composed of senior officials from the Office of the President, Departments of Finance and Justice, Bureau of Customs, Bureau of Internal Revenue, National Bureau of Investigation, Philippine National Police, and the Intelligence Service of the Armed Forces of the Philippines

[7] Executive Order 336, January 5, 2001, amending Executive Order 246, dated May 18, 1995 and renaming and reconstituting the Action Committee on Anti-Hijacking and Anti-Terrorism into the National Council for Civil Aviation Security. The Committee is chaired by the DILG Secretary with the Secretary of the National Defense as Vice Chairman and the Secretaries of Foreign Affairs, Budget and Management, Finance, Justice, Transportation and Communications, and Press, together with the Director-General of the Air Transportation Office, National Security Adviser and the Director General of the National Intelligence Coordinating Council, Presidential Consultant on Police Affairs, and the Group Commander of the Presidential Security Group, Director of the Bureau of Immigration and Deportation, and the Chief of the Philippine National Police, as members

[8] Executive Order 243, May 13, 2000. The Task Force is headed by the MMDA Chairman with the Secretaries of DILG, DOTC, DPWH, DECS, DOLE, DTI, the AFP Chief of Staff, the PNP Director-General, the LTFRB Chairman, the LTO Assistant Secretary, and the Commissioner on Higher Education, as members.

[9] Reconstituted under Presidential Memorandum Order 397, September 23, 1991. The Council is composed of the Metropolitan Manila Authority as Chairman, and the Office of the President, Department of Transportation and Communications, Department of Public Works and Highways and the Philippine National Police, among others, as members.

[10] RA 9262, 2004

[11] **Executive Order No. 61 (January 15, 1999. Created under the** Office of the President, the Center is headed by the Secretary of the Interior and Local Government as Chairman; with the Chief of the Philippine National Police as Vice-Chairman; and Task Force Chief of the Presidential Anti-Organized Crime Task Force; Chairman of the Dangerous Drugs Board; Director of the National Bureau of Investigations; Commissioner of the Bureau of Immigration; Chief of the National Prosecution Service; and Commissioner of the Bureau of Customs as members.

[12] Executive Order 23

[13] Presidential Administrative Order 262, January 17, 199

OFFICE/AGENCY	RESPONSIBILITY /AUTHORITY
Dangerous Drugs Board (DDB)	Formulate policies, programs and strategies on drug prevention and control Develop and adopt comprehensive, integrated, unified and balanced national drug abuse prevention and control strategy
National Intelligence Coordinating Agency (NICA)	Coordinate and integrate government activities involving national intelligence Prepare estimates of local and foreign situations for the formulation of national security policies
National Police Commission (NAPOLCOM)[14]	Provide and prescribe policies, rules, regulation, guidelines and standards for efficient organization, administration and operation of the PNP, including criteria for manpower allocation, distribution and deployment, recruitment, selection, promotion, and retirement of personnel and the conduct of qualifying entrance and promotional examinations for uniformed members Examine and audit, and thereafter establish the standards for such purposes on a continuing basis, the performance, activities, and facilities of all police agencies throughout the country
People's Law Enforcement Board (PLEB)[15]	Review and decide cases on appeal from decisions rendered by the PNP Regional Directors and equivalent police supervisors involving demotion or dismissal from service, as well as appeal from the decisions of the City/Municipal Mayors and the People's Law Enforcement Board
Peace and Order Councils (POC)	Screen recommended appointment of new PNP members to be assigned to police field units Recommend, through the Mayor as chairman of the POC), the recall or reassignment of Chief of Police
Philippine Public Safety College (PPSC), DILG	Provide the education and training requirements of PNP members and new recruits to the police force

[14] Republic Act No. 157, as amended

[15] Section 43 of RA 6975 requires for the creation by the Sangguniang Panlungsod/Bayan of a People's Law Enforcement Board (PLEB) in every city and municipality as may be necessary. NAPOLCOM has reported in its annual report that there were 1,554 PLEBs nationwide as of December 31, 2003.

ANNEX 4.3
FUNCTIONS OF MAJOR ORGANIZATIONAL UNITS, PNP

FUNCTIONAL GROUPING	ORGANIZATIONAL UNIT	GENERAL DESCRIPTION OF FUNCTION	DIVISIONS
Executive/Top-level Supervisory Group	Office of the Chief, PNP	Provide overall supervision and control to the different units of the PNP	
	Office of the Deputy Director-General for Administration	Assist the Chie, PNP in the performance of his functions on administration matters	
	Office of the Deputy Director General for Operations	Assist the Chie, PNP in the performance of his functions on operations matters	
	Office of the Chief of Directorial Staff	Assist the Chief, PNP in supervising the directorial staff in their conduct of mandated responsibilities	▪ Administrative Group ▪ Conference Management Group ▪ Management Information systems Group ▪ Special Requirements Group
Directorial Staff	Directorate for Personnel and Records Management (DPRM)	Manage the recruitment and appointment of PNP personnel Plan for the transfer and assignment of personnel, as well as the adjustment of qualification standards Assess personnel fitness and performance Record, process and administer application leaves and other benefits	▪ Recruitment and Placement Division ▪ Personnel Transaction Division ▪ Personnel Plans & Policies Division ▪ Benefits and Pension Administration Division
	Directorate for Intelligence (DI)	Formulate plans and polices and plan, coordinate and supervise the performance of intelligence activities of the PNP Evaluate and integrate all intelligence projects and efforts, and specifically provide intelligence information for the use of the command groups Determine foreign intelligence objectives and direct and control foreign intelligence assignments	▪ Intelligence Operations Division ▪ Counter-Intelligence Security Division ▪ Foreign Liaison Division ▪ Intelligence Research Division
	Directorate for Operations (DO)	Exercise control, direction, coordination and monitoring of all PNP operations, including patrolling, conduct of search/arrests/seizures, aviation security, maritime security, civil disturbance management, civil security, and traffic management Prepare, coordinate and issue operational	▪ Internal Security Operations Division ▪ Statistics and Reporting Division ▪ Special Operations Division ▪ Law Enforcement Division ▪ Public Safety Division

FUNCTIONAL GROUPING	ORGANIZATIONAL UNIT	GENERAL DESCRIPTION OF FUNCTION	DIVISIONS
		plans, orders and directives	
	Directorate for Logistics (DL)	Develop policies, rules and procedures for logistical activities like procurement, planning, maintenance, installation, and transportation	▪ Logistics Plans and Programs Division ▪ Supply Management Division ▪ Real Property Management Division
	Directorate for Comptrollership (DC)	Undertake financial management and internal auditing and management functions Prepare the PNP's annual budget and formulate policies, procedures and guidelines on auditing and accounting, reporting and general financial management Monitor the implementation of financial program of the PNP	▪ Budget Division ▪ Fiscal Division ▪ Accounting Division ▪ Management Division
	Directorate for Police Community Relations (DPCR)	Plan, direct, coordinate and supervise the performance of police community relations programs, projects and activities of the PNP	▪ Plans and Programs Division ▪ Public Information Division ▪ Community Affairs Division ▪ Women and Children's Concerns Division
	Directorate for Investigation and Detective Management (DIDM)	Formulate policies, rules, procedures and standards for the conduct of investigation, as well as research and development efforts for improving/strengthening the delivery of investigation services Direct, monitor and supervise all investigating units of the PNP	▪ Case Monitoring Division ▪ Research and Analysis Division ▪ Complaint and Legal Division ▪ Pre-charge Investigation Division
	Directorate for Human Resource and Doctrine (DHRDD)	Formulate plans and policies on the career development of PNP members Formulate doctrines pertaining to organization, administration and operations of PNP Determine training requirements of PNP personnel and units, and formulate training programs and directives for the purpose	▪ Individual Training Program development Division ▪ Unit Training Program Division ▪ General Doctrine Development Division
	Directorate for Research and Development (DRD)	Review, study and develop standards for weapons, clothing, transportation, communication, criminalistics equipment and other materials for the use of PNP	▪ Criminalistics Equipment Division ▪ Materiel Plans and Programs Division
	Directorate for Plans (DP)	Develop plans for the PNP organizational and force development and for the conduct of research and development projects. Perform project management functions for inter-agency and international initiatives for the development of the PNP and for the performance of strategic programs and activities.	▪ Plans and Programs Division ▪ Organizational Development Division ▪ Special Projects and Research Division ▪ Legislative Affairs Division ▪ Inter-agency and

FUNCTIONAL GROUPING	ORGANIZATIONAL UNIT	GENERAL DESCRIPTION OF FUNCTION	DIVISIONS
		Formulate the organization and manning, functions and functional delineation; and conduct studies and reviews on the organization, manning and functional delineation within the PNP, as well as develop and monitor the implementation of policies and regulations for the organizational structuring of units within the PNP	International Affairs Division ▪ Project Monitoring Division
Administrative Support Units	Financial Service (FS)	Responsible for the disbursement of all funds of the PNP and the accounting of the same Approve vouchers for payment of PNP obligations Coordinate with all PNP units concerned n the payment and distribution of pay and allowances of all PNP personnel	▪ Administrative Division ▪ Revenue and Collection Division ▪ Audit and Control Division ▪ Electronic Data Processing Division ▪ Disbursements Division
	Computer Service (CS)	Formulate and implement information technology (IT) policies, plans and programs of the PNP Develop, maintain and implement application systems and databases and provide data processing services	▪ Systems Management Division ▪ Computer Operations Division ▪ Data Management Division ▪ Network Management Division ▪ Training Division
	Engineering Service (ES)	Formulate policies, plans and procedures in the management of engineering resources, land utilization and on-base/off-base housing activities Directly plan, design, administer, supervise and construct PNP buildings, facilities and housing-related projects Supervise, monitor and evaluate all construction and major engineering maintenance and repair of PNP buildings/structures	▪ Administrative Division ▪ Construction and Repair Division ▪ Land Utilization Division ▪ Housing Division
	Logistics Support Service (LSS)	Provide support to the PNP units in terms of storage and effective distribution/issuance of stocks on hand, including the conduct of inventory and tests and evaluation Procure supplies, materials and equipment including firearms and ammunitions Undertake depot-level maintenance of vehicles, armaments and ammunitions, including communications equipment Provide transportation services in support of the PNP operations	▪ Procurement Division ▪ Supply, Storage and Distribution Division ▪ Supply Accounting and Monitoring Division ▪ Explosive Ordinance Disposal Division
	Headquarters Support Service	Provide support for the security, management of traffic flows, and	

FUNCTIONAL GROUPING	ORGANIZATIONAL UNIT	GENERAL DESCRIPTION OF FUNCTION	DIVISIONS
	(HSS)	maintenance of the national headquarters Patrol the entire vicinity, formulate plans and implements camp defense measures, including fire and disaster control	
	Communication and Electronics Service (COMMEL)	Operate, maintain and ensure coordination between and among PNP units and offices in the acquisition, distribution and operation of communications and electronics facilities	▪ Facilities Operations and Communication Center Division ▪ Installation and Maintenance Division ▪ COMMEL Development and Training Division
	Health Service (HS)	Provide medical and dental services to PNP personnel and their direct dependents and other authorized civilians Operate and maintain hospitals nationwide	▪ Administrative and Personnel Affairs Division ▪ Logistics, Procurement and Supply Division ▪ Comptroller and Finance Division ▪ Plans, Training and Operations Division ▪ Medical Division ▪ Dental Division ▪ Nursing Division ▪ Allied Health Service Division
	Legal Service (LS)	Serve as the PNP legal counsel as well as represent the PNP in all criminal and civil actions before the courts in coordination with the Office of the Solicitor General Serve as adjudicative unit in the processing of claims for benefits of retired and separated personnel	▪ Legal Assistance Division ▪ Policy and Research Division ▪ Personnel Action and Welfare Division ▪ Administrative Division
	Chaplain Service (CHS)	Provide spiritual and counseling services for the moral growth of PNP personnel and their dependents Conduct worship and religious services, provide pastoral care and ministration, religious and moral education, guidance and counseling, and values orientation	
Operational Support Units	Criminal Investigation and Detection Group (CIDG)	Has jurisdiction on the investigation of all crimes involving economic sabotage like bank frauds, large scale smuggling, estafa, dollar salting, hoarding, profiteering, among others, including cases involving violations of anti-graft and corruption practices, illegal recruitment, illegal trafficking, illegal possession of firearms and explosives, and atrocities committed by CCP/NPA/NDF	▪ Criminal Investigation and Detection Division ▪ Detection and Special Operations Division ▪ Anti-Fraud and Commercial Crime Division ▪ Anti-Organized Crimes and Businessmen's Concerns Division ▪ Women and Children's Concerns Division ▪ Anti-Transnational Crime Division ▪ 16 Regional Criminal Investigation and

FUNCTIONAL GROUPING	ORGANIZATIONAL UNIT	GENERAL DESCRIPTION OF FUNCTION	DIVISIONS
			Detective Units
	Crime Laboratory Group (CLG)	Undertake forensic examination and scene of the crime operations Provide expertise on medico-legal examination, chemistry, physical identification, firearms identification, fingerprint identification, questioned document analysis, and polygraph and forensic photography	▪ Medico-Legal Division ▪ Chemistry Division ▪ Physical Identification Division ▪ Firearms Identification Division ▪ Questioned Document Division ▪ Fingerprint Identification Division ▪ Polygraph Division ▪ Forensic Photograph Division ▪ 15 Regional Criminal Crime Laboratories
	Maritime Group (MG)	Prevent and suppress violations of laws and ordinances committed within territorial waters and along coastal areas of the country, to include ports, harbors and small islands	▪ Special Operations Office ▪ Fleet Operations Office ▪ Regional Maritime Offices ▪ Maritime Police Stations
	Aviation Security Group (ASCG)	Perform operation control and supervision in planning, directing, and enforcement within the airport complex of all security and policing units Conduct air operations for administrative missions such as courier of movement of personnel, supplies and equipment; for actual combat mission; and for special flight missions for civil relief and mercy operations, mountain operations, anti-kidnapping and anti- carnapping operations, and search/rescue/aerial photography	▪ 10 Regional Police Centers for Aviation Security ▪ Special Operations Units ▪ K-9 Units ▪ MPSUs
	Traffic Management Group (TMG)	Promote safety along highways and secure main thoroughfares from all forms of lawlessness Perform police traffic safety engineering, police traffic safety education, and traffic law enforcement through periodic patrolling, monitoring and conduct of traffic dire3ction and control	▪ Special Operations Division ▪ Motor Vehicles Clearance Office ▪ Anti-Carnapping Unit ▪ 16 Satellite Units in NCR ▪ Traffic Management Units in all regions, provinces, and cities
	Special Action Force (SAF)	Provide the mobile strike forces or reaction units to augment regional, provincial, city and municipal police forces for civil disturbance, hostage-taking, rescue operations, highjacking, terrorism and terrorist acts, situations involving explosives, among others Organize and train organic personnel, conduct commando-type unconventional	▪ Personnel and Human Resource Division ▪ Intelligence and Investigation Division ▪ Operations and Plans Division ▪ Police Community Relations Division ▪ Logistics, Research and Development

FUNCTIONAL GROUPING	ORGANIZATIONAL UNIT	GENERAL DESCRIPTION OF FUNCTION	DIVISIONS
		warfare against lawless elements over extended period with minimal direction and control, conduct search and rescue operations, conduct civil disturbance management operations in times of civil disobedience on a national scale, and operate a rapid deployment force ready and capable to strike anytime	Division ▪ Comptrollership and Finance Division
	Intelligence Group (IG)	Plan, direct and supervise the collection of pertinent information and subsequent conversion of such information into useful intelligence as input to decision-making Detect and investigate acts of graft and corruption, criminality, treason, sedition, espionage within PNP, among others	▪ Personnel and Human Resource Development Division ▪ Intelligence and Operations Division ▪ Logistics Division ▪ Comptrollership and Finance Division ▪ Legal Affairs Division ▪ Counter-Intelligence Office ▪ Technical Support Office ▪ Foreign Intelligence and Liaison Office ▪ Service Support Office
	Civil Security Group (CSG)	Direct, control and supervise the issuance of permits and licenses on firearms, ammunitions, explosives, firecrackers and pyrotechnic devices, private security agencies, company guard forces, and private security guards	▪ Firearms and Explosives Division ▪ Security and Guards Supervision Division
	Police Security and Protection Office (PSPO)	Identify the employment and deployment of police personnel to be designated for security services of national personages, foreign dignitaries, ambassadors, embassies, vital installations, and authorize3d government officials and private individuals with serious threats to their lives	▪ Administrative Division ▪ Operations Division ▪ 6 Regional Security and Protection Teams
	Police Community Relations Group (PCRG)	Implement PNP's police community relations programs and provide assistance to the regional, provincial, district, and city/municipal police offices in their implementation of their respective police community relations activities Accredit volunteer NGOs supportive of PNP programs and relatedly assist, train, organize, direct and supervise such NGOs	▪ Community Relations Division ▪ Cultural Affairs Division ▪ Production and Media Affairs Division ▪ NHQ PNP Complaint Referral and Action Center
Field Operations Group	Regional Offices (17)	Undertake and be responsible for the command, control, supervision and direction of all units under the office in the enforcement of laws, prevention of crimes, maintenance of peace and order, safety and internal security within the area of responsibility	▪ Regional Personnel and Human Resource Development Division ▪ Regional Intelligence and Investigation Division ▪ Regional Operations and Plans Division ▪ Regional Logistics Division ▪ Regional Police

FUNCTIONAL GROUPING	ORGANIZATIONAL UNIT	GENERAL DESCRIPTION OF FUNCTION	DIVISIONS
			▪ Community Relations ▪ Comptrollership and Finance Division ▪ Regional Headquarters Support Group ▪ Regional Mobile Force Battalions
	Provincial Police Offices (79)	Provide supe4rvision, intervention and direction in the enforcement and execution of the provisions of laws, general orders, instructions from headquarters, and rules and regulations of local application within territorial jurisdiction Monitor, coordinate and evaluate the implementation of policies, directives, programs and projects Process and recommend the issuance of appropriate licenses	No divisionalization; main subdivision are sections that attend to police community relations, operations, investigation, and intelligence
	District Offices in the National Capital Region (5)		
	City Police Offices (16)		▪ City Mobile Force Company ▪ Mobile Patrol Group ▪ Traffic Group ▪ Police Precincts
	City/Municipal Police Stations	Serve as the primary operating arms of the PNP for crime prevention, law enforcement and order maintenance Investigate and prevent crimes, effect the arrest of crime offenders, and bring offenders to justice assist in their prosecution	▪ Administrative Unit ▪ Operations Unit

ANNEX 5.1
EXCERPTS FROM RELEVANT STATUTES, PRESIDENTIAL ISSUANCES AND ADMINISTRATIVE REGULATIONS AFFECTING THE POLICE

1 CRIMINAL LAWS AND PROCEDURE

1.1 The 1987 Constitution

ARTICLE III – Bill of Rights:

SECTION 12. (1) Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel. (2) No torture, force, violence, threat, intimidation, or any other means which vitiate the free will shall be used against him. Secret detention places, solitary, incommunicado, or other similar forms of detention are prohibited. (3) Any confession or admission obtained in violation of this or Section 17 hereof shall be inadmissible in evidence against him. (4) The law shall provide for penal and civil sanctions for violations of this section as well as compensation to and rehabilitation of victims of torture or similar practices, and their families.

SECTION 13. All persons, except those charged with offenses punishable by reclusion perpetua when evidence of guilt is strong, shall, before conviction, be bailable by sufficient sureties, or be released on recognizance as may be provided by law. The right to bail shall not be impaired even when the privilege of the writ of habeas corpus is suspended. Excessive bail shall not be required.

SECTION 14. (1) No person shall be held to answer for a criminal offense without due process of law. (2) In all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy, impartial, and public trial, to meet the witnesses face to face, and to have compulsory process to secure the attendance of witnesses and the production of evidence in his behalf. However, after arraignment, trial may proceed notwithstanding the absence of the accused provided that he has been duly notified and his failure to appear is unjustifiable.

SECTION 15. The privilege of the writ of habeas corpus shall not be suspended except in cases of invasion or rebellion when the public safety requires it.

SECTION 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.

SECTION 17. No person shall be compelled to be a witness against himself.

SECTION 18. (1) No person shall be detained solely by reason of his political beliefs and aspirations. (2) No involuntary servitude in any from shall exist except as punishment for a crime whereof the party shall have been duly convicted.

SECTION 19. (1) Excessive fines shall not be imposed, nor cruel, degrading or inhuman punishment inflicted. Neither shall the death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it. Any death penalty already imposed shall be reduced to reclusion perpetua. (2) The employment of physical, psychological, or degrading punishment against any prisoner or detainee or the use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law.

SECTION 20. No person shall be imprisoned for debt or non-payment of a poll tax.

SECTION 21. No person shall be twice put in jeopardy of punishment for the same offense. If an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.

SECTION 22. No ex post facto law or bill of attainder shall be enacted.

1.2 Act No. 3895 (1932), as amended – The Revised Penal Code

1.3 Year 2000 Revised Rules on Criminal Procedure

1.4 Republic Act No. 7438 (1992)

This is an act defining certain rights of person arrested, detained as under custodial investigation as well as the duties of the arresting, detaining and investigating officers, and providing penalties for violation thereof. It is the policy of the State to value the dignity of every human being and guarantee full respect for human rights.

Sec. 2. Rights of Person Arrested, Detained or Under Custodial Investigation; Duties of Public Officers

(a) Any person arrested, detained or under custodial investigation shall at all times be assisted by counsel.

(b) Any public officer or employee, or anyone acting under his order or his place, who arrests, detains or investigates any person for the commission of an offense shall inform the latter, in a language known to and understood by him, of his rights to remain silent and to have competent and independent counsel, preferably of his own choice, who shall at all times be allowed to confer privately with the person arrested, detained or under custodial investigation. If such person cannot afford the service of his own counsel, he must be provided with a competent and independent counsel by the investigating officer.

(c) The custodial investigation report shall be reduced to writing by the investigating officer, provided that before such report is signed, or thumb

marked if the person arrested or detained does not know how to read and write, it shall be read and adequately explained to him by his counsel or by the assisting counsel provided by the investigating officer in the language or dialect known to such arrested or detained person, otherwise, such investigation report shall be null and void and of no effect whatsoever.

(d) Any extrajudicial confession made by a person arrested, detained or under custodial investigation shall be in writing and signed by such person in the presence of his counsel or in the latter's absence, upon a valid waiver, and in the presence of any of the parents, elder brother and sisters, his spouse, the municipal mayor, the municipal judge, district school supervisor, or priest or minister of the gospel as chosen by him, otherwise, such extrajudicial confession shall be inadmissible as evidence in any proceeding.

(e) Any waiver by a person arrested or detained under the provisions of Article 125 of the Revised Penal Code, or under custodial investigation, shall be in writing and signed by such person in the presence of his counsel; otherwise the waiver shall be null and void and of no effect.

(f) Any person arrested or detained or under custodial investigation shall be allowed visit by or conferences with member of his immediate family, or any medical doctor or priest or religious minister chosen by him or by any member of his immediate family or by his counsel, or by any national non-government organization duly accredited by the Commission on Human Rights or by the Office of the President. The person's "immediate family" shall include his or her spouse, fiancé or fiancé, parent or child, brother or sister, grandparent or grandchild, uncle or aunt, nephew or niece, and guardian or ward.

As used in the Act, "custodial investigation" shall include the practice of issuing an "investigation" to a person who is investigated in connection with an offense he is suspected to have committed, without prejudice to the liability of the "inviting" officer for any violation of law.

Sec. 3. Assisting Counsel. Assisting counsel is any lawyer, except those directly affected by the case, those charged with conducting preliminary investigation or those charged with the prosecution of crimes.

The assisting counsel other than the government lawyers shall be entitled to the following fees:

(a) The amount of one hundred fifty pesos (P150.00) if the suspected person is chargeable with light felonies;

(b) The amount of two hundred fifty pesos (P250.00) if the suspected person is chargeable with less grave of grave felonies;

(c) The amount of three hundred fifty pesos (P350.00) if the suspected person is chargeable with a capital offense.

The fee for the assisting counsel shall be paid by the city or municipality where the custodial investigation is conducted, provided that if the municipality or city cannot pay such fee, the province comprising such municipality or city shall pay the fee: *Provided*, That the Municipality or City Treasurer must certify that no funds are available to pay the fees of assisting counsel before the province pays said fees.

In the absence of any lawyer, no custodial investigation shall be conducted and the suspected person can only be detained by the investigating officer in accordance with the provisions of Article 125 of the Revised Penal Code.

Sec. 4. Penalty Clause

(a) Any arresting public officer or employee, or any investigating officer, who fails to inform any person arrested, detained or under custodial investigation of his rights to remain silent and to have competent and independent counsel preferably of his own choice, shall suffer a fine of Six thousand pesos (P6,000.00) or a penalty of imprisonment of not less than eight (8) years but not more than ten (10) yeas, or both. The penalty of perpetual absolute disqualification shall also be imposed upon the investigating officer who has been previously convicted of a similar offense.

The same penalties shall be imposed upon an officer or employee or anyone upon orders of such investigating officer or in his place, who fails to provide a competent investigation for the commission of an offense if the latter cannot afford the services of his own counsel.

(b) Any person who obstructs, persons or prohibits any lawyer, any member of the immediate family of a person arrested, detained or under custodial investigation, or any medical doctor or priest or religious minister chosen by him or by any member of his immediate family or by counsel, from visiting and conferring privately with him, or from examining and treating him, or from ministering to his spiritual needs, at any hour of the day or, in urgent cases, of the night shall suffer the penalty of imprisonment of not less than four (4) yeas nor more than six (6) years, and a fine of four thousand pesos (P4,000.00).

The provision of the above Section notwithstanding, any security officer with custodial responsibility over any detained or prisoner may under such reasonable measures as may be necessary to secure his safety and prevent his escape.

1.5 Republic Act No. 7659 (1993)

This is an act to impose the Death Penalty on certain heinous crimes, amending for that purpose the Revised Penal Code as amended, other Special Penal Laws and for other purposes.

Section 4 incorporates a new article to read: "Art. 211-A – *Qualified Bribery*. If any public officer is entrusted with law enforcement and he refrains from arresting or prosecuting an offender who has committed a crime punishable by *reclusion perpetua* and/or death in consideration of any offer, promise, gift or present, he shall suffer the penalty for the offense which was not prosecuted.

If it is the public officer who asks or demands such gift or present, he shall suffer the penalty of death.

Section 11, Article 335 of the same Code is hereby amended to read as follows:

> "Sec. 335. When and how rape is committed.-
>
> .....
>
> The death penalty shall also be imposed if the crime of rape is committed with any of the following attendant circumstances:
>
> .....
>
> 6. When committed by any member of the Armed Forces of the Philippines or the Philippine National Police or any law enforcement agency."

Section 11. Section 24 of RA 6425, as amended, is hereby amended to read as follows:

> "Sec. 24. *Penalties for Government Official and Employees and Officers and Members of Police Agencies and the Armed Forces, 'Planning' of Evidence.-* The maximum penalties provided for Sections 3, 4(1), 5(1), 6-19, 11-13 of Article II and Sections 14, 14-A, 15(1), 16 and 19 of Article III shall be imposed on any of the said offenses are government officials, employees or officers, including members of police agencies and the armed forces.

Any such above government official, employee or officer who is found guilty of "planting" any dangerous drugs punished in Sections 3-4, 7-9 and 13 of Article II and Sections 14, 14-A, 15-16 of Article III of this ct in the person or vicinity of another as evidence to implicate the latter, shall suffer the same penalty as therein provided."

2 LAWS AND ADMINISTRATIVE REGULATIONS ON INTERNAL SECURITY OPERATIONS

2.1 Proclamation No. 348 (March 25, 1994)

This law is entitled: "Granting Amnesty to Certain personnel of the Armed Forces of the Philippines and the Philippine National Police Who Have or May Have Committed Certain Acts or Omissions punishable under the Revised Penal Code, The Articles of

War or Other Special Laws, committed in Furtherance of, Incident or in Connection with the Counter-Insurgency Operations" contains the following relevant provisions:

SECTION 1. Grant of Amnesty. — Amnesty is hereby granted to all personnel of the AFP and the PNP who shall apply therefor and who have or may have committed, as of the date of this Proclamation, acts or omissions punishable under the Revised Penal Code, the Articles of War or other special laws, in furtherance of, incident to, or in connection with counter-insurgency operations; Provided, that such acts or omissions do not constitute acts of torture, arson, massacre, rape, other crimes against chastity, or robbery of any form; and Provided, That the acts were not committed for personnel ends.

SECTION 2. Where To Apply. — AFP and PNP personnel may apply for amnesty with the National Amnesty Commission, hereinafter referred to as the Commission, created under Proclamation No. 347, dated March 25, 1994, which is tasked with receiving and processing applications for amnesty and determining whether the applicants are covered by amnesty under said Proclamation and this Proclamation. Final decisions or determinations of the Commission shall be appealable to the Court of Appeals.

SECTION 3. Application Period. — Applications or the grant of amnesty under this Proclamation shall be filed under oath of the Commission within six (6) months of the effectivity of this Proclamation, and forthwith, the Commission shall act in the same pursuant to its authority under said Proclamation No. 347.

SECTION 4. Effects. — (a) Amnesty under this Proclamation shall extinguish any criminal liability for acts committed by the grantee, without prejudice to the grantee's civil liability for injuries or damages caused to private persons. The grant of amnesty shall also effect the restoration of civil or political rights suspended or lost by virtue of criminal conviction; (b) The amnesty herein proclaimed shall not ipso facto result in the reintegration or reinstatement into the service of former AFP and PNP personnel. Reintegration or reinstatement into the service shall continue to be governed by existing laws and regulations; Provided, however, that the amnesty shall reinstate the right of AFP and PNP personnel to retirement and separation benefits, if so qualified under existing laws, rules and regulations at the time of the commission of the acts for which amnesty is extended, unless they have forfeited such retirement and separation benefits for reasons other than the acts covered by this Proclamation.

2.2 Republic Act No. 7898 (1995) – Otherwise Known as "The AFP Modernization Act"

SECTION 3. *Objectives of the AFP Modernization Act*.- The AFP Modernization program shall be implemented with the following objectives:

x x x

(e) to enhance its capability to assist the Philippine National Police in law enforcement and internal security operations;

SECTION 12. *Modernization of Government Arsenal*.- The modernization of the government arsenal is for the development of production capabilities to enhance self-sufficiently in defense requirements shall be part of the AFP modernization program.

The government arsenal shall be effectively utilized in production of basic weapons, ammunition, and other ammunitions for the use of the AFP and the Philippine National Police (PNP) and for the sale and export of products in excess of the AFP/PNP requirements.

2.3 Executive Order No. 110 (1999)

Executive Order No. 110, is entitled: "Directing The Philippine National Police To Support The Armed Forces Of The Philippines In Internal Security Operations For The Suppression Of Insurgency And Other Serious Threats To National Security." Pertinent provisions include:

SECTION 1. The PNP is hereby directed to support the AFP in internal security operations (ISO) for the suppression of insurgency and other serious threats to national security. For this purpose, the PNP is authorized to make appropriate adjustments in its organization subject to the approval of the National Police Commission.

SECTION 2. There shall be established a joint AFP-PNP system which shall provide the mechanism, structure and procedures for the integrated assessment of the security situation and for the integrated planning, coordinating, implementation and monitoring of necessary measures aimed at enhancing the internal security of the state and its institutions.

SECTION 3. The Department of National Defense and the Department of the Interior and Local Government shall jointly promulgate rules and regulations for the effective implementation of this Executive Order.

SECTION 4. The initial funding requirements of the PNP to carry out the provisions of this Executive Order shall be jointly determined and recommended by the PNP and AFP for the approval of the President. The amount shall be drawn from the Contingent Fund and from other available funds in the CY 1998 and 1999 General Appropriations Act. For the succeeding years, the amount required shall be incorporated in the budget of PNP and the annual General Appropriations Act.

2.4 Executive Order No. 21 (2001) as amended by Executive Order No. 138 (2002) Creating the Coordinative and Integrated System of Internal Security

There is a Cabinet Oversight Committee on Internal Security (COC-IS) with the Executive Secretary as Chairman and the Secretary/ as Chairman and the Secretary of National Defense as Vice-Chairman. One of the responsibilities is to formulate a National Internal Security Plan (NISP) to implement the "Strategy of Holistic Approach" taking into account the statutory mandates of the Departments and agencies and their pertinent plans and programs. On October 21, 2002, Executive Order No. 138 (2002) reorganized the Cabinet Oversight Committee on Internal Security which now included a Presidential Adviser of Police Affairs.

At the sub-national level, internal security committees (ISCs) maybe organized by the COC-ISs as deemed necessary based on the situation prevailing in a specific area which may consist of one or more regions or two or more regions or provinces. At

the local level, an ISC may be organized in each province or chartered city by the COC-IS and it is governor or mayor of the city as chief executive of the local government unit be its chairman who shall determine its composition. (Sec. 5)

3 LAWS ON PROTECTION AND PRESERVATION OF THE ENVIRONMENT

3.1 P.D. No. 705 (1975), as amended by P.D. No. 1775 (1981) and R.A. 7161 (1991), sec. 7

SECTION 88. *Arrest, Institution of Criminal Actions.* A forest officer or employee of the Bureau or any personnel of the Philippine Constabulary/Integrated National Police shall arrest even without a warrant any person who has committed or is committing in his presence any of the offense in this Chapter (Chap. IV, Criminal Offenses and Penalties). He shall also seize and confiscate, in favor of the government, the tools and equipment used in committing offense and the forest products, gathered or taken by the offender in the process of committing the offense. The arresting officer or employee shall thereafter deliver within six (6) hours from the time of the arrest and seizure the offender and confiscated forest products, tools and equipment and file the proper complaint with the appropriate official designated by law to conduct preliminary investigation and file information in Court.

x x x

Reports and complaints regarding the commission of any of the offenses, not committed in the presence of any forest officer or employee, or any personnel of the Philippine Constabulary/Integrated National Police or any of the designated officers or employees, shall immediately be investigated by the forest officer assigned to the area or any personnel of the PC/INP where the offense was allegedly committed, who shall thereupon receive the evidence supporting the report or complaint.

If there is a *prima facie* evidence to support the complaint or report, the investigating forest official and/or members of the PC/INP shall file the necessary complaint with the appropriate official authorized by law to conduct a preliminary investigation of criminal case and file an information in court.

3.2 R.A. No. 8048 (1995) – Coconut Preservation Act of 1995

SECTION 7, par. 2. - The Philippine Coconut Authority may deputize the Philippine National Police or other law enforcement agencies to investigate and apprehend those caught violating the provisions of this act.

3.3 R.A. No. 8550 on the Philippine Fisheries Code of 1996

SECTION 124. *Persons and Deputies Authorized to Enforce This Code and Other Fishery Laws, Rules and Regulations.-* The law enforcement officers of the Department, the Philippine Navy, Philippine Coast Guard, Philippine National Police (PNP), PNP-Maritime Command, law enforcement officers of the LGUs and other government enforcement agencies, are hereby authorized to enforce this Code and other fishery laws, rules and regulations.

3.4 Implementing Certain Provisions of R.A. No. 8550

SECTION 32. *Law Enforcement.*- The Technical Committee shall initiate the formulation of law enforcement program in the Laguna de Bay and crater lakes including but not limited to activities such as training, regular monitoring and surveillance, information campaign through proper coordination and team efforts for review by the Technical Committee. Aside from the LLDA, the Technical Committee shall ensure involvement of other agencies concerned in the Laguna de Bay Region such as the Local Government Units (LGUs), Department of Agriculture (DA), Department of Justice (DOJ), Department of the Interior and Local Government (DILG) and the Commission on Human Rights (CHR), the Philippine Coast Guard and MARICOM for the effective enforcement of fishery related laws. Likewise, the Technical Committee shall ensure the availment of privileges of deputized FARMC members and access for free legal services in protecting their rights while carrying out their functions.

3.5 Rules and Regulation on the Establishment, Safeguarding and Maintenance of Fish Sanctuaries within Laguna de Bay (June 29, 2000)

SECTION 6. *Law Enforcement.*- The LLDA shall coordinate with the Philippine National Police-Maritime Command (PNP-MariCom) and the Philippine Coast Guard (PCG) which shall take the lead in the enforcement of fishery law for the sustainable management of fish sanctuaries in collaboration with the concerned LGUs. Other law enforcement agencies shall provide support and assistance to the PNP-MariCom and the PCG for the effective enforcement of fisheries laws in Laguna de Bay.

3.6 Republic Act No. 8749 (Philippine Clean Air Act of 1999)

SECTION 46(c) par. 3 provides that "All law enforcement officials and deputized agents accredited to conduct vehicle emissions testing and apprehensions shall undergo a mandatory training on emission standards and regulations. For this purpose, the Department, together with the DOTC, DILG, DOST, Philippine National Police (PNP) and other concerned agencies and private entities shall design a training program."

3.7 Republic Act No. 9147 (2001) or the Wildlife Resources Conservation and Protection Act

SECTION 30.... The Philippine National Police (PNP), the Armed Forces of the Philippines (AFP) and the National Bureau of Investigation (NBI) shall designate the wildlife enforcement officers. As such, the wildlife enforcement officers shall have the full authority to seize illegally traded wildlife and to arrest violators of this Act subject to existing laws, rules and regulations on arrest and detention.

3.8 Republic Act No. 9072 (2001) – National Caves and Cave Resources Management and Protection Act

SECTION 5. *Powers and Function of the DENR.* In the implementation of this Act, the DENR shall exercise the following powers and functions:

x x x

(a) Exercise other powers and performs other functions as may be necessary to implement the provisions of this Act.

3.9 DENR Administrative Order No. 29-03 (July 7, 2003) – Implementing Rules and Regulations of RA 9072

Pursuant to Section 11 of Republic Act No. 9072 otherwise known as the "National Caves and Cave Resources Management and Protection Act", this Administrative Order setting forth rules and regulations governing the implementation of this Act hereby promulgated.

SECTION 1. Basic Policy. – It is the policy of the State to conserve protect, and manage national wealth and heritage which include caves and cave resources. Toward this end, the State shall strengthen the cooperation and exchange of information between government authorities and users of caves and cave resources for scientific, educational, recreational, eco-tourism and other purposes.

SECTION 6. Caves within Private Lands. — Caves and cave resources are owned by the State. As such, landowners with caves inside their private lands shall secure the necessary permit from the DENR for the use, collection or removal of any cave resource found therein.

All resource utilization outside caves within private lands, including the harvesting of planted trees, shall be regulated by the DENR in accordance with existing laws, rules and regulations to preserve the integrity of the cave.

The private landowner may enter into a Tripartite MOA or Memorandum of Understanding (MOU) with the DENR and LGUs in the conservation, management and protection of caves and cave resources found therein.

SECTION 16. Deputation of Cave Protection Enforcement Officers (CPEO) – The RED shall deputize Cave Protection Enforcement Officers from locally based non-government organizations, community organizations, indigenous people and other volunteers who have undergone necessary training for the purpose. The Philippine National Police, the Armed Forces of the Philippines, the National Bureau of Investigation and other law enforcement agencies may be designated as cave protection enforcement officers.

The existing procedure for deputation shall be followed. The CPEOs shall be deputized for a period of one year and renewable thereafter depending on their performance.

The deputized cave protection enforcement officers shall have the full authority to seize and arrest violators of the Act subject to existing laws, rules and regulations on arrest and detention.

4 LAWS ON PROTECTION OF WOMEN AND CHILDREN

4.1 R.A. 7610 (1992) - Special Protection Against Child Abuse, Exploitation And Discrimination Act Of 1992

SECTION 5. *Child Prostitution and Other Sexual Abuse.* — Children, whether male or female, who for money, profit, or any other consideration or due to the coercion or influence of any adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

The penalty of reclusion temporal in its medium period to *reclusion perpetua* shall be imposed upon the following:

(a) Those who engage in or promote, facilitate or induce child prostitution which include, but are not limited to, the following:

(1) Acting as a procurer of a child prostitute;

(2) Inducing a person to be a client of a child prostitute by means of written or oral advertisements or other similar means;

(3) Taking advantage of influence or relationship to procure a child as prostitute;

(4) Threatening or using violence towards a child to engage him as a prostitute; or

(5) Giving monetary consideration goods or other pecuniary benefit to a child with intent to engage such child in prostitution.

(b) Those who commit the act of sexual intercourse of lascivious conduct with a child exploited in prostitution or subject to other sexual abuse; Provided, That when the victims is under twelve (12) years of age, the perpetrators shall be prosecuted under Article 335, paragraph 3, for rape and Article 336 of Act No. 3815, as amended, the Revised Penal Code, for rape or lascivious conduct, as the case may be: Provided, That the penalty for lascivious conduct when the victim is under twelve (12) years of age shall be reclusion temporal in its medium period; and

(c) Those who derive profit or advantage therefrom, whether as manager or owner of the establishment where the prostitution takes place, or of the sauna, disco, bar, resort, place of entertainment or establishment serving as a cover or which engages in prostitution in addition to the activity for which the license has been issued to said establishment.

SECTION 6. *Attempt To Commit Child Prostitution.* — There is an attempt to commit child prostitution under Section 5, paragraph (a) hereof when any person who, not being a relative of a child, is found alone with the said child inside the room or cubicle of a house, an inn, hotel, motel, pension house, apartelle or other similar establishments, vessel, vehicle or any other hidden or secluded area under circumstances which would lead a reasonable person to believe that the child is about to be exploited in prostitution and other sexual abuse.

There is also an attempt to commit child prostitution, under paragraph (b) of Section 5 hereof when any person is receiving services from a child in a sauna parlor or bath, massage clinic, health club and other similar establishments. A penalty lower by two (2) degrees than that prescribed for the consummated felony under Section 5 hereof shall be imposed upon the principals of the attempt to commit the crime of child prostitution under this Act, or, in the proper case, under the Revised Penal Code.

x x x

SECTION 25. *Rights of Children Arrested for Reasons Related to Armed Conflict.* — Any child who has been arrested for reasons related to armed conflict, either as combatant, courier, guide or spy is entitled to the following rights;

(a) Separate detention from adults except where families are accommodated as family units;

(b) Immediate free legal assistance;

(c) Immediate notice of such arrest to the parents or guardians of the child; and

(d) Release of the child on recognizance within twenty-four (24) hours to the custody of the Department of Social Welfare and Development or any responsible member of the community as determined by the court.

4.2 Rules and Regulations on the Reporting and Investigation of Child Abuse Cases Pursuant to RA 7610 (1993)

SECTION 3. *Reporting.*- A person who learns of facts or circumstances that give rise to the belief that a child has suffered abuse may report the same, either orally or in writing, to the Department, to the police or other law enforcement agency or to a Barangay Council for the Protection of Children.

x x x

SETION 5. *Duty of Government Workers to Report.*- It shall be the duty of all teachers and administrators in public schools, probation officers, government lawyers, law enforcement officers, barangay officials, corrections officers and other government officials and employees whose work involves dealing with children to report all incidents of possible child abuse to the Department.

SECTION 10. *Immunity of Officer Taking the Child Under Protective Custody.*- The duly authorized officer or social worker of the Department and the assisting police officer or barangay official, if any, who shall take a child under protective custody shall be exempt from any civil, criminal and administrative liability therefore.

SECTION 11. *Notification of Police.*- The Department shall inform the police or other law enforcement agency whenever a child victim is placed under protective custody;

SECTION 17. *Filing of Criminal Case.*- The investigation report of the Department and/or of the police or other law enforcement agency on the abuse of a child, together with the results of the physical/mental examination and/or medical treatment and other relevant evidence, shall be immediately forwarded to the provincial or city prosecutor concerned for the preparation and filing of the appropriate criminal charge against the person who allegedly committed the abuse.

SECTION 22. *Protection of Victim From Undue Publicity.*- The prosecutor in a child abuse case shall, taking into consideration the age, psychological maturity and understanding of the child victim, the nature of the unlawful acts committed, the desire of the victim and the interests of the child's family, take the necessary steps to exclude the public during the giving of testimony of the child victim; to limit the publication of information, photographs or artistic renderings that may identify the victim; and to prevent the undue and sensationalized publicity of the case.

SECTION 23. *Confidentiality of Records.*- All records pertaining to cases of sexual abuse shall be strictly confidential and no information relating thereto shall be disclosed except in connection with any court or official proceedings based thereon. The unauthorized disclosure of the aforementioned records shall be punishable by a fine of not more than two thousand four hundred pesos (P2,400.00) or by imprisonment of not more than one (1) year or such fine and imprisonment.

4.3 R.A. 8353 (Anti-Rape Law of 1997)

The crime of rape is classified as a crime against persons under Title 8 of Act No. 3815 and incorporates a new Chapter 3 on Rape.

Art. 266-B. Rape under paragraph 1 of Article 266-A shall be punished by *reclusion perpetua*.

x x x.....

The death penalty shall also be imposed if the crime of rape is committed with any of the following aggravating/qualifying circumstances.

x x x

"(2) When the victim is under the custody of the police or military authorities or any law enforcement or penal institution.

x x x

(7) When committed by any member of the AFP or para-military units thereof or the Philippine National Police or any law enforcement agency or penal institution, when he offender took advantage of his position to facilitate the commission of the crime."

4.4 R.A. 8505 (Rape Victim Assistance and Protection Act of 1998)

SECTION 4. *Duty of the Police Officer.*- Upon receipt by the police of the complaint for rape, it shall be the duty of the police officer to:

a) Immediately refer the case to the prosecutor for inquest/investigation if the accused is detained; otherwise, the rules of court shall apply;

b) Arrange for counseling and medical services for the offended party; and

c) Immediately make a report on the action taken.

It shall be the duty of the police officer or the examining physician, who must be of the same gender as the offended party, to ensure that only persons expressly authorized by the offended party shall be allowed inside the room where the investigation or medical or physical examination is being conducted.

For this purpose, a women's desk must be established in every police precinct throughout the country to provide a police woman to conduct investigation of complaints of women rape victims. In the same manner, the preliminary investigation proper or inquest of women rape victims must be assigned to female prosecutor or prosecutors after the police shall have endorsed all the pertinent papers thereof to the same office.

4.5 Implementing Rules and Regulations of R.A 8505

SECTION 7. Common Duties and Responsibilities of the Investigating Police Officer, Examining Physician, Prosecutor Social Workers or Crisis Workers

a) respect the rights and dignity of the survivors as a person;

b) arrange for psychological counseling of rape victims and survivors by a trained and qualified counselor;

c) arrange for the medical examination of the offended party by a trained and qualified physician and further medical services;

d) refer the case to the Women's and Children's Desk of a precinct or agency;

e) refer the survivor for legal services if he or she decides to file a case;

f) inform the survivor of the range of his or her options;

g) ensure the information regarding the survivor and his/her circumstances are kept confidential; and

h) undergo training and other capacity development programs on, but not limited to, the following: trainings on gender sensitivity, gender sensitive counseling, human rights and women and children rights and legal management of rape cases.

SECTION 8. Specific Duties and Responsibilities of the Investigating Police Officer.

a) immediately refer the case to Women's and Children's Desk of the precinct, or any other concerned agency such as Local DSWD, DOJ and NGO handling the cases;

b) immediately refer the case to a prosecutor for inquest, if the accused is detained or for preliminary investigation, if the accused is at large;

c) provide security to the survivors of rape, witnesses and service providers; and

d) ensure that the evidence gathered on the case are safeguarded.

4.6 R.A. 9208 (2003) – Anti-Trafficking in Person Act

SECTION 16. *Programs That Address Trafficking in Person.*- Philippine National Police (PNP) shall be the primary law enforcement agency to undertake surveillance, investigate and arrest of individuals or persons suspected to be engaged in trafficking. It shall closely coordinate with various law enforcement agencies to secure concerted efforts for effective investigation and apprehension of suspected traffickers. It shall also establish a system to receive complaints and calls to assist trafficked persons and conduct rescue operation.

SECTION 20. *Inter-Agency Council Against Trafficking.*- There is hereby established an Inter-Agency Council Against Trafficking, to be composed of the Secretary of Justice as Chairperson and the Secretary of the Department of Social Welfare and Development as Co-Chairperson and shall have the following as members:

x x x

(e) Director-General, Philippine National Police

4.7 Implementing Rules and Regulations of R.A. 9208, Otherwise Known as the Anti-Trafficking in Persons Act of 2003

ARTICLE V, Rules and Responsibilities

SECTION 17. *Specific Rules and Responsibilities of National Government Agencies Which Are Members of the Council.*- The following national government agencies, which are member agencies of the council, shall have, but not limited to, the following roles and responsibilities in the prevention and suppression of trafficking in persons:

x x x

(g) Philippine National Police (PNP);
   (i) Undertake surveillance, investigation, and arrest of individuals or persons suspected to be engaged in trafficking;
   (ii) Coordinate closely with various law enforcement agencies to secure concerted efforts for effective investigation and apprehension of suspected traffickers. For this purpose, it shall also:
      a. Pursue the detection and investigation of suspected or alleged trafficking activities at airports through its Aviation Security Group, at seaports and/or harbors through its Maritime Group, and at land transportation, terminals through its police station and when appropriate, file the appropriate charges to the traffickers;
      b. Coordinate with local and barangay officials with respect to the apprehension and/or arrest of traffickers.

(iii) Establish a system for receiving complaints and calls to assist trafficked persons, and the conduct of rescue operators;

(iv) Direct and supervise the enforcement of its mandate under the Act and its rules and regulations;

(v) Supervise the conduct of investigations relating to apprehension occurring at land transportation terminals, domestic seaports and airports and monitor the filing of appropriate cases against the traffickers;

(vi) Formulate plans and programs for the prevention and/or reduction of trafficking in persons;

(vii) Integrate in the program of instruction comprehensive, gender sensitive and child-friendly investigation and handling of cases of trafficking in persons in the Philippine National Police Academy (PNPA), Philippine Public Safety College (PPSC) and other training schools operated and managed by the PNP;

(viii) Establish Anti-Trafficking Section under the Women and Children Complaint Desks (WCCD) in all city and municipal police stations.

ARTICLE VI. Reporting of Suspected/Alleged Trafficking Incident

SECTION 22. *Who May and To Whom To Report.*- Any person who has any knowledge or learns of facts or circumstances that give rise to a reasonable belief that a person will be, or may be, or has been trafficked, shall immediately report the same, either orally, in writing or through other means, to any member of the Council, the barangay authorities, the nearest police or other law enforcement agency, the local social welfare and development office or the local Council for the protection of children.

ARTICLE VII. *Interception, Arrest and Investigation of Traffickers in Persons at Local Airport, Seaport and Land Transportation Terminals.*- In cases where the violation is committed at local seaport, airport or in land transportation terminals, the members of the law enforcement agency shall immediately cause the interception and/or arrest of the suspected traffickers, thereafter, an investigation shall be conducted by the law enforcement on the person/s intercepted/arrested, and refer the case to the Prosecutor's Office of the place where the offense was committed or to the DOJ Task Force Against Trafficking in Persons or Task Force on Passport Irregularities or Municipal Trial Court of the place where the crime was committed in case of municipalities and non-chartered cities for purposes of inquest or preliminary investigation as the case may be.

SECTION 26. *Creation of a Joint Task Force Against Trafficking in Persons.*- For the purpose of the above provisions, there shall be created a Joint Task Force Against Trafficking in Persons to be assigned at airports composed of Prosecution, BI, PNP, and NBI personnel and another Task Force at land transportation terminals and local seaports and airports to be composed of Prosecution, PNP, BI, PPA and PCG personnel. The DOJ National Task Force Against Trafficking in Persons shall issue the necessary operational guidelines for the effective coordination,

apprehension, investigation and prosecution of violations of the Act. The DOJ task Force assigned at local seaports, airports and land transportation terminals shall cooperate or coordinate with the local authorities, local social welfare and development officers or active NGOs concerned with trafficking in persons in the locality.

ARTICLE VIII. Rescue/Recovery and Repatriation of Victims

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SECTION 31. *Procedure for Repatriation.-*

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Should the victim request the assistance of DFA, OUMWA shall interview the victim and make recommendations for investigation with law enforcement agencies such as the PNP and the NBI. . . .

The victim may be referred to the DSWD/Local Social Welfare and Development Office or to the NBI/PNP One-Stop Shop for psycho-social interventions, psychological and medical examination and follow-throughs therapy sessions. Protective custody and emergency shelter shall also be provided to the victim, in appropriate cases.

SECTION 32. *Rescue Within the Country.-* Rescue operations within the country shall be primarily undertaken by the law enforcement agencies in coordination with LGUs, DOLE, DSWD and DOH. Upon receipt of a report of a suspected or alleged trafficking incident or activity, the law enforcement agency to which the report is made that conduct rescue operations of trafficked persons. At the minimum, rescue operations shall be guided by the following:

(a) Conduct of rescue operation of trafficked persons shall be appropriately coordinated with the concerned agencies particularly DSWD/local social welfare and development officer;

(b) The rescue team shall ensure full protection of the rights of the trafficked person as well as the traffickers while under its custody and control;

(c) After the rescue operation, the investigation of the case shall be referred to the Women and Children Complaint Desk (WCCD) desk of the PNP, the Violence Against Women and Children Division (VAWCD) of the NBI or other similar units or desks;

(d) After the completion of the necessary documents for the filing of cases, the rescue team shall effect the appropriate and immediate turn-over of the trafficked person to DSWD/local social welfare and development officer; and

(e) In the course of investigation of the trafficked person, the investigator handling the case shall ensure that the victim shall be accorded with proper treatment and investigated in a child-friendly and gender-sensitive environment. In the conduct of investigative interviews on children, the law enforcers shall likewise be guided by the Rule on the Examination of a Child Witness promulgated by Supreme Court, as may be applicable. For this purpose, the investigators shall be properly trained in the handling of cases of trafficked persons.

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SECTION 52. *Confidentiality.*- At any stage of the investigation, prosecution and trial of an offense under the Act, law enforcement officers, prosecutors, judges, court personnel and medical practitioners, as well as parties to the case, shall recognize the right to privacy of the trafficked person and the accused. Towards this end, law enforcement officers, prosecutors and judges to whom the complaint has been referred may, whenever necessary to ensure a fair and impartial proceeding, and after considering all circumstances for the best interest of the parties, order a closed-door investigation, prosecution or trial. The name and personal circumstances of the trafficked person or of the accused, or any other information tending to establish their identities and such circumstances or information shall not be disclosed to the public. In cases when the prosecution or trial is conducted behind closed-doors, it shall be unlawful for any editor, publisher, reporter or columnist in case of printed materials, announcer or producer in case of television and radio, producer and director of a film in case of the movie industry, or any person utilizing tri-media or information technology to cause publicity of any case of trafficking persons.

xxx

SECTION 55. *Qualified Trafficking in Persons.*- The following are considered as qualified trafficking and shall be penalized with the penalty of life imprisonment and a fine of not less than Two million pesos (2,000,000.00) but not more than Five million pesos (5,000,000.00):

xxx

(f) When the offender is a member of the military or law enforcement agencies; and

4.8 R.A. 9262 (2004) Anti-Violence Against Women and Their Children Act

IMPLEMENTING RULES AND REGULATIONS OF R.A. 9262
Rule IX – Inter Agency Council on Anti-Violence Against Women and Their Children

x x x

SECTION 61. *Specific Duties and responsibilities of National Government Agencies which are Members of the Council.*

x x x

(j) Philippine National Police)PNP)

a) Ensure the gender-responsiveness of the PNP protocols and procedures in handling VAWC cases;

b) Establish an education and training program for police officers to enable the proper handling of cases of violence against women and their children;

c) Develop and implement Police Protocol on Handling VAWC Cases under the Act and other related laws;

d) Collaborate with barangay officials, government and non-government organizations, church and civic organizations In preventing VAWC;

e) Revise its administrative disciplinary measures for police personnel who are administratively or criminally charged with committing acts under the Act;

f) Develop and implement a nationwide community-based crime prevention program that deals with the issues of domestic/family violence, abuse of women in intimate relations, child abuse and juvenile delinquency, among other interrelated issues

g) Establish consciousness-raising and skills-enhancement training programs in the form of seminars or short courses to be used for tap training of all police personnel, including barangay officials and organized communities in coordination with the DILG, regarding the implementation of the Act, as well as related laws and international human rights conventions for the protection of women and children from various forms of violence and abuse; ,

h) Formulate and provide regular issuances on institutional policies relevant to the improvement of law enforcement responses to cases under the Act as well as the development of the PNP as gender sensitive law enforcement institution;

i) Coordinate with other government agencies and NGOs on the enhancement of programs and services for the protection of women and their children from various forms of violence cited under the Act; and

j) Monitor the established mechanisms for compliance and commitment of the police personnel on the implementation of the Act.

4 LAWS ON CAMPAIGN AGAINST ILLEGAL DRUGS

4.1 Executive Order No. 61 (January 15, 1999)

This EO created the National Drug Law Enforcement and Prevention Coordinating Center to Orchestrate Efforts of National Government Agencies, Local Government Units, and Non-Government Organizations for a more Effective Anti-Drug Campaign. SECTION 1. Creation and Composition. — There is hereby created a National Drug Law Enforcement and Prevention Coordinating Center under the Office of the President. The Center shall be headed by the Secretary of the Interior and Local Government as Chairman; with the Chief of the Philippine National Police as Vice-Chairman; and Task Force Chief of the Presidential Anti-Organized Crime Task Force; Chairman of the Dangerous Drugs Board; Director of the National Bureau of Investigations; Commissioner of the Bureau of Immigration; Chief of the National Prosecution Service; and Commissioner of the Bureau of Customs as members.

The Coordinating Center shall be manned by a Secretariat headed by an Executive Director to be appointed by the Chairman. The Executive Director shall possess adequate training and experience in the field of dangerous drugs, or in law enforcement, law, medicine, criminology, psychology or social work. He shall be assisted by a Functional Staff composed of Administrative/Logistics Division, Intelligence and Investigation Division, Plans and Operations Division, Community Involvement Division, Prosecution and Legal Division and International Cooperation Division. Selected personnel and representatives from the different participating agencies shall be assigned to the Center.

The Chairman may call upon any government agency to render assistance in the accomplishment of the Center's mandated tasks and functions.

SECTION 2. Powers and Functions of the National Drug Law Enforcement and Prevention Coordinating Center (NDLEPCC). —

a) Prepare and fast track the implementation of the inter-agency anti-drug action plan;

b) Prepare intelligence and counter-intelligence plans and programs to identify personalities and/or groups and their cohorts who are involved in the illegal drugs activities. In this regard, the Center may, in coordination with the DDB, and subject to existing laws, grant monetary rewards or incentives to informants who have given vital information leading to the successful prosecution of illegal drug personalities;

c) As the Center may deem proper, coordinate and collaborate with any government and non-government organizations with regard to intelligence, investigation and speedy prosecution of all illegal drug related cases. Towards this end, the Center may enlist the assistance of any department, bureau, office, agency or instrumentality of the Government, including government-owned and/or controlled corporations, in the anti-illegal drugs drive, which may include the use of their respective personnel, facilities, and resources for a more resolute detection and investigation of drug-related crimes and prosecution of the drug traffickers;

d) Coordinate with the Department of Justice Witness Protection Security and Benefits Program Committee to evaluate and assess witnesses who may qualify under the provisions of RA 6981, otherwise known as the Witness Protection and Benefits Act;

e) Formulate and implement plans and programs for international cooperation on intelligence and investigation relative to drug trafficking and prevention.

f) Coordinate and orchestrate the support and participation of Local Government Units (LGUs) and Non-Governmental Organizations (NGOs) in the anti-drugs campaign down to the barangay level;

g) Recommend the enactment of appropriate anti-illegal drugs laws and issuances;

h) Perform such other tasks and functions as the President of the Republic of the Philippines may direct; and

i) Coordinate and collaborate with the DDB with regard to demand reduction, rehabilitation, education and information programs.

SECTION 3. Participating Agencies. — The designated representatives of the following Government Agencies and instrumentalities shall participate and assist the Center:

x x x

j. Philippine National Police

4.2 Letter of Instructions (July 4, 2001)

This implements the National Anti-Drug Program of Action (NADPA) by all NGAs, LGUs, GOCCs and participating NGOs.

1) That NGAs, LGUs, GOCCs and participating NGOs shall implement the attached National Anti-Drug Program of Action which forms as an integral part of this issuance and hereinafter referred to as NADPA, for the attainment of a drug-free Philippines in 2010;

2) That the roles of the offices of primary responsibility (OPRs) are as follows:

x x x

(c) Philippine National Police (PNP) is the premier and overall drug law enforcement and prevention operating arm of the government nationwide.

3) That the different NGAs, LGUs, GOCCs and participating NGOs shall be clustered into Special Task Groups to formulate and execute implementing plans to the NADPA as follows:

a) PNP to lead in the prevention and control of the production of marijuana, ophedra, coca, opium poppy, etc. with the support of other NGAs, LGUs, GOCCs and participating NGAs;

b) PNP shall lead in the prevention and control of processing dangerous drugs, precursors and the like; with the support of other NGAs, LGUs, GOCCs and participating NGAs;

xxx

g) PNP shall lead in the prevention and control of Retailing link of the drug chain with the support of other NGAs, LGUs, GOCCs and participating NGOs;

xxx

p) NAPOLCOM Technical Committee on CPCJS shall formulate policies under the Enhancement/Capability Build up of CJS to be implemented by Institutions/NGAs/LGUs/GOCCs concerned;

4.3 Republic Act No. 9165 on the Comprehensive Dangerous Drugs Act of 2002.

SECTION 27. *Criminal Liability of a Public Officer or Employee for Misappropriation, Misapplication or Failure to Account for the Confiscated, Seized and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment Including the Proceeds or Properties Obtained from the Unlawful Act Committed.* — The penalty of life imprisonment to death and a fine ranging from Five hundred

thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00), in addition to absolute perpetual disqualification from any public office, shall be imposed upon any public officer or employee who misappropriates, misapplies or fails to account for confiscated, seized or surrendered dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, instruments/paraphernalia and/or laboratory equipment including the proceeds or properties obtained from the unlawful acts as provided for in this Act.

Any elective local or national official found to have benefited from the proceeds of the trafficking of dangerous drugs as prescribed in this Act, or have received any financial or material contributions or donations from natural or juridical persons found guilty of trafficking dangerous drugs as prescribed in this Act, shall be removed from office and perpetually disqualified from holding any elective or appointive positions in the government, its divisions, subdivisions, and intermediaries, including government-owned or -controlled corporations.

SECTION 28. *Criminal Liability of Government Officials and Employees.* — The maximum penalties of the unlawful acts provided for in this Act shall be imposed, in addition to absolute perpetual disqualification from any public office, if those found guilty of such unlawful acts are government officials and employees.

SECTION 29. *Criminal Liability for Planting of Evidence.* — Any person who is found guilty of "planting" any dangerous drug and/or controlled precursor and essential chemical, regardless of quantity and purity, shall suffer the penalty of death.

x x x

SECTION 77. *The Dangerous Drugs Board.* — The Board shall be the policy-making and strategy-formulating body in the planning and formulation of policies and programs on drug prevention and control. It shall develop and adopt a comprehensive, integrated, unified and balanced national drug abuse prevention and control strategy. It shall be under the Office of the President.

SECTION 78. *Composition of the Board.* — The Board shall be composed of seventeen (17) members wherein three (3) of which are permanent members, the other twelve (12) members shall be in an ex officio capacity and the two (2) shall be regular members.

x x x

SECTION 84. *Powers and Duties of the PDEA.* — The PDEA shall:

(a) Implement or cause the efficient and effective implementation of the national drug control strategy formulated by the Board thereby carrying out a national drug campaign program which shall include drug law enforcement, control and prevention campaign with the assistance of concerned government agencies;

x x x

(d) Arrest and apprehend as well as search all violators and seize or confiscate, the effects or proceeds of the crimes as provided by law and take custody thereof, for this purpose the prosecutors and enforcement agents are authorized to possess firearms, in accordance with existing laws;

(e) Take charge and have custody of all dangerous drugs and/or controlled precursors and essential chemicals seized, confiscated or surrendered to any national, provincial or local law enforcement agency, if no longer needed for purposes of evidence in court;

(f) Establish forensic laboratories in each PNP office in every province and city in order to facilitate action on seized or confiscated drugs, thereby hastening its destruction without delay;

x x x

(l) Establish and maintain a national drug intelligence system in cooperation with law enforcement agencies, other government agencies/offices and local government units that will assist in its apprehension of big-time drug lords;

x x x

SECTION 86. *Transfer, Absorption, and Integration of All Operating Units on Illegal Drugs into the PDEA and Transitory Provisions.* — The Narcotics Group of the PNP, the Narcotics Division of the NBI and the Customs Narcotics Interdiction Unit are hereby abolished; however they shall continue with the performance of their task as detail service with the PDEA, subject to screening, until such time that the organizational structure of the Agency is fully operational and the number of graduates of the PDEA Academy is sufficient to do the task themselves: Provided, That such personnel who are affected shall have the option of either being integrated into the PDEA or remain with their original mother agencies and shall, thereafter, be immediately reassigned to other units therein by the head of such agencies. Such personnel who are transferred, absorbed and integrated in the PDEA shall be extended appointments to positions similar in rank, salary, and other emoluments and privileges granted to their respective positions in their original mother agencies.

x x x

Nothing in this Act shall mean a diminution of the investigative powers of the NBI and the PNP on all other crimes as provided for in their respective organic laws: Provided, however, That when the investigation being conducted by the NBI, PNP or any ad hoc anti-drug task force is found to be a violation of any of the provisions of this Act, the PDEA shall be the lead agency. The NBI, PNP or any of the task force shall immediately transfer the same to the PDEA: Provided, further, That the NBI, PNP and the Bureau of Customs shall maintain close coordination with the PDEA on all drug related matters.

SECTION 87. *Appropriations.* — The amount necessary for the operation of the Board and the PDEA shall be charged against the current year's appropriations of the Board, the National Drug Law Enforcement and Prevention Coordinating Center, the Narcotics Group of the PNP, the Narcotics Division of the NBI and other drug abuse units of the different law enforcement agencies integrated into the PDEA in order to carry out the provisions of this Act. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

All receipts derived from fines, fees and other income authorized and imposed in this Act, including ten percent (10%) of all unclaimed and forfeited sweepstakes and lotto prizes but not less than twelve million-pesos (P12,000,000.00) per year from the Philippine Charity Sweepstakes Office (PCSO), are hereby constituted as a special account in the general fund for the implementation of this Act: Provided, That no amount shall be disbursed to cover the operating expenses of the Board and other concerned agencies: Provided, further, That at least fifty percent (50%) of all the funds shall be reserved for assistance to government-owned and/or operated rehabilitation centers.

The fines shall be remitted to the Board by the court imposing such fines within thirty (30) days from the finality of its decisions or orders. The unclaimed and forfeited prizes shall be turned over to the Board by the PCSO within thirty (30) days after these are collected and declared forfeited.

A portion of the funds generated by the Philippine Amusement and Gaming Corporation (PAGCOR) in the amount of Five million pesos (P5,000,000.00) a month shall be set aside for the purpose of establishing adequate drug rehabilitation centers in the country and also for the maintenance and operations of such centers: Provided, That the said amount shall be taken from the fifty percent (50%) share of the National Government in the income of PAGCOR: Provided, further, That the said amount shall automatically be remitted by PAGCOR to the Board. The amount shall, in turn, be disbursed by the Dangerous Drugs Board, subject to the rules and regulations of the Commission on Audit (COA).

The fund may be augmented by grants, donations, and endowment from various sources, domestic or foreign, for purposes related to their functions, subject to the existing guidelines set by the government.

x x x

SECTION 91. *Responsibility and Liability of Law Enforcement Agencies and other Government Officials and Employees in Testing as Prosecution Witnesses in Dangerous Drugs Cases.* — Any member of law enforcement agencies or any other government official and employee who, after due notice, fails or refuses intentionally or negligently, to appear as a witness for the prosecution in any proceedings, involving violations of this Act, without any valid reason, shall be punished with imprisonment of not less than twelve (12) years and one (1) day to twenty (20) years and a fine of not less than Five hundred thousand pesos (P500,000.00), in addition to the administrative liability he/she may be meted out by his/her immediate superior and/or appropriate body.

5 PNP PARTICIPATION IN SPECIAL EVENTS/MASS ACTIONS

5.1 Republic Act No. 7166 (1991), An Act Providing for Synchronized National and Local Elections and for Electoral Reforms

SECTION 32.

x x x

Only members or officers of the Philippine National Police, the Armed Forces of the Philippines and other law enforcement agencies of the government who as duly deputized in writing by the Commission on election day may be authorized to carry and possess firearms during the election period; *Provided, That*, when in possession of firearms, the deputized law enforcement officer must be (a) in full uniform showing clearly and legibly his name, rank and serial number which must remain visible at all times; and (b) in the actual performance of his election duty in the specific area designated by the Commission.

SECTION 33. *Security and Bodyguards.*- during the election period, no candidate for public office, including incumbent public officers seeking election to any public office, shall enjoy himself of or engage the services of security personnel or bodyguards, whether or not such bodyguards are regular members or officers of the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP) or other law enforcement agency of the government; *Provided, That*, when circumstances warrant, including but not limited to threats to life and security of a candidate, he may be assigned by the Commission, upon due application, regular members of the PNP, the AFP or other law enforcement agency who shall provide his security for the duration of the election period. The officers assigned for security duty to a candidate to the wearing of uniforms prescribed in the preceding section unless exempted in writing by the Commission.

5.2 Presidential Memorandum No. 113 (Aug. 11, 2003) Expressing Concurrence in the Commission on Elections Resolution No. 6257 dated July 17, 2003

Pursuant to Article IX (C), Section 2(4), of the 1987 Constitution, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, do hereby concur in the Resolution of the Commission on Elections deputizing the Armed Forces of the Philippines, the Department of the Interior and Local Government and the Philippine National Police, in connection with the registration of voters on July 25–30, 2003 in the provinces of Basilan, Sulu, Tawi-Tawi, Lanao del Sur and Maguindanao (excluding Cotabato City), (ARMM).

National and local officials and employees, law enforcement agencies, and other instrumentalities, including the Armed Forces of the Philippines, the Department of the Interior and Local Government and the Philippine National Police, are hereby directed to coordinate and cooperate with the Commission on Elections in the performance of its duties and functions.

5.3 R.A. 7279 Urban Development & Housing Act of 1992

SECTION 28. *Eviction or Demolition as a Practice Shall Be Discouraged.*- Eviction or demolition, however, may be allowed under the following situations:

x x x

a. when there is a court order for eviction or demolition

x x x

(7) Proper uniform for members of the Philippine National Police (PNP) who shall occupy the first line of law enforcement and observe proper disturbance control procedure....

5.4 Executive Order No. 243 (May 13, 2000) – Presidential Task Force on Transportation Strikes and/or Mass Actions

SECTION 1. An Inter-Agency Group is hereby created to be known as the Presidential Task Force on Transport Strike and Mass Action or TRASMA, to ensure a hierarchical level of responses/options to cover any contingency to cover transport strikes and/or mass actions within Metro Manila and its immediate environs taking note of the need to balance oil prices, transport rates, wage levels, and other economic and social factors.

SECTION 2. The Task Force shall be headed by the MMDA Chairman with the Secretaries of DILG, DOTC, DPWH, DECS, DOLE, DTI, the AFP Chief of Staff, the PNP Director-General, the LTFRB Chairman, the LTO Assistant Secretary, and the Commissioner on Higher Education, as members.

SECTION 3. The Task Force shall take charge of government actions and responses for transport strikes and similar incidents and further prepare a long range plan to prepare for similar incidents in the future, taking note of the need to balance transportation rates, wage levels, and other economic and social factors.

SECTION 4. An Inter-Agency Technical Working Group (TWG) is hereby created to provide technical assistance to the Task Force, chaired by the MMDA, consisting of the following members, namely: PMS, AFP, TMG, LTO, LTFRB, PIA and others as may be determined by the Task Force.

6 PNP PARTICIPATION IN TASK FORCES

6.1 Executive Order No. 246 (May 18, 1995) National Action Committee on Anti-Hijacking and Anti-Terrorism

WHEREAS, it is imperative that further appropriate and forceful measures be undertaken to develop the capability of our law enforcement agencies to fight terrorism by reconstituting the National Action Committee on Anti-Hijacking (NACAH).

SECTION 1. The National Action Committee on Anti-Hijacking (NACAH) is hereby reconstituted and renamed as the National Action Committee on Anti-Hijacking and Anti-Terrorism (NACAHT).

SECTION 2. The composition of NACAHT shall be the following:

Secretary of the Interior and Local Government	-	Chairman
Secretary of National Defense	-	Vice Chairman
Secretary of Foreign Affairs	-	Member
Secretary of Finance	-	Member
Secretary of Justice	-	Member
Secretary of Transportation and Communications	-	Member
Press Secretary	-	Member
National Secretary Adviser	-	Member

Director General, National Intelligence Coordinating Agency	-	Member
Presidential Consultant on Police Affairs	-	Member
Group Commander, Presidential Security Group	-	Member

SECTION 3. In addition to the provisions of Letter of Instruction No. 399 dated 28 April 1976 and Sections 2 and 3 of Executive Order No. 393 dated 24 January 1990, NACAHT shall (a) formulate plans to direct, control, supervise and integrate all measures aimed at preventing and suppressing hijacking, other threats to civil aviation, and all other forms of terrorism with the end in view of protecting national interests, and (b) adopt measures geared towards the implementation of the following main objectives: (1) to effectively monitor the activities of suspected terrorists, and (2) to develop the capability of local law enforcement agencies to contain the threats of terrorism. These measures shall include a provision for an adequate organization for planning and implementation at all levels as well as guidelines for a clear delineation of authority and functions among committee members.

SECTION 4. NACAHT shall establish close coordination and cooperation with concerned agencies of countries which are vigorously opposing international terrorism to enable our government to actively participate in the united fight against the global threat to universal peace and security, NACAHT shall further enhance the intelligence and operational functions of concerned entities and authorities in dealing with crimes perpetrated by terrorist.

SECTION 5. NACAHT is hereby authorized to call upon other departments, bureaus, offices, agencies and instrumentalities of the government to provide assistance in the effective implementation of this Executive Order.

6.2 Executive Order No. 336 (January 5, 2001) – Reconstituting the National Action Committee on Anti-Hijacking and Anti-Terrorism (NACAHT) as the National Council for Civil Aviation Security (NCCAs)

SECTION 1. National Action Committee on Anti-Hijacking and Anti-Terrorism (NACAHT) is hereby reconstituted and renamed as the National Council for Civil Aviation Security (NCCAS).

SECTION 2. The composition of the NCCAS shall be the following:

Chairman	-	Secretary of the Interior and Local Government
Vice Chairman	-	Secretary of National Defense
Member	-	Secretary of Budget and Management
Member	-	Secretary of Finance
Member	-	Secretary of Foreign Affairs
Member	-	Secretary of Justice
Member	-	Secretary of Transportation and Communications
Member	-	Press Secretary
Member	-	Director-General, Air Transportation Office

Member	-	National Security Adviser
Member	-	Presidential Consultant on Police Affairs
Member	-	Group Commander, Presidential Security Group
Member	-	Director-General, National Intelligence Coordinating Agency
Member	-	Bureau of Immigration and Deportation
Member	-	Chief, Philippine National Police

SECTION 3. In addition to the provisions of Letter of Instructions No. 399 dated 28 April 1976, Sections 2 and 3 of Executive Order No. 393 dated 24 January 1990, and Section 3 of Executive Order No. 246 dated 18 May 1995, the NCCAS shall:

(a) Formulate plans to direct, control, supervise and integrate all measures aimed at preventing and suppressing all terrorist threats to civil aviation especially hijacking, commandeering, sabotage of plane and airport facilities, violence directed against civil aviation personnel as well as the plane riding public and/or the citizens-at-large, and all other forms of terrorism with the end in view of protecting Philippine national interests, and

(b) To develop and continue enhancing the level of operational effectiveness of local law enforcement agencies under jurisdiction and immediate supervision of the NCCAS.

SECTION 4. The NCCAS shall establish close coordination and cooperation with concerned agencies of countries which are vigorously opposed to international terrorism to enable the Philippine government to actively participate in the concerned effort to secure civil aviation industry in general and the air transportation facilities together with all personnel situated therein. The NCCAS shall further enhance the intelligence and operational functions of concerned entities and authorities in dealing with activities of both terrorists and suspected terroristic cells and organizations.

SECTION 5. The NCCAS is hereby authorized to call upon and involve the other departments, bureaus, agencies, offices and other instrumentalities of the government to provide assistance in the effective implementation of this Executive Order

6.3 Executive Order No. 45b (December 3, 1998) Presidential Anti-Smuggling Task Force

SECTION 1. Creation Of Task Force. — There is hereby created a Presidential Anti-Smuggling Task Force, hereinafter called the "Task Force," under the control and supervision of the Office of the President principally to combat smuggling, unlawful importations and other frauds upon customs committed in large scale or by organized and syndicated groups.

SECTION 2. Composition. — The Task Force shall be composed of senior officials from the following agencies: The Office of the President, the Department of Finance, the Department of Justice, the Bureau of Customs, the Bureau of Internal Revenue, the Economic Intelligence and Investigation Bureau, the National Bureau of

Investigation, the Philippine National Police and the Intelligence Service of the Armed Forces of the Philippines.

The Task Force shall be headed by a qualified senior law enforcement officer to be designated by the President. He shall be assisted by a deputy who shall likewise be designated by the President.

SECTION 3. Powers and Functions. — The Task Force shall have the following powers and functions:

a) To prepare and implement appropriate and effective measures to prevent and suppress large-scale smuggling and other prohibited and unlawful importations;

b) To effect searches and seizures conformably with the provisions of the Tariff and Customs Code, as amended, and to cause or direct the immediate arrest, investigation and speedy prosecution of smugglers and illegal importers;

c) To conduct intelligence and counter-intelligence on smuggling and other unlawful importations, including the monitoring of situations, circumstances, activities of individuals, groups and entities who are involved or who are reasonably believed to be involved in smuggling activities;

d) To select and recruit personnel from within the PNP and other law enforcement agencies for assignment to the Task Force with the conformity of the office or agency concerned;

e) To enlist the assistance of any department, bureau, office or agency or instrumentality of the government, including government-owned or controlled corporations to carry out its functions, including the use of their respective personnel, facilities and resources;

f) To perform such functions and carry out such activities as may be directed by the President.

SECTION 4. Offenses Covered. — The Task Force shall have the authority to take cognizance of the following crimes:

a) Smuggling and customs frauds committed by organized or syndicated groups or criminal enterprises.

b) Smuggling and other false and fraudulent importations or violations of customs laws committed in large scale.

c) Such other cases of violations of the Tariff and Customs Code, as amended, as the President may determine from time to time.

Smuggling and other customs frauds and violations of customs laws shall be deemed committed by a syndicate if carried out by a group of three or more persons conspiring or confederating with or mutually helping one another in carrying out the criminal acts. They shall be deemed committed in large scale if committed in

connivance with officials and employees of the Bureau of Customs or where the determinable value of importations exceeds P1 Million.

6.4 Executive Order No. 196 (January 12, 2000) Creating The Presidential Anti-Smuggling Task Force "Aduana" To Investigate And Prosecute Crimes Involving Large-Scale Smuggling And Other Frauds Upon Customs, Other Economic Crimes And Providing Measures To Expedite Seizure Proceedings

SECTION 12. *Coordinating Instructions.* — The objective of this issuance is to focus and maximize the impact on organized and large-scale smuggling and related crimes to be addressed solely by the Presidential Anti-Smuggling Task Force "Aduana" operating directly under the Office of the President, while the Philippine National Police shall continue to be the primary general law enforcement agency of the country pursuant to Republic Act No. 6875, as amended and shall not interfere with any anti-smuggling operations. Accordingly, close coordination and cooperation shall be undertaken by the Head of the Task Force, The Chief of the PNP and other heads of customs law enforcement agencies, to insure effective and efficient prosecution of the anti-smuggling campaign, and to avoid overlapping of functions.

6.5 Executive Order No. 325 (January 9, 2004) creating the Presidential Anti-Illegal Recruiters Task Force

SECTION 1. Creation and Function of Presidential Anti-Illegal Recruitment Task Force. — There is hereby created a Presidential Anti-Illegal Recruitment Task Force (PAIRTF), tasked to; a) develop and execute strategies and schemes against the modus operandi of illegal recruiters such as, but not limited to, "escort" services within our international airports and other points of departure, b) develop and execute strategies and schemes against syndicates responsible for tampering and sale of spurious passports and travel documents; and c) ensure the prosecution of illegal recruiters, syndicates and protectors.

SECTION 2. Composition. — The PAIRTF shall be composed of a Chairman, who shall be appointed or designated by the President, and a sufficient number of members as may be determined by the Chairman, from the staff of the National Bureau of Investigation, the Philippine National Police and other relevant government agencies, who shall be detailed to the PAIRTF by their respective heads.

x x x

SECTION 4. Powers of the PAIRTF. — In pursuit of its functions as defined in Section 1 hereof, the PAIRTF shall have the responsibility and authority to:

a) conduct surveillance and entrapment operations of persons alleged to be engaged in illegal recruitment including, but not limited to, "escort" services at international airports and other points of departure;

b) cause or direct the immediate investigation and speedy prosecution of cases involving illegal recruitment and monitor the progress of such cases;

c) coordinate with existing bodies, agencies and other instrumentalities currently involved in the campaign against illegal recruitment;

d) perform other powers and function as may be necessary for the effective discharge of its function or as may be directed by the Oversight Committee or the President.

SECTION 5. Oversight Committee. — There is hereby created an Oversight Committee, chaired by the Secretary of Labor and Employment, to ensure the active participation and cooperation of government agencies and instrumentalities involved in anti-illegal recruitment efforts. The members of the Committee shall be composed of the following:

x x x

Chief, Philippine National Police

x x x

6.6 Executive Order No. 8 (July 22, 1998) creating the Presidential Anti-Organized Crime Commission and a Presidential Anti-Organized Crime Task Force

SECTION 2. Composition and Leadership. — The Task Force shall be composed of selected PNP/AFP members and representatives from other branches of the government. It shall be headed by a qualified senior law enforcement officer to be appointed by the President. He shall be assisted by a Deputy Chief for Operations, a Deputy Chief for Administration and a Functional Staff in the implementation of policies within their respective functional areas. The Functional Staff shall be composed of the Administrative/Logistics Division, Operations Division, Technical Division and the Legal and Investigation Division.

SECTION 3. Powers and Functions. — The Task Force shall have the following powers and functions:

a) Prepare and implement a fast track anti-crime and anti-graft and corruption action agenda and adopt appropriate measures to ensure an effective and efficient anti-crime drive;

b) Conduct intelligence and counter-intelligence operations to identify government officials and employees, crime syndicates and their cohorts who are involved in criminal activities;

c) Cause or direct the immediate arrest, investigation and speedy prosecution of crime syndicates, government officials and employees and their cohorts, with due regard to constitutional processes;

d) Refer the case/s at hand, as the Task Force may deem proper and necessary, to the Department of Justice, and/or other appropriate law enforcement agencies for investigation or prosecution, as the case may be;

e) Follow up the progress of on-going investigation and prosecution of cases taken cognizance of by the Task Force;

f) Recommend the passage of appropriate anti-crime issuances and legislations;

g) Select and recruit personnel from within the PNP, the AFP and other law enforcement agencies for assignment to the Task Force subject to the conformity of the agency concerned;

h) Enlist the assistance of any department, bureau, office, agency or instrumentality of the Government, including government-owned and/or controlled corporations, in the anti-crime and anti-graft and corruption drive, which may include the use of their respective personnel, facilities and resources for a more resolute prevention, detection and investigation of crimes and prosecution of their perpetrators;

i) Subject to existing laws, grant monetary rewards or incentives to informants giving vital information leading to the successful prosecution of criminal offenders and corrupt government officials;

j) Coordinate with the Witness Protection Security and Benefits Program Committee of the Department of Justice to evaluate and assess witnesses who may qualify under the provisions of Republic Act No. 6981, otherwise known as the Witness Protection and Benefit Act;

k) Subject to the approval of the President, authorized access to documents, installations and facilities in pursuit of specific crime investigation over government agencies and government owned or controlled corporations; and

l) Recruit civilian personnel and enlist their services for intelligence gathering efforts.

SECTION 4. Offenses Covered. — The Task Force shall have the authority to take cognizance of the following crimes:

a) Those committed by the organized/syndicated crime groups, including but not limited to gunrunning, illegal logging, robbery/hold-up, kidnapping for ransom, white slavery, illegal recruitment, carnapping, smuggling, piracy, drug trafficking, falsification of land titles and other government forms, large scale swindling, film piracy, counterfeiting and bank frauds;

b) Those considered and punished as heinous crimes under Republic Act No. 7659 (Heinous Crime Law);

c) Those committed by the members of the Philippine National Police and/or the Armed Forces of the Philippines;

d) Those committed by officials and employees of government agencies including government-owned and controlled corporations;

e) Such other criminal offenses as the President may determine from time to time.

An organized/syndicated crime group for purposes of this Executive Order means a group of two or more persons collaborating, confederating or mutually helping one another in the commission of any crime and sometimes enjoying the protection of people in the government and public service.

SECTION 5. The Commission herein created shall be composed of the following:

The President	-	Chairman
The Secretary of Justice	-	Member
The National Security Adviser	-	Member
The Undersecretary of Interior and Local Government	-	Member
The Chief of Staff, Armed Forces of the Philippines	-	Member
Director-General, Philippine National Police	-	Member
Four (4) representatives from the Private Sector to be appointed by the President	-	Member

The Commission shall exercise general control and supervision over the Task Force. It shall enlist the assistance of civic and other similar associations and provide a forum for continuing consultation among concerned sectors with our society leading to the formulation of policies to be recommended to the President in the form of issuances and legislation.

SECTION 6. Agencies Assistance — .All government agencies and instrumentalities, including but not limited to the:

a) Philippine National Police (PNP)
b) National Bureau of Investigation (NBI)
c) National Prosecution Service (NPS)
d) Bureau of Immigration and Deportation (BID)
e) Bureau of Internal Revenue (BIR)
f) Economic Intelligence and Investigation Bureau (EIIB)
g) Bureau of Customs (BOC)
h) National Intelligence and Coordinating Agency (NICA)
i) Armed Forces of the Philippines (AFP)
j) Land Transportation Office (LTO)
k) Forest Management Bureau (FMB)
l) National Telecommunications Commission (NTC)
m) National Statistics and Census Office (NCSO)
n) Land Registration Authority (LRA)
o) Philippine Overseas Employment Authority (POEA)
p) Other government agencies which the force may find necessary to implement its mandate.

SECTION 7. Command and Control. — The flow of command and control of the Task Force shall be as follows:

a) The Force Chief shall report and be directly responsible to the President;

b) The Force Chief shall have immediate supervision and control over all units of the Task Force. He is authorized to designate duties and functions of personnel under him;

c) The component units from the PNP, AFP, DOJ and selected/chosen representatives of other government agencies shall be attached to the Force Chief by their respective mother units. The Force Chief shall have direct operational and supervisory authority over these personnel.

6.7 Executive Order No. 295 (Sept. 28, 2000) Amending Executive Order No. 8 Creating the PAOCTF

SECTION 1. Organization. — There is hereby created a Presidential Anti-Organized Crime Commission (PAOCC), hereinafter referred to as the Commission, under the Office of the President.

The existing task forces against organized crimes shall be under the control and supervision of the Commission.

The President may create or abolish task forces or special project groups as the need arises.

SECTION 2. Composition. — The Presidential Anti-Organized Crime Commission shall be composed of the following:

The President	-	Chairman
The National Security Adviser	-	Vice-Chairman
The Secretary of Justice	-	Member
The Secretary of the Interior and Local Government	-	Member
The Secretary of National Defense	-	Member
The Chief of Staff, Armed Forces of the Philippines	-	Member
Director-General, Philippine National Police	-	Member
Four (4) representatives from the Private Sector to be appointed by the President	-	Member

The Chairman of the Commission may create an Executive Committee, define its functions and designate its members from among the members of the Commission.

The Commission shall exercise general control and supervision over the Task Forces or Special Project Groups. It shall enlist the assistance of civic and other similar associations and provide a forum for continuing consultation among concerned sectors of our society leading to the formulation of policies to be recommended to the President in the form of issuances and legislation.

SECTION 4. *Offenses Covered.* — The Presidential Anti-Organized Crime Commission shall have the authority to take cognizance of the following crimes:

a) Those committed by organized/syndicated crime groups, including but not limited to gunrunning, illegal logging, robbery/hold-up, kidnapping for ransom, white slavery, illegal recruitment, carnapping, smuggling, piracy, drug trafficking, falsification of land titles and other government forms, large scale swindling, film piracy, counterfeiting and bank frauds;

b) Those considered and punished as heinous crimes under Republic Act No. 7659 (Heinous Crime Law);

c) Those committed by the members of the Philippine National Police and/or the Armed Forces of the Philippines;

d) Those committed by officials and employees of government agencies including government agencies including government-owned and controlled corporations;

e) Such other criminal offenses as the President may determine from time to time.

An organized/syndicated crime group for purposes of this Executive Order means a group of two or more persons collaborating, confederating or mutually helping one another in the commission of any crime and sometimes enjoying the protection of people in the government and public service.

The President of the Philippines shall delineate and identify the specific offenses or crimes that will be handled by the Task Forces or Special Project Groups.

SECTION 5. Agencies Assistance. — In the performance of its functions, the Commission and its Task Forces or Special Project Groups may call for assistance from any government agencies and instrumentalities including local governments.

SECTION 6. Composition and Leadership of Task Forces. — The Task Forces or Special Project Groups shall be composed of selected PNP/AFP members and representatives from other government agencies. The Head of the Task Forces/Special Project Groups shall be appointed or designated by the President.

SECTION 7. Command and Control. — The flow of command and control of the Task Forces shall be as follows:

a) The Task Force Chief shall report and be directly responsible to the President;

b) The Task Force Chief shall have immediate supervision and control over all units of the Task Forces. He is authorized to designate duties and functions of personnel under him;

c) The component units from the PNP, AFP, DOJ and selected/chosen representatives of other government agencies shall be attached to the Task Forces by their respective mother units. The Task Forces shall have direct operational and supervisory authority over these personnel.

6.8 Executive Order No. 120 (April 16, 2001) Abolishing the PAOCTF

SECTION 1. *Abolition of PAOCTF* . — The PAOCTF created under Executive Order No. 8 dated July 22, 1998 (EO No. 8) as amended by Executive Order No. 295 dated September 28, 2000 (EO No. 295) is hereby abolished and EO No. 8 and EO No. 295 are hereby amended accordingly.

SECTION 2. *Pending Cases.* — All criminal cases instituted by the PAOCTF pending before the Department of Justice or the courts, and other cases undergoing investigation shall be handled and monitored by the Deputy Chief for Administration (DCA) of the Philippine National Police.

7 PNP ROLE IN DISASTER PREPAREDNESS

7.1 Presidential Decree No. 1566 (1978) Strengthening the Philippine Disaster Control, Capability and Establishing the National Program on Community Disaster Preparedness

SECTION 4. Organization of the Local Government Level. — The organization for coordination or disaster and/or emergency operations in all local political and administrative subdivisions are hereby prescribed as follows:

x x x

c. At the City of Municipal level, there shall be constituted the City/Municipal Disaster Coordinating Councils, with the City/Municipal Mayor as Chairman. The Station Commander of the Integrated National Police shall be the Vice-Chairman and Action Officer of the Council. The Council shall be further composed of organic City/Municipal officials as well as National Officials assigned to the City/Municipality.

8 OTHER RELEVANT PRESIDENTIAL ISSUANCES

8.1 Presidential Memorandum Order No. 397 (Sept. 23, 1991) Reconstituting and Strengthening the Metro Manila Land Transportation Coordinating Council and for Others

SECTION 1. the Metro Manila Land Transportation Coordinating Council, hereinafter referred to as the Council, is hereby reconstituted, as follows:

Chairman:-- Metropolitan Manila Authority

Members:-- Office of the President, Department of Transportation and Communications, Department of Public Works and Highways, Philippine National Police

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SECTION 4. The Council shall have three (3) Task Forces. The Task Forces shall be composed of the heads of the agencies responsible for the enforcement, engineering and education and planning aspects of traffic management. These Task Forces are:

(a) The Task Force on Enforcement which shall be headed by the Philippine National Police, with the Metro Manila Authority and the Department of Transportation and Communications as members.

It shall be responsible for the improvement of the enforcement of traffic laws, rules and regulations.

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SECTION 5. A Traffic and Transportation Secretariat, hereinafter referred to as the TTRANSEC, is hereby organized to provide technical and secretariat support to the Council. The TTRANSEC shall be composed of the following:

Chairman	Metropolitan Manila Authority
Co-Chairman	Department of Transportation and Communications
Members	Department of Public Works and Highways
	Department of Education, Culture & Sports
	Philippine National Police
	Traffic Engineering Center
	Transport Training Center
	Land Transportation Office
	Land Transportation Franchise & Regulatory Board
	DOTC Action Center
	Representatives from the Public Service or
	Utility Companies (*i.e.*, PLDT, MERALCO, MWSS and Manila Gas Corp.)

SECTION 7. The Philippine National Police shall have full operational direction, control and supervision over all traffic commands/authorities/aides designated/deputized/assigned/hired employed by the Department of Transportation and Communications, the Metro Manila Authority, the Local Government Units or by the other agencies involved. However, administrative supervision over the personnel shall remain with their respective mother agencies.

8.2 Presidential Administrative Order No. 262 (Jan. 17, 1992) Creating the GAB Illegal Gambling Unit of the Games and Amusement Board

3. The GAB Anti-Illegal Gambling Unit shall be composed of organic and detailed personnel. The organic personnel shall be appointed by the Chairman of the Games and Amusements Board according to the staffing pattern authorized by the Games and Amusements Board and approved by the Department of Budget and Management. The detailed personnel shall be drawn on detail from the Philippine National Police, National Bureau of Investigation and other law-enforcement agencies of the Government.

8.3 Executive Order No. 145 (Aug. 22, 1999) Amending Executive Order No. 386 dated 19 December 1989.

SECTION 1. The Chairman of the National Police Commission, the Director of the National Bureau of Investigation, the Chief and Director-General of the Philippine National Police and the Secretary-General of the National Statistical Coordination Board shall comprise the NCIS Advisory Board. The Advisory Board shall be the policy-making body of the National Crime Information System (NCIS).

SECTION 2. The establishment of the NCIS shall include the application development, acquisition of hardware and networking equipment installation of telecommunication facilities, database build-up, manning and manpower training and all the other necessary components. This shall be implemented in the following phases:

Phase I. Establishment of the NCIS at the National Capital Region and its nationwide expansion. This phase shall be completed within the next two years.
The Offices that shall be primarily involved under this phase are those that operate under the four pillars of the Criminal Justice System:

(a) The Law Enforcement – Philippine National Police, National Bureau of Investigation and National Police Commission;

(b) The Prosecution – National Prosecution Service;

(c) The Courts – Supreme Court, Court of Appeals, Sandiganbayan, Regional Trial Courts, Metropolitan and Municipal Courts;

(d) The Corrections – Bureau of Corrections, Parole and Probation Administration, Bureau of Jail Management and Penology and the Board of Pardon and Parole.

Phase II. This phase shall include activities concerning the development of Crime Information System related to other offices not covered under Phase I. It shall include computer upgrading, systems development and manpower training for technical personnel of other offices concerned as systems link-up or networking is reported to ensure an effective and efficient data communication between and among participating agencies. This phase shall be completed within the next five (5) years.

SECTION 6. The Department of Budget and Management shall transfer all funds related to the NCIS Project from the different participating agencies to the NCC. The NCC shall have control and supervision over the disbursement of NCIS funds, including all future appropriations for the NCIS Project.
The agencies involved in the completion of Phase I of the NCIS Project, as defined in Section 2 above, shall be the following:

(a) The Law Enforcement – Philippine National Police, National Bureau of Investigation and National Police Commission;

(b) The Prosecution – National Prosecution Service;

(c) The Courts – Supreme Court, Court of Appeals, Sandiganbayan, Regional Trial Courts, Metropolitan and Municipal Courts;

(d) The Corrections – Bureau of Corrections, Parole and Probation Administration, Bureau of Jail Management and Penology and the Board of Pardon and Parole.

ANNEX 5.2
EXCERPTS FROM THE ORIGINAL POLICE MANUAL

RULE II – ADMINSTRATION

SECTION 1. *Duties of Peace Officers.* - All members of the local police agency shall be peace officers. It shall be their duty to preserve peace and order, prevent the commission of crimes, protect life, liberty and property and arrest all violators of laws and ordinances within their jurisdiction. They shall exercise the general powers to make arrest, searches and seizures in accordance with law. They shall detain arrested persons only within the period prescribed by law. (Sec. 7, Id.)

SECTION 5. *Duties and Responsibilities of a Patrolman.* - A patrolman in the police force shall have the following duties and responsibilities:

a) He shall be ready at all times to perform his duties and obey the lawful orders of his superior officers or higher authority.

b) He shall be responsible for the efficient performance of his duties and adequate coverage of his beat or post.

c) He shall cooperate and coordinate with the other members of his relief, district or other division segments so that their teamwork may insure continuity of purpose and maximum achievement of the objectives of the department.

d) He shall be available for duty at all times in case of special needs or emergencies.

e) He shall respond readily and report punctually to all assignments.

f) He shall familiarize himself with administrative and operational policies of the department.

g) He shall execute the service program within his area of responsibility providing for prevention of crime, protection of life and property, apprehension and prosecution of offenders, preservation of peace and enforcement of regulatory measure.

h) He shall be in the prescribed attire and have the required equipment when he reports for duty.

i) He shall be attentive to instruction and record information given during the briefing or roll call training and shall likewise record his activities during his tour of duty in the prescribed manner.

j) He shall, unless otherwise ordered, report to his superior for inspection and instruction at the conclusion of his tour of duty.

k) He shall supervise and inspect all public and licensed places within his area of responsibility.

l) When on patrol, he shall be constantly alert, observing everything that takes place within his sight or hearing. He shall not hold long conversations with anyone except in the discharge of his duty.

m) At nighttime, he shall exercise close vigilance by watching and frequently examining and trying accessible doors or entrances and windows of commercial or public buildings, including vacant or unoccupied houses on his beat. He shall promptly investigate all suspicious circumstances he may encounter. In like manner, he shall check all uninhabited buildings or dwelling places in the daytime.

n) As far as practicable, he shall exert efforts to know the identities and other circumstances of permanent residents of the area assigned to him and shall keep track of movements of the newcomers or strangers transferring to or merely loitering in the place. He shall report his findings without delay.

o) He shall take notice of vehicles parked by day or staying overnight in the different streets of his beat, recording their plate numbers, make and, whenever possible, the owners thereof and/or drivers or operators.

p) He shall undertake close surveillance over the movements of suspicious persons and vehicles and keep a record of his observations for ready use when the need arises.

q) He shall take note and report all known suspected places of vice, such as gambling dens, houses of ill-repute, opium dives, hideouts of persons of doubtful conduct, and places frequented by vagrants.

r) He shall keep himself informed of the places in his area where violations are known or reputed to exist, and he shall plan and take the necessary action, duly advising his superior officer as to the steps being taken.

s) He shall at all times, whenever in uniform, keep his official badge properly displayed; and courteously give his name and badge number when duly requested to identify himself.

t) He shall, in the event of any disturbance of the peace within his beat or in its immediate vicinity, proceed to the particular spot and exert efforts to restore order. If a crime has been committed and the offender can be placed under custody, he shall take immediate steps to bring him to the police state. He shall endeavor to save life and protect or preserve the crime scene until the arrival of the investigator.

u) He shall not leave his beat until properly relieved, except when required by the exigencies of the service and for unavoidable reasons. He shall keep record of

the same in his memorandum book indicating the time he left his beat, the reason for leaving and the time he returned and resumed his patrol of duty.

v) He shall take care of lost children by taking them to the residence of their parents, if located within or near the vicinity of his beat, and shall promptly notify his station of such action. If the residence is not known or at some distant location, he shall take such necessary action as may be required by the circumstances. He shall be observant of school children who are not in classes during the proper hours, and after making inquiries as to the reasons therefore shall take appropriate action on any case of truancy which may come to his notice.

w) He shall take note of all obstructions in the streets or sidewalks from which accidents may occur, removing them when practicable. He shall also take appropriate action on all nuisances and other matters affecting the safety and convenience of the public or the interest of the city or municipality.

x) He shall exercise vigilance in order to prevent fire or avoid waste of water; take note of all garbage, dead animals or other offensive matters thrown into the streets and shall take appropriate action thereon.

y) He shall in order to summon aid, give three blasts with the whistle and in extreme emergency, he may discharge his firearm in the air.

z) He shall familiarize himself with the location of street traffic signs and if he sees them misplaced or tampered with in any manner, he shall rectify the same. If such signs are missing from their proper location, he shall make proper report of such fact to his superior.

aa) While on patrol duty, he shall not enter any bar, nightclub, theater or any other place of amusement or business except win the strict discharge of his duty.

bb) He shall have an official note book in which he will enter the names of persons taken into custody by him and such important particulars in each case as may be necessary as well as other pertinent information and matters relative to the discharge of his official duties. Such memorandum book shall be subject to inspection by his superior officers at any time.

cc) He shall endeavor to be familiar with the bus lines, the location of streets, public buildings and offices, hospitals, courts, transportation offices and depots, industrial plants, highways and boundaries thereof and of the national, provincial and municipal officials and such other matters pertaining to the government of the city or municipality, as will enable him to render intelligent and helpful information and assistance when requested.

dd) He shall perform such other duties and responsibilities that may be assigned to him by his superior officer or higher authority.

SECTION 6. *Duties of Patrolman Assigned to Traffic Duty.* - A patrolman assigned to a traffic post shall have the following duties:

a) He shall enforce all pertinent traffic laws, ordinances or regulations and shall take appropriate action on any violation of law that may come to his attention.

b) He shall maintain the orderly movement of all vehicles at his post, with due regard for the safety of pedestrians, and exact compliance of the drivers thereof with the laws and regulations pertaining to traffic.

c) He shall, when directing traffic, take station nearest to the center of the street intersection as conditions will permit, and shall execute all movements of hand signals visible to motorists with uniformity and precision.

d) When a whistle is used in the regulation of traffic, it shall be in conjunction with the hand signal. One blast of the whistle shall mean that traffic shall stop and two blasts shall mean the traffic shall proceed.

e) He shall give his whole attention to his duties at all times. He shall not engage in conversation with anyone except when necessary in line of police duty and such conversation shall be brief.

f) He shall not leave his post during his tours of duty without permission, except when properly relieved by another officer. In case of personal necessity, or when necessary in any police emergency, he shall notify his station, if possible, before leaving.

g) He shall respond immediately to emergency calls for police service within a reasonable distance of his post, and if it cannot be done, he shall promptly notify his station accordingly.

h) He must keep calm and control his temper even under trying and provoking circumstances. In warning or correcting a person for a slight infraction of the traffic regulations, he shall do so in a firm but brief and civil manner, and without obstructing the flow of traffic, or creating congestion. When it is necessary to arrest a driver for a violation of the traffic regulations, he shall if possible order the offender out of the traffic flow to the street curb, and make such arrest without unnecessary loss of time or the obstruction of traffic.

i) He shall, if assigned to mounted vehicles, have charge of the duty of suppressing speeding and reckless driving.

SECTION 7. *Duties of Patrolman Assigned to Patrol Car.* - A patrolman assigned to a police car for patrol duty shall have the following duties:

a) He shall operate the patrol car at a moderate rate of speed and in such a manner as will enable him to observe any condition or occurrence in his patrol beat which may require police attention. He shall adhere to the method prescribed for foot patrolmen, except as may be otherwise directed.

b) Unless otherwise directed, he shall report for roll call at his station at the prescribed time. He shall report hourly to the base control operator or at such time as may be designated by his superior officer.

c) He shall patrol his assigned beat regularly, paying particular attention to critical areas.

d) He shall exercise judgment and care with due regard to the safety of life and property, when responding to an emergency call.

e) He shall be in property uniform when on duty, unless otherwise directed by the chief of police.

f) He shall perform such other duties that may be assigned to him by his superior officers or higher authority.

SECTION 8. *Duties of Patrolman Assigned to Detective Work.* - A patrolman assigned to detective work shall have the following duties:

a) He shall acquire a thorough knowledge of the penal laws and ordinances and the elements that constitute criminal acts in violation of the various sections thereof and shall acquaint himself with the fundamental rules of evidence.

b) He shall have a thorough knowledge of the functions of the detective force which is charged with the investigation of criminal offenses, the detection and apprehension of criminal offenders, the locating of missing persons, the recovery of lost and stolen property, the proper cooperation with other authorities, and other similar responsibilities.

c) He shall familiarize himself with the various types of criminals, and acquaint himself with their various methods and practices, haunts, and associations.

d) He shall follow up each case assigned to him until there is a final official disposition of such case.

e) He shall render a written report on all assignments given to him.

f) He shall have such regular hours of duty as may be prescribed by the chief of police.

g) He shall use scientific methods and procedures in the in investigations of suspects and witnesses and shall not resort to violence of "third degree" in extracting confessions.

h) He shall keep his immediate superior officer regularly informed of the progress and development of cases assigned to him.

i) He shall not leave the city or municipality to conduct any investigation or to perform any act within the purview of his duties, without the express permission

of his immediate superior officer or the chief of police, except when in immediately pursuit of a fugitive.

j) He shall have with him an official notebook in which he will enter the names of persons taken into custody by him and such particulars in each case, and also all information and matter relative to the discharge of his official duties.

k) He shall perform such other duties as may be assigned to him by his superior officer or higher authority.

SECTION 9. *Duties of Other Members of the Police Force.* - All members and employees of the police force whose duties are not specifically enumerated in these rules and regulations shall be assigned to such duties and have such hours of work as may be directed by the chief of police.

They shall perform their respective duties thoroughly and efficiently and shall at all times be discreet, courteous, diligent and attentive, and shall call the attention of their immediate superiors to any matter which requires their special consideration.

They shall at all times be as neat and clean in appearance as their work will permit, and keep in good order any desk, book, locker, tool and other equipment and property that may be used by them or entrusted in their care.

ANNEX 6.1
COMPRESSED PUBLIC SAFETY BASIC RECRUIT (PSBR) COURSE
Program of Instruction

SUBJECT	NUMBER OF HOURS		
	LECTURE	PHYSICAL EXERCISES	TOTAL
PHASE I – SKILLS ENHANCEMENT AND ATTITUDE BUILDING (204 HOURS)			
Module I – Foundation Subjects	**52**	**152**	**204**
▪ Orientation (PNTI/RTS Rules and Regulations)	2	-	2
▪ Police Customs and Traditions	2	2	4
▪ Protocol and Social Amenities in the Service	2	2	4
▪ Courtesy and Discipline	2	2	4
▪ Introduction to Public Safety Service o Public Safety Definition and Concept o Concerns of Public Safety o Organization, Mission and Relationship (PNP, BFP, BJMP, NAPOLCOM and PPSC) o Vision and Mission of the PNP o PNP and its Relationship to the PNP Support Units	4	-	4
▪ Understanding the Philippine Police System o Police Act of 1966 o Integration Law PD 765 o RA 6975 o RA 8551	4	-	4
▪ Moral and Spiritual Enrichment (SOC Seminar)	12	-	12
▪ Filipino Values and Culture (*Maka-Diyos, Maka-Bayan, Maka-Tao, Maka-Kalikasan)*	4	-	4
▪ Gender and Development	4	-	4
▪ Drills and Ceremonies	4	26	30
▪ Civil Disturbance Management	4	8	12
▪ Physical Fitness Test	-	16	16
▪ Defense Skills o Self-Defense (Armed/Unarmed: Akido, Arnis de Mano) o Practical Shooting(gun safety and responsible ownership; practical shooting) o Police Baton Techniques o Special Skills: Typing and Basic Computer Literacy : Defensive Driving o Operational Training: Searching : Handcuffing Techniques	4 4 4 4 2 2 2 2	 24 12 20 14 6 6 12	 28 16 24 16 8 8 14
▪ Examination/Critique	-	2	2
PHASE II – ACADEMICS (330 hours)			
Module II – Legal Module	**66**	**8**	**74**
▪ Philippine Constitution (Article III, Article IX, Article XIII)	12	-	12
▪ Criminal Law I o Fallacies and Circumstances which Affect Criminal Liability o Justifying Circumstances Which Exempt from Criminal Liability o Circumstances Which Mitigate Criminal Liability	12	-	12

SUBJECT	NUMBER OF HOURS		
	LECTURE	PHYSICAL EXERCISES	TOTAL
○ Circumstances Which Aggravate Criminal Liability ○ Alternative Circumstance ○ Persons Criminally Liable for Felonies			
▪ Criminal law II (Index Crimes) ○ Elements of Murder with Decided Cases ○ Elements of Rape with Decided Cases ○ Elements of Theft with Decided Cases ○ Elements of Physical Injury with Decided Cases ○ Elements of Acts of Lasciviousness with Decided Cases ○ Elements of Murder with Decided Cases ○ Elements of Swindling and Estafa with Decided Cases ○ Elements of Arbitrary Detention with Decided Cases	12	-	12
▪ Criminal Procedures ○ Rule i1i2 ○ Rule 113 ○ Rule 114, as amended ○ Rule 115 with emphasis on the Miranda Doctrine	6	-	6
▪ Rules of Evidence (Rule 128) – Sections 1, 2, 3, 4	6	-	6
▪ Administrative Proceedings	2	-	2
▪ Legal]Forms	2	6	8
▪ Special Laws ○ Anti-Fencing ○ Gambling ○ Carnapping ○ BP22 ○ Illegal Drugs ○ Illegal Recruitment ○ Firearm Law ○ RA 7610 (Child Abuse)	14	-	14
▪ Examination/Critique	-	2	2
Module III – Police Operations	**36**	**28**	**64**
▪ Police Patrol Operations ○ Introduction to Patrol ○ Types and Methods of Patrol ○ Introduction to COPS ○ Introduction to Patrol 117	 4 4 2 2	 - - 4 4	 4 4 6 6
▪ Police Traffic Operations ○ Traffic Laws, Rules and Regulations and Other Traffic Ordinances ○ Five Es of Traffic ○ Traffic Control and Directions ○ Introduction to Traffic Investigation	 2 2 2	 - - 4	 2 2 6
▪ Police Services/Competencies ○ Arrests, Raids, Search and Seizure ○ Rules of Engagement ○ Hostage Negotiations ○ Blotter Entry and Booking Procedures ○ Property and Equipment Maintenance and Control ○ Disaster Preparedness and Rescue Operations ○ VIP Security	 2 2 2 2 2 2 2	 4 4 4 2 - - -	 6 6 6 4 2 2 2
▪ Examination/Critique	-	2	2

SUBJECT	NUMBER OF HOURS		
	LECTURE	PHYSICAL EXERCISES	TOTAL
Module IV – Investigation	**32**	**30**	**62**
▪ Fundamentals of Criminal Investigation	2	-	2
▪ Crime Scene Search/Crime Scene Management	4	-	4
▪ Collection and Presentation of Evidence	4	-	4
▪ Notes Taking and Sketching	4	-	4
▪ Investigative Report Writing	2	4	6
▪ Interview and Interrogation	4	-	4
▪ Sworn Statement Taking	2	4	6
▪ Homicide/Murder Investigation	2	4	6
▪ Robbery/Theft Investigation	2	4	6
▪ Narcotics Investigation	2	4	6
▪ Women and Child Abuse Investigations	2	4	6
▪ Court Demeanor	2	4	6
▪ Examination/Critique	-	2	2
Module V – Intelligence	**14**	**12**	**26**
▪ Introduction to Intelligence (The Cycle)	2	-	2
▪ Physical Security	2	-	2
▪ Document/Information Security	2	-	2
▪ Surveillance and Undercover	2	6	8
▪ Personnel Security	2	-	2
▪ Sources of Information	2	-	2
▪ Intelligence Report Writing	2	4	6
▪ Examination/Critique	-	2	2
Module VI – Criminalistics	**16**	**22**	**38**
▪ Introduction to Forensic Sciences	2	-	2
▪ Questioned Documents	2	4	6
▪ Dactyloscopy	2	4	6
▪ Polygraphy	2	4	6
▪ Ballistics	2	4	6
▪ Forensic Photography	2	4	6
▪ Forensic Psychology	2	-	2
▪ Examination/Critique	-	2	2
Module VII – Communication Skills	**12**	**14**	**26**
Basic Grammar and Composition	4	-	4
Police correspondence (Forms and Contents; Memos and Circulars)	2	4	6
Policed Media Relations	2		2
Public speaking	2	6	8
Radio Voice/Electronic Communications	2	2	4
Examination/Critique	-	2	2

SUBJECT	NUMBER OF HOURS		
	LECTURE	PHYSICAL EXERCISES	TOTAL
Module VIII – community Immersion Program	-	40	40
PHASE III - POLICE TACTICS PHASE (106 HOURS)			
Module IX – Police Tactical Responses	24	54	82
▪ Basic Weaponry	2	4	6
▪ Field Craft Survival	2	2	4
▪ Harboring	2	2	4
▪ Street Survival	2	4	6
▪ Marksmanship	2	8	10
▪ Ambuscade	2	4	6
▪ Escape and Evasion	2	4	6
▪ Rope Courses	2	4	6
▪ First Aid and Swimming/Water Safety	2	4	6
▪ Troop Leading Procedure	2	4	6
▪ Infiltration	2	4	6
▪ Perimeter Area Security and Posting of Personnel	2	2	4
▪ Ground Navigation	2	4	6
▪ Room Entry and Clearing Techniques (closed quarter battle)	2	4	6
▪ Examination/Critique	-	2	2
Module X – Field Training Exercises	-	24	24
Summary			
PAHSE I – SKILLS ENHANCEMENT AND ATTITUDE BUILDING	52	152	204
Module I – Foundation Subjects	52	152	204
PHASE II – ACADEMICS	176	154	330
Module II – Legal	66	8	74
Module III – Police Operations	36	28	64
Module IV – Investigation	32	30	62
Module V – Intelligence	14	12	26
Module VI – Criminalistics	16	22	38
Module VII – Communication Skills	12	14	26
Module VIII – Community Immersion Program	-	40	40
PHASE III – POLICE TACTICS	28	78	106
Module IX – Police Tactical Responses	26	54	82
Module X – Field Training Exercises	-	24	24
TOTAL	256	384	640
Duration of Training Hours = 640 hours = 16 weeks = 4 months			
Total Number of Academic Hours = 466 hours			
Total Number of Non-Academic Hours = 174 hours ▪ Orientation 14 ▪ Drills and Ceremonies 30 ▪ Sports Development/Reveille 16 ▪ Defense Skills 114			

Source: PPSC, 2002

PUBLIC SAFETY OFFICERS BASIC COURSE
Program of Instruction

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
ACADEMICS (576 HOURS)			
Module I – General Subjects	**20**	**2**	**22**
▪ Introduction to Public Safety o Concept of Public Safety o Areas of Concern of Public Safety	4	-	4
▪ Ecology and Environmental Protection	4	-	4
▪ Code of Conduct and Ethical Standards o RA 6713 o PNP Green Book o Protocol and Social Amenities	4	-	4
▪ The Philippine Criminal Justice System (CJS) o The Philosophy of CJS o Dynamics of CJS o Issues and Concerns of the Community Pillar	8	-	8
▪ Examination/Critique	-	2	2
Module II – Communication	**24**	**38**	**62**
▪ Communication and Communication Process o Introduction to Communication (The Communication Process, Barriers to Communication, Overcoming Process) o Report Writing o Public Speaking (Interpersonal Communication, Organizational Communication,, Extemporaneous Speaking, and Prepared Speech)	12	16	28
▪ Briefing/Conference Techniques I	4	4	8
▪ Computer Proficiency	4	8	12
▪ The Art of Negotiation	4	8	12
▪ Examination/Critique	-	2	2
Module III – Human Rights	**24**	**-**	**24**
▪ Human Rights in the Philippine Constitution (Bill of Rights)			
▪ Human Rights Conscientization			
▪ International Humanitarian Law			
▪ Children's Rights (CEDC and CSAC)			
▪ Forms and Types of Human Rights Violations and Consequences			
▪ Women's Rights (Gender Sensitivity)			
▪ Examination/Critique			
Module IV – Law	**68**	**12**	**80**
▪ Review of the Philippine Constitution	4	-	4
▪ Persons and Family Relations	4	-	4
▪ Criminal Law I	8	-	8
▪ Criminal Law 2	8	-	8

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
▪ Law of Evidence	8	-	8
▪ Criminal Procedure and Moot Court	4	8	12
▪ Legal Forms	4	-	4
▪ Special Laws o Legal Procedures Against Drug Trafficking/Syndicated Crime o Katarungang Pambaranggay (RA 7160) o Labor Laws o Civil Service Law o DILG Act of 1990 o RA 8551	28	-	28
▪ Examination/Critique	-	4	4
Module V – Basic Administration/Management	**46**	**10**	**56**
▪ Management Function	4	-	4
▪ Principles of Organization	4	-	4
▪ Organizational Behavior	4	-	4
▪ Maintaining Quality and Quantity in Management	4	-	4
▪ Supervisory Performance Evaluation	2	-	2
▪ The Supervisor's Job (the Major Tasks) o Coordinating o Controlling o Improving o Planning o Communicating o Developing Good Attitudes o Motivation o Delegating	6	-	6
▪ Qualities of Supervisor	2	-	2
▪ Basic Principles of Learning	4	-	4
▪ Basic Principles of Teaching	4	-	4
▪ Basic Counseling	4	4	8
▪ Leadership Management II	4	-	4
▪ Problem-Solving and Decision-Making	4	4	8
▪ Examination/Critique	-	2	2
Module VI – Police Administration	**36**	**28**	**64**
▪ Human Resource Management	4	4	8
▪ Police Records management	4	4	8
▪ Logistics Management	4	-	4
▪ Fiscal management	4	-	4
▪ Internal Discipline Management	4	-	4
▪ Traffic Management	4	4	8
▪ Disaster Control Management	4	4	8
▪ Patrol Management	4	4	8
▪ Police Statistics	4	4	8
▪ Examination/Critique	-	4	4

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
Module VII – Police Operations	**50**	**24**	**74**
▪ Understanding Crime Index Crimes o The Nature of Crime o General Types of Crime o Index Crimes	4	-	4
▪ Organized Crimes: Prevention and Control o Carnapping o Bank Robbery o Terrorism o Drug Trafficking o Kidnapping o White Slavery Trade o Offenses Against Women and Minors	12	-	12
▪ Civil Disturbance: Prevention and Control	4	4	8
▪ National Strategic Action Plan (NSAP)	4	-	4
▪ Closed Quarter Battle (CQB)	4	4	8
▪ Firearms Proficiency	4	8	12
▪ Troop Leading Procedures/Security Patrol Operations/Camp Defense	4	4	8
▪ Duties and Responsibilities of the Chief of Police	2	-	2
▪ The Integrated Functions and Operations of the PNP, BJMP, and BFP	4	-	4
▪ Basic Jail Management	4	-	4
▪ Basic Fire management	4	-	4
▪ Examination/Critique	-	4	4
Module VIII – Intelligence	**36**	**20**	**56**
▪ Police Intelligence : Organization and Operations	8	4	12
▪ National Security: Current Threats	4	4	8
▪ Police Intelligence and Security Management o Counter-Intelligence Operation o The Wanted List/Watch List o Intelligence Information Collection Technique o Document Security o Physical Security o Personnel Security o Intelligence Report Writing	24	8	32
▪ Examination/Critique	-	4	4
Module IX – Scientific Criminal Investigation	**28**	**30**	**58**
▪ Fundamentals of Investigation	4	4	8
▪ Scene of the Crime Operation	4	4	8
▪ Evidence Handling	4	4	8
▪ Forensic Science o Dactyloscopy o Forensic Ballistics o Questioned Documents o Forensic Photography	16	16	32
▪ Examination/Critique	-	2	2

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
Module X – Community-Oriented Policing System	**24**	**58**	**82**
▪ The Psycho-Social Behavior of the Community	4	4	8
▪ The Sociology of Poverty	4	-	4
▪ Politics in the Community	4	4	8
▪ Capability-Building	4	4	8
▪ Mobilization of Community in Police Work	4	4	8
▪ Community Leadership Skills	4	-	4
▪ Police-Community Partnership (Practicum)	-	40	40
▪ Examination/Critique	-	2	2
TOTAL	**356**	**222**	**578**

Summary

Total Number of Academic Hours = 514 hours

Total Number of Non-Academic Hours = 64 hours

- Drills and Ceremonies = 12 hours
- Physical Fitness Program (Reveille) = 12 hours
- Sports Development/Unarmed Self-Defense = 16 hours
- Self-Defense Techniques = 12 hours
- SOC/MRP (Values Enhancement) = 12 hours

PUBLIC SAFETY OFFICERS SENIOR EXECUTIVE COURSE (PSOSEC)
Program of Instruction

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
ACADEMICS (1,152 HOURS)			
Module I – Filipino Values and Culture	**52**	**4**	**56**
▪ Professional and Ethical Standards in Public Safety	8	-	8
▪ Customs and Tradition of the Service	4	-	4
▪ Policeman and His Social Life	8	-	8
▪ Moral Recovery Program (MRP)	8	-	8
▪ Human Rights	24	-	24
▪ Grade Program analysis	-	4	4
Module II – Research and Doctrine Development	**64**	**244**	**308**
▪ Research Methodologies o The Research Process (8 hours) o Research problem Identification and Statement (4 hrs) o Conceptual Framework (2 hrs) o Research Design (2 hrs) o Qualitative Research (4 hrs) o Quantitative Research (4 hrs) o Forms and Styles in Research Writing (4 hrs) o Doctrine Applications (8 hrs) o The Research Proposal (4hrs)	40	-	40
▪ Statistics (Treatment, Analysis and Interpretation of Data)	24	-	24
▪ Writing of Research Proposal and Presentation	-	40	40
▪ Data Gathering/Collection and Research Writing (4-week students' activity outside the classroom)	-	120	120
▪ Oral Presentation/Defense and Final Revision	-	80	80
▪ Examination/Critique (Research Methodologies)	-	4	4
Module III – Communication Skills	**64**	**96**	**160**
▪ Communication Dynamics o Organizational Communication o Administrative Correspondence o Public speaking o Conference/Briefing Leadership	32	40	72
▪ The Art of Negotiation	8	8	16
▪ Media Relations and Practices	8	8	16
▪ Training Management	8	12	20
▪ Management Information system	8	24	32
▪ National Problem Analysis	-	4	4
Module IV – Law and Criminalistics System	**80**	**16**	**96**
▪ Current Trends and Issues in the PCJS (with case studies)	8	12	20
▪ Criminal Procedure (Update)	8	-	8
▪ Criminal Evidence (Update)	8	-	8

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
▪ Criminal Law (Update)	8	-	8
▪ Administrative Law (Update)	8	-	8
▪ Local Government Code (Update)	8	-	8
▪ Special Laws o Police Related Law: Family Code; RA 6425; Witness protection Program; Gender Awareness Development; RA 7610; Others) o Fire Related Laws: Building Code; Fire Code o Jail Related Laws	32	-	32
▪ Graded Problem Analysis	-	4	4
Module V – Development Administration	**36**	**16**	**52**
▪ The Framework of Governance for the People	12	-	12
▪ Development Administration: Thrust, Concerns and Goals o Organizational Development: Principles and Concepts o Sustainable Development: Principles and Concepts	12	-	12
▪ The Goal of Public Safety and Development (Issues and Problems in Public Safety Development with case studies)	4	8	12
▪ Regional Development Strategies and Special Autonomous Region	4	-	4
▪ National Program for Unification and Development (NPUD)	4	-	4
▪ Graded problem Analysis	-	8	8
Module VI - Leadership and Management	**104**	**48**	**152**
▪ The General Concept of Management (Management Evaluation Review Integrated)	4	-	4
▪ Decision Models for Management (with case analysis)	8	12	20
▪ Executive Leadership and Organization o Leadership at the Senior Level o Leadership and the Environment o Organizational effectiveness/Efficiency o Transformational Leadership	16	-	16
▪ International Management Development o Human Resource Development (Recruitment and Training) o Records management o Logistics Management o Fiscal and Budget Management o Internal Discipline o Policy Formulation and Analysis	24	-	24
▪ Staff Functions, Principles and Procedures	8	-	8
▪ Staff Planning and Decision-Making o Problem-Solving Techniques and Analysis o Preparation of Plans and Orders o Operational Decision Making o Staff Study o Staff Estimate o Strategic Planning	28	20	48
▪ Peace Building and Conflict management	16	8	24
▪ Graded Problem Analysis	-	8	8

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
Module VII – Law Enforcement and Public Safety Operation	**76**	**56**	**132**
▪ Public Safety Administration and Operations: Components, Administration, Operations and Relationship with LGAs, POCs and LECC	16	-	16
▪ Special Police Operations o Rules engagement Tactics and Strategies o Terrorism and Counter-Terrorism (The Legal Aspect of Counter-Terrorism and Its Global Implications; Terrorism and Criminality: Comparison) o Criminality and its Implications (political, economic and psycho-social) o Crisis Managem24ent o Disaster Control management	40	24	64
▪ The Community-Oriented Policing System (COPS) o The COPS Program: Global Comparison o COPS Organization and Mobilization Phases o Current Trent and Issues in the Implementation of COPS o Group Dynamics (Actual field observation)	20	24	44
▪ Graded problem Analysis	-	8	8
Module VIII – Internal Security Operation	**72**	**8**	**80**
▪ Defense Planning o Preparation of an Integrated DP vs. Subversion/Terrorism, Criminality o Kidnapping/Bank Robbery/Hostage Taking	24	-	24
▪ The PNP Force Employment/Deployment System	8	-	8
▪ Offensive/Defensive Operations	8	-	8
▪ Counter-Insurgency o An Overview of Insurgency Problem in the Philippines: History/Evolution/Root Cause and Contributing Factors and the Level of Threats o Current Trends on Insurgency Problem in the Philippines o AFP Operations and PNP Master Plan Sandugo: An assessment o Strategic Plans/Measures to Address Insurgency Problem (Submission and Presentation of Papers)	32	-	32
▪ Graded Problem Analysis	-	8	8
Module IX – Public Safety Administration	**32**	**12**	**44**
▪ Public Safety Administration: An Introduction	4	-	4
▪ Dimensions of Public Safety (political, economic, techno-scientific, and psycho-social dimensions)	16	-	16
▪ Public Safety Strategies and Practices	4	-	4
▪ International Issues and Conflicts on Public Safety and International policing	4	-	4
▪ Oral Presentation of Case Study Paper on Strategic Analysis on Public Safety problem	4	8	12
▪ Graded Problem Analysis	-	4	4

Subject	Number of Hours		
	Lecture	Physical Exercises	Total
Module X – Environmental and Other Related Studies	**12**	**20**	**32**
▪ Ecology and Other Environmental Protection (Pertinent Laws)	4	-	4
▪ Regional Environmental Issues and Studies	4	8	12
▪ Issues and Problems in Public Safety (with case studies)	4	8	12
▪ Graded Problem Analysis	-	4	4
Module XI – Local Tours (with after tour report)	-	**40**	**40**
TOTAL	**592**	**560**	**1,152**

Summary

Total Number of Academic Hours = 1,152 hours

Total Number of Non-Academic Hours = 128 hours

- Sports Development = 32 hours
- Unarmed Self-Defense = 32 hours
- Physical Fitness Test = 32 hours
- Firearm Proficiency (9mm and Cal 45) = 32 hours

Source: PPSC, 2002

REVISED BACHELOR OF SCIENCE IN PUBLIC SAFETY (BSPS) CURRICULUM

Year	Subject	Days /Units
First Year, Summer	Review Classes (Mathematics and English)	
	Orientation	3 days
	Customs and Traditions of the Service	5 days
	Introduction to Cadet System	15 days
	Courtesy and Discipline	5 days
	Academic Orientation	7 days
	Drills and Ceremonies	7 days
	Conduct I	
	Total	**45 days**
First Year, First Semester	Communication Arts I (English Grammar and Sentence Construction)	3 units
	Filipino (Wika at Panitikang Filipino)	3 units
	Mathematics I (Algebra)	3 units
	Philosophy I (Logic)	3 units
	Psychology I (General Psychology)	3 units
	Philippine History and Culture	3 units
	Introduction to Public Safety and Social Defense	3 units
	Information Systems and Technology I	3 units
	P.E. I	(1.5) unit
	Organizational Leadership 1	(1.5) unit
	Conduct 2	(1) unit
	Aptitude for the Service	(1) unit
	Drills and Ceremonies	
	Total	**24 units/(5) units**
First Year, Semestral Break	Remedial Classes	
	Human Rights Advocacy Seminar	5 days
	Gender and Development Seminar	5 days
	Spiritual and Moral Enhancement Program (SMEP)	2 days
	Total	**12 days**
First Year, Second Semester	Communication Arts 2 (Composition and Literary Forms)	3 units
	Philippine Government and Constitution	3 units
	Philosophy 2 (Ethics)	3 units
	Mathematics 2 (Trigonometry)	3 units
	Psychology 2 (Forensic Psychology)	3 units
	Economics and Taxation	3 units
	Criminal Justice System	3 units
	Information Systems and Technology 2	3 units

Year	Subject	Days /Units
	P.E. 2	(1.5) unit
	Organizational Leadership	(1.5) unit
	Conduct 3	(1) unit
	Aptitude for the Service	(1) unit
	Drills and Ceremonies	-
	Total	**24 units/(5) units**
Second Year Summer	Remedial Classes	
	Seminar on Public Safety Services and Orientation	10 days
	Weapons Qualifications Training	8 days
	Communication Skills Enhancement Seminar	10 days
	Stress Management	3 days
	Seminar on Media Relations	3 days
	Public Service Ethics and Accountability	3 days
	S-Leadership Seminar	2 days
	Educational Trip	3 days
	SEMP-Police Renewal Experience (POREX)	3 days
	Conduct 4	
	Total	**45 days**
Second Year, First Semester	Communication Arts 3 (Philippine and World Literature)	3 units
	Life, Works and Writings of Dr. JP Rizal	3 units
	Mathematics 3 (Different Calculus)	3 units
	Statistics 1 (Descriptive Statistics)	3 units
	Management 1 (Fundamentals of Management)	3 units
	Law 1 (Criminal Law 1)	3 units
	World History and Geography	3 units
	General Chemistry	3 units
	P.E. 3	(1.5) unit
	Organizational Leadership 3	(1.5) unit
	Conduct 5	(1.5) unit
	Aptitude for the Service 3	(1) unit
	Markmanship/Tactics 1	(1) unit
	Drills and Ceremonies	
	Total	**24/(6) units**
Semestral Break	Remedial Classes	
	Disaster Preparedness and Management	3 days
	Local Government Administration	3 days
	Seminar on Art of Negotiation	2 days
	Seminar on International Relations	3 days
	SMEP/Life in the Spirit Seminar	2 days
	Total	**13 days**

Year	Subject	Days /Units
Second Year, Second Semester	Communication Arts 4 (Public Speaking, Argumentation and Debate)	3 units
	Law 2 (Criminal Law 2)	3 units
	Mathematics 4 (Integral Calculus)	3 units
	Statistics 2 (Inferential Statistics)	3 units
	Management 2 (Organizational Management)	3 units
	Ecology and Environment Protection	3 units
	Physics	3 units
	Juvenile Delinquency	3 units
	P.E. 4	(1.5) unit
	Organizational Leadership 4	(1.5) unit
	Conduct 6	(1) unit
	Aptitude for the Service 4	(1) unit
	Markmanship/Tactics 2	(1) unit
	Drills and Ceremonies	
	Total	**24/(6) units**
Third Year, Summer	Remedial Classes	
	Weapons Proficiency Training	
	Special Action Force Operation Orientation Course	45 days
	Conduct 7	
Third Year, First Semester	Communication Arts 5 (Investigative Report Writing)	3 units
	Law 3 (Criminal Procedure)	3 units
	Criminalistics 1 (Dactyloscopy, Forensic Photo, QD, Forensic Ballistics)	6 units
	Police Operations 1 (Patrol Management)	3 units
	Social Anthropology	3 units
	Criminal Investigation 1(Fundamentals of Criminal Investigation)	3 units
	Research 1 (Fundamentals)	3 units
	P.E. 5	(1.5) unit
	Organizational Leadership 5	(1.5) unit
	Conduct 8	(1) unit
	Aptitude for the Service 5	(1) unit
	Markmanship/Tactics 3	(1) unit
	Drills and Ceremonies	
	Total	**24/(6) units**
Third Year, Semestral Break	Thesis Proposal Defense	5 days
	Gathering of Data for Research (Research Survey)	10 days
	Total	**15 days**

Year	Subject	Days /Units
Third year, Second Semester	Communication Arts 6 (Technical Writing)	3 units
	Law 4 (Criminal Evidence)	3 units
	Criminalistics 2 (Forensic Med, Forensic Chem, Toxicology/DNA, Polygraphy)	6 units
	Police Operations 2 (Traffic Management)	3 units
	Criminal Investigation 2 (SOCO)	3 units
	Research 1 (Fundamentals)	3 units
	Penal Management, Correction and Rehabilitation	3 units
	P.E. 6	(1.5) unit
	Organizational Leadership 6	(1.5) unit
	Conduct 9	(1) unit
	Aptitude for the Service 6	(1) unit
	Markmanship/Tactics 4	(1) unit
	Drills and Ceremonies	
	Total	**24/(6) units**
Fourth Year, Summer	Remedial Classes	
	Thesis Defense	15 days
	New Cadets Battalion Detail (Shifting Schedule by Group)	15 days
	Weapons Proficiency Training (CQB)	15 days
	Conduct 10	45 days
	Total	
Fourth Year, First Semester	Police Operations 3 (Special Police Operations)	3 units
	Fire and Arson Investigation, Detection and Rescue Operations	3 units
	Law 5 (Special Laws)	3 units
	Electives (Police Cadets) - Crisis Management (3 units) - International Police Operations (3 units) - Civil Disturbance Management (3 units) - Police Community Relations (3 units)	12 units
	P.E. 7	(1.5) unit
	Organizational Leadership 7	(1.5) unit
	Conduct 11	(1) unit
	Aptitude for the Service 7	(1) unit
	Markmanship/Tactics 5	(1) unit
	Drills and Ceremonies	
	Total	**21/(6) units**
Fourth Year, Second Semester	Cadet Attachment Program (CAP) - Phase 1: Seminars and Practical Exercises (1 month) - Phase 2: On the Job Training-Urban and Rural (2 months)	6 units
	Conduct 12	(1) unit
	Aptitude for the Service 8	(1) unit
	Total	**6/(2) units**

ANNEX 7.1
STATUS OF SHORT & LONG FIREARMS
(as of 2nd Quarter 2004)

Units	Per Strength	Standard Short FAS				Standard Long FAS				Grand Total
		Pist 9MM	Rev 38	Pist 45	Sub-Total	12 GA	Rifle 5.56	Rifle 7.62	Sub-Total	
NCRPO	15,010	13,070	464	1,019	14,553	783	2,822	68	3,673	18,226
PRO CAR	3,217	1,197	1,100	102	2,399	35	1,967	558	2,560	4,959
PRO 1	4,818	1,689	1,241	460	3,390	230	2,170	290	2,690	6,080
PRO 2	3,972	1,269	1,238	305	2,812	40	2,707	474	3,221	6,033
PRO 3	7,357	2,499	2,054	292	4,845	165	4,739	590	5,494	10,339
PRO 4 A (calabarzon)	6,958	2,248	2,068	239	4,555	210	3,748	437	4,395	8,950
PRO 4 B (mimaropa)	3,135	934	562	117	1,613	70	1,581	192	1,843	3,456
PRO 5	4,913	1,483	2,037	338	3,858	152	3,421	599	4,172	8,030
PRO 6	6,475	1,730	1,945	618	4,293	160	3,935	610	4,705	8,998
PRO 7	5,710	1,345	2,707	680	4,732	252	3,011	212	3,475	8,207
PRO 8	4,911	1,515	1,723	420	3,658	112	3,742	254	4,108	7,766
PRO 9	4,356	858	1,463	1,072	3,393	160	2,571	217	2,948	6,341
PRO 10	4,575	999	1,354	601	2,954	214	2,951	186	3,351	6,305
PRO 11	4,685	1,282	1,609	187	3,078	260	2,794	274	3,328	6,406
PRO 12	3,736	1,659	830	120	2,609	182	2,548	327	3,057	5,666
PRO 13	2,855	1,027	624	165	1,816	46	1,978	179	2,203	4,019
ARRM	6,228	2,425	1,193	433	4,051	110	3,962	400	4,472	8,523
ADMINISTRATIVE SUPPORT UNIT					-				-	-
Logistics SPT SVC	174	29	10	73	112	5	20		25	137
Computer SVC	156	23	3	3	29	-	-		-	29
Finance SVC	240	14	3	6	23	-	3		3	26
Health SVC	1,104	17	12	5	34	3	11		14	48
Commel SVC	775	39	31	111	181	68	52		120	301
Chaplain SVC	82	15	-	-	15	-	-		-	15
Legal SVC	57	10	6	18	34	-	-		-	34
Engineering SVC	102	30	3	2	35	-	-		-	35
HS 9	828	96	105	54	255	13	518		531	786
AHC	2,475				-	-	-	148	148	148
					-				-	-
OPERATIONAL SUPPORT UNIT					-				-	-
Crime Lab Grp.	776	194	103	50	347	70	66		136	483
Maritime Grp	1,290	161	43	43	247	117	338	19	474	721
Aviation Grp	1,181	628	228	245	1,101	198	268	12	478	1,579
Spl Action Grp	3,495	1,330	46	41	1,417	81	1,193	495	1,769	3,186
Traffic Mgmt Grp	1,493	343	148	783	1,274	220	415	2	637	1,911
PCRG	43	32	1	-	33	9	-	-	9	42
Criminal Inv Grp	1,706	704	108	167	979	99	590	16	705	1,684
Pol Scty Pro Grp	1,505	879	47	200	1,126	44	150	-	194	1,320
Intel Grp	793	577	15	83	675	56	275	-	331	1,006
CSG	276	63	6	7	76	19	27	-	46	122
HPNP	1,657	1,670	97	125	1,892	4	99	-	103	1,995
					-	-			-	-
OTHER UNITS				-	-				-	-
PACER		291	-	-	291	9	63	20	92	383
PTU		50	-	-	50	-	30	-	30	80
PDEA		298	137	21	456	110	325	18	453	909
PNPA Cadets		-	-	-	-	20	-		20	20
LSS PERM Issuances		3,303	-	9,321	12,624	-	61		61	12,685
					-				-	-
TOTAL	***113,119***	***48,025***	***25,364***	***18,526***	***91,915***	***4,326***	***55,151***	***6,597***	***66,074***	***157,989***

Source: Directorate for Logistics, PNP

ANNEX 7.2
LIST OF CIRCULARS AND ORDERS ON PNP PHYSICAL ASSETS MANAGEMENT

POLICY/RESOLUTION NO.	DATE	PROVISION
Circular No, 2000-013	25 September 2000	Procedures and Guidelines to be followed by PNP Officials in the conduct of inventory and turn-over of PNP Assets and other government properties during relinquishment and assumption of PNP units at all levels.
Memorandum	20 July 2000	-Termination of SAO to SAO transfer of property accountability (re immediate recovery of firearms) -implement strictly the Unit Property Clearance System (for RDS PROs 1to 14, CAR, ARM,NCRPO, NSUs)
SOP No. 08	11 September 1997	Establishment, Administration and Management of Services and Supply Agreement (SSA)
OM DL1-001-95	15 December 1995	Delegation of Authority - DL, DDL, Ex-O, DLDC
Prosecution of PNP Personnel	22 November 1995	1) Unit Commanders to enforce property accountability and clearance system 2) Units commanders to immediate arrest of personnel who refuses to return issued equipment/firearm with charges for violation of Articles 315 and 217 of Revised Penal Code
Circular No. 17	27 August 1993	Relief of Property Accountability
FIREPOWER		
Memo	24 October 2000	Policy Directive on the Storage and Withdrawal of Ammo
Memo Circular No. _	September 2000	Amending Sections 1 and 2 of Memo Circular 93-015 dated September 23, 1993, entitled "Prescribing the Rules and Regulations on the Issuance of Sidearms to PNP Members"
Memo	22 November 1995	Proper Care, Handling and Maintenance of Explosives and Ammunition
SOP No. 6	12 October 1995	PNP Procurement
Memo	20 October 1994	Firearms Accountability
Memo	27 June 1994	Clearance System on Firearms Accountability
Memo	27 April 1993	Equipment/Firearms Accountability
DL2/ODAA Memo Circular No. 01	5 February 1993	Ammunition Basic Load
Memo	09 December 1992	Replenishment of Ammo Basic Load
MOBILITY		
Memorandum	8 May 2000	POL Support to Subordinate Units
SOP No. 7	10 September 1996	Issuance and Control of POL Products
Memo	22 November 1995	Guidelines on the Use/Maintenance of PNP Vehicles
P.D. No. 1911		Unclaimed Motor Vehicle
R.A. No. 6539		Unclaimed Motor Vehicle

POLICY/RESOLUTION NO.	DATE	PROVISION
Logistic Letter Directive No. 92-01	20 October 1992	Authorized POL Issuance to PNP Vehicles
GENERAL SUPPORT SERVICE		
Memorandum	10 September 2001	SOP on EOD
EOD Procedure No.		Operations, Render-safe procedures, access, recovery and disposal of conventional, non-military (commercial), homemade and/or improvised explosive devices (IED), transportation procedure of IED and blast-in-place operation
Memorandum	22 August 2000	SOP on EOD
SOP 2000-1	8 August 2000	Operations, Render-safe procedures, access, recovery and disposal of conventional non-military (commercial) homemade and/or improvised explosive devises (IED), transportation procedures of IED and blast in place operation
Memorandum	4 July 2000	Recommendation on EOD SOP and Equipment
REAL PROPERTY MANAGEMENT DIVISION		
DPL Memo	6 September 2001	NAPOLCOM Memo Circular No. 2001-004 – Amending NAPOLCOM Memo Circular No. 99-013 " Clarifying the scope and extent of the NAPOLCOM's power of administrative control and operational supervision over the PNP on Financial and Logistical Matters"
Memorandum	8 August 2000	Reclama on PER FEARS
Memorandum	3 August 2000	Findings/Observations in the submission of prepared accomplishment report on Fixed Expenditures (FEARS)
Memorandum	17 February 1998	Unauthorized Construction and repair projects
DB, Circular Letter	2 January 1998	Obligational Authority for CY 1998 Budget
Memorandum	22 November 1995	Accounts on Light and Water and Telephone
Memorandum	22 November 1995	Unauthorized Construction and Repair Projects of PNP Command/Units
E.O. 226	17 February 1995	Command Responsibility
NG-DBM Budget Circular No. 438	11 January 1995	Prescribing the guidelines on the purchase of equipment
Memorandum	19 December 1994	Policy on Construction and R & U Activities
Memorandum	9 December 1994	Construction and R & U Activities
Fiscal Directive 94-013	22 August 1994	Designation of the Chief, PNPEO as project administrator
Memorandum	29 March 1993	Guidelines on the proper use of commercial telephone
Memorandum	29 September 1992	Unauthorized Construction and Repair Projects of PNP Command/Units
LOGISTICS PLANS AND PROGRAMS DIVISION		
Circular No. 2002-05	25 March 2002	Acquisition and Management of PNP Real Estate Properties and Reservations

POLICY/RESOLUTION NO.	DATE	PROVISION
		Procedural Flowchart for Donation of Property
		Procedural Flowchart for Lease of Private Property
		Procedural Flowchart for Purchase of Private Property
Memo Circular 95-012	29 June 1995	Guidelines in the Conduct of Inventory of PNP Supplies, Equipment and Facilities
Memo Circular No. CT-95.4/02	17 April 1995	Inclusion of Countertrade undertaking of foreign suppliers in bidded or negotiated contracts covered by E.O. 120 (S.1993) and its implementing rules and regulations
SOP No. 03	26 July 1994	PNP Equipment Standardization
Memo Circular 94-015	2 May 1994	Providing the Guidelines Governing Property Accountability/Responsibility of PNP Supply Accountable Officers (SAOs) and Personnel
Circular No. 17	27 August 1993	Relief of Property Accountability
Circular No. 14	25 May 1993	Disposal of PNP Properties and Disposition of the Income Derived therefrom
SOP No. 22	24 September 1992	Turn-over of Command Property Inventory

Source: PNP Directorate for Logistics, Logistics Plans and Programs Division

ANNEX 8.1
MAJOR APPLICATION SYSTEMS, PNP

#	IS NAME	DESCRIPTION	PROCESSES SUPPORTED / MAJOR DATASETS	STATUS
1	Financial Management Information System	Automate financial processes within PNP; include the CFC Funds Reconciliation System	Administrative / Budget, accounting data	CFC Funds Recon. System developed in 2004
2	Logistics Support Management Information System	Automate logistics processes within PNP; includes the Consumable Supply Accounting System. In support of procurement and managing inventory of supplies and materials	Administrative / Supplies inventory, costing	Consumable Supply Accounting developed in 2004
3	Firearms and Explosives Management Information System	Database for monitoring firearms and explosives confiscated, captured, surrendered and deposited. Modules included are: Registered Firearms Licensing Management Information System (FLMIS), Order of Payment Information System (OPIS), Lost/Wanted Firearms Information System (LWFIS), Firearms Ballistics Storage Information System (FBSIS), Permit to Carry Firearms Outside Residence Outside Residence Information System (PCFORIS), Storage Control and Inventory Information System (SCIIS), Investigation and Inspection Information System (IIIS) and the Confiscated, Captured, Seized and Deposited Information System (CCSD)	Operations/ Firearms and explosives inventory data, incident reports resulting in capture, surrender and/or confiscation of firearms	Operational, for further enhancement; Periodical Report added in 2004
4	PNP Accreditation System	Provides information to manage suppliers and dealers. Supports the accreditation process and provides product specifications data	Administrative / Suppliers, dealers, product specifications	Developed in 2004
5	PNPCS Library Online Access Catalogue System	Computerization of internal and incoming administrative issuances of the PNP including Admin. Orders, office orders, memoranda, official publications, statistics, etc.	Administrative	Developed as of 2004
6	Human Resource Management Information System / PNPCS Personnel Information System	Automates processes for personnel management, including basic personnel profile, payroll, attendance & leave, compensation, other benefits and pension processing	Administrative / Personnel profile, attendance and leave, PS-related accounting and budget data	Operational, for further enhancement
6	PNP Salary System	Monthly processing and printing of CFCs for pay and allowances of PNP personnel in the active service and PNP personnel allottees on a bi-monthly and monthly basis.	Administrative / Personnel information, PS-related financial information (budget, accounting, cashier)	Operational, for further enhancement
7	Training Information Systems	Composed of Training Registration Information System and Training Education Information System, with the latter providing a record of training profiles of uniformed personnel with the objective of identifying personnel with additional schooling and training. Also provide information on licensure and eligibility, scholarships, awards and commendations	Administrative / Training opportunities, personnel training profile	Operational, for further enhancement

#	IS NAME	DESCRIPTION	PROCESSES SUPPORTED / MAJOR DATASETS	STATUS
8	Anti-Illegal Drug Monitoring System	Monitors all illegal drug activities of local and international traffickers. It also provides for statistical data and reports pertaining to drug law enforcement.	Operations	Operational, for further enhancement
9	Security Agencies and Guards Information Systems (SAGIS)	Operational IS which automates the licensing and monitoring of security guards security agencies. Provides data entry, inquiry, issuance of security guard licenses and updating of security agencies and guards master files	Operations	Operational, for further enhancement
	PNP Crime Information System	Provide a centralized repository of crime information. Includes the following subsystems:	Operations	
10	Wanted Persons Information System	The *Wanted Persons Information System (WPIS)* which has working modules such as the Notorious Personalities Information System (NPIS), the Watch List Information System (WLIS), the National Warrant of Arrest Registry (NWAR) and the PNP Arrests Information Systems. Interfaces with the ASEANAPOL Database System for information sharing.	Operations / Database of notorious persons, arrest warrants, arrests made	Operational, for further enhancement
11	The *Incident Management System (IMS)*	With the Incident Monitoring System (IMS) developed and presently being utilized and the E-Blotter System (EBS), which is under development	Operations	Operational, for further enhancement
12	PNP Clearance System	Processing of applications for PNP clearance; involves validation against criminal databases	Operations / Clearance applications, clearance issuances	Operational, for further enhancement
13	Evidence Management System (EMS	Where the Automated Finger-print Information System (AFIS) was initially installed at the Crime Laboratory Unit aimed to be deployed to all CL Units all over the archipelago	Operations	Operational, for further enhancement
14	Traffic Management Information System (TMIS)	Where the Vehicle Information Management System (VIMS) was developed and operationalized and Automatic Vehicle Location System (AVLS) – which allows monitoring of the PNP mobile assets using the Global Positioning System (GPS) and presently running on stand-alone systems.	Operations	Operational, for further enhancement
15	PNP Official Web Site and Portal	PNP-related information/services can be electronically viewed and accessed by its clientele and the general public. It also provides links to related government law enforcement instrumentalities, as well as other key international law enforcement websites.	Operations	Operational, for continuing enhancement
16	Complaints, Referral, Action And Verification Information System (CRAIVIS)	An internet and LAN-based information system wherein the public could air their complaints and/or referrals through phone, walk-in, mail, Short Message Sending (SMS or text) and through the PNP website (www.pnp.gov.ph)	Operations	Operational
17	Geographic Information and Crime Mapping System (see note below)	Map-based system that plots exact information on prevalent crimes all over the city	Operations	Operational in selected police units

#	IS NAME	DESCRIPTION	PROCESSES SUPPORTED / MAJOR DATASETS	STATUS
18	PNP Crime Monitoring Center	To record all crime incidents and terror attacks, beginning with Metro Manila. To serve as a database of methods and patterns used by crime syndicates and terrorists.	Operations	Operational , beginning at NCRPO
	External Systems			
19	National Crime Information System (NCIS)	Aims to serve offices/units under the four pillars of the criminal justice system.	Operations	Not operational
20	ASEANOPOL Database System (ADS)	Monitors trans-national related crime incidents	Operations	Under development
21	Philippine Drug and Law Enforcement Information System (PDLEIS)		Operations	Under development

NOTES ON SELECTED INFORMATION SYSTEMS

Geographic Information and Crime Mapping System
Crime-mapping for Munti cops
by Edu Punay, The Philippine Star 10/03/2004

- The Muntinlupa City police has launched the Geographical Information and Crime Mapping System (GICMS), the country's first ever crime-clock analysis program that would prevent street crimes through faster and more systematic police response.
- City Police Chief Senior Superintendent Erasto Lim Sanchez said the P7.5-million project of Muntinlupa City Rep. Raffy Biazon has a database software system that plots exact information on prevalent crimes all over the city.
- "It shows what crime had just happened at a specific area at exactly what time. Information on the fleeing suspects would also be registered in the database," Sanchez explained in an interview with The STAR.
- Computer units have been distributed to all four precincts in the city and would be operated by a 10-man specially-trained team.
- Apart from crimes being reported to the station's tactical operation center through phone calls, they would also be immediately registered to the database map, which would be printed.
- The database map would be fed to neighboring stations, the Southern Police District, National Capital Region Police Office and national police headquarters at Camp Crame in Quezon City.
- Sanchez said the system lets them do away with hassles under the conventional system, such as busy phone lines and long dictation of information, which usually hinder pursuit operations.
- "This will go well with our Oplan Dragnet because through the map, we can easily determine where criminals are going and coordinate with appropriate stations to intercept them," he explained.
- However, Sanchez said their conventional system would not be totally thrown away "because it could still be our last resort in times of blackouts."
- The new system, he added, would also expand their current Management Information System, which is the database of criminals and records.
- Citing a sample case, Sanchez said a suspected robber under the Alabang viaduct was arrested a few minutes after the crime. Police recovered the P7,000 stolen cash and the suspect's caliber .38 revolver.
- "We are expecting more accomplishments through this new and better system," the city police chief said.
- The city has been one of the favorite working areas for criminal syndicates because its location makes it convenient for them to easily flee to neighboring cities and provinces.
- Local police officials have been demanding fro additional deployment of operatives to help them prevent crime through police visibility and faster response.

PNP Crime Monitoring Center
Metro Police Force Sets Up Crime Monitoring Center
by Non Alquitran, The Philippine Star 01/11/2005

- To further enhance its arsenal in the war against criminality and terrorism, the National Capital Region Police Office (NCRPO) established yesterday a Crime Monitoring Center (CMC) to record all crime incidents and terror attacks in Metro Manila.
- NCRPO chief Director Avelino Razon Jr. said the CMC would serve as a database of methods and patterns used by crime syndicates and terrorists.
- Razon is hoping that the implementation of suitable plans and programs like the CMC at the NCRPO's Tactical Operations Center (TOC) would enhance further police capability in solving crimes and thwarting terrorist attacks.
- "We are establishing a number of innovations at the NCRPO to enhance our crime and terror fighting capabilities. We are hoping this would contribute significantly to the maintenance of peace and order in the metropolis," Razon said.
- He said the NCRPO will focus on the implementation of the reforms and guidelines at the district, station and precinct levels with crime prevention and high solution efficiency as priorities.
- Apart from the CMC, the NCRPO will also utilize the Geographical Information System (GIS) for crime mapping.
- He said the NCRPO will use the application of computer statistics (COMPSTAT) as its main anti-crime device for timely and accurate intelligence reports, effective strategies and tactics, rapid deployment of personnel and resources and relentless follow-up operations and assessment.
- From now on, the NCRPO will be conducting regular meetings with its intelligence units to consolidate all crime reports in one central database.
- Razon said he would revive and strengthen the Barangay Information Network (BIN), wherein volunteers would serve as the eyes and ears of the NCRPO in its war against criminal groups, terrorist organizations and other domestic and internal threats to peace and order.

ANNEX 8.2
SUMMARY OF IT INFRASTRUCTURE, PNP

IT RESOURCE	UNDER PNP COMPUTER SERVICE	OTHERS	TOTAL
Servers	13	33	46
Desktop computers	68	2508	2,576
Mobile computers	4	28	32
Operating systems	Windows NT Server		
Network	Campus area network initially within the National Headquarters at Camp Crame running Windows NT server	Standalone PC's, local area networks and dial-up internet access in selected offices	
Database Management Systems	Microsoft SQL-Server 6.5 and 7.0, MS-Access for application development, MySQL for web server (see Technologies Used below for complete list)		
Development Software	Visual Foxpro, Magic Rapid Application Development		
Software	Microsoft Office 2000 and Office 97 (see list below for complete listing)		

TECHNOLOGIES USED

A. *Development Web Server*
Microsoft Windows 2003 Server and Red Hat Linux 9.0
PHP and MYSQL
Dynamic HTML
Cascading Stylesheet
Extensible Markup Language

B. *Software Tools and System Capabilities*
HTML and PHP Editing:
Macromedia Dreamweaver

C. Image Editing: Fireworks and Adobe Photoshop
Animation: Flash

D. Others:
Web Razor for graphics file optimization, downloaded trial version of HTML optimization softwares, some open source javascripts modified to suit the site

E. Database:
MS Access - for development purpose

F. MYSQL - in the webserver used in the online public forum.

G. *Design (Interface design accessibility, usability)* html, Javascript and Vbscript scripting languages were used in the development and flash for the navigation designs.

ANNEX 8.3
PNP IT MANPOWER[1]

The Computer Service is manned by 359 personnel, 162 of who are uniformed (54 PCOs and 108 PNCOs) while 197 are non-uniformed. Of this total, one hundred twenty-eight (132) are detailed with the different PNP offices/units performing programming, research, encoding and micro-computer operation work.

PERSONNEL	ACTUAL
UNIFORMED PERSONNEL	162
PCO	*54*
Organic (Hqs)	20
On Mission	30
Schooling	4
PNCO	*108*
Organic (Hqs)	61
On Mission	47
Schooling	0
NON-UNIFORMED PERSONNEL	197
In-House	142
On Mission	54
Non-Organic	1
TOTAL	359

[1] Source: Accomplishment Highlights, 23 August 2004, Computer Service, National Police Commission, National Headquarters, Philippine National PC

DEPLOYMENT OF DETAILED PERSONNEL (UNIFORMED & NUP)

OFFICE	PCO	PNCO	NUP	TOTAL
1. COMMAND GROUP				
OC, PNP		1		1
DCA		1		1
2. DIRECTORIAL STAFF				
DPRM	2	29	11	42
DRD	1			1
DIDM	2		8	10
DO	3	8	3	14
DHRDD	1	2		3
DC	1	2	1	4
DL	2		1	3
DI	1	1		2
SDS	1			1
PCRG	1			1
3. NASU				
HSS			1	1
PNPGH			1	1
4. NOSU				
TMG			1	1
CSG				
FED	1		1	2
SAGSD	1		3	4
CIDG	1	2	6	9
5. NCRPO				
NPD	1			1
CPD	1			1

OFFICE	PCO	PNCO	NUP	TOTAL
6. REGIONAL OFFICE				
PRO-CAR	1			1
PRO-3	2			2
PRO-4A	2			2
PRO-5			1	1
PRO-7	2			2
PRO-9			1	1
PRO-12			1	1
7. OTHER OFFICES				
OPASC*			1	1
PDEA			3	3
PCTC	2	1	7	10
PACER			1	1
AIDSOTF		2		
TOTAL	28	48	56	132

- Office of the Presidential Assistant for Special Concerns

ANNEX 8.4
PNP COMPUTER SERVICE ORGANIZATIONAL STRUCTURE

The organizational structure of the PNPCS is distinct and defined by the different functional areas of Information Technology (I.T.) These divisions with the different areas of concern are the following:

1. *Systems Management Division (SMD)* – Develops IT Plans for the different PNP units/offices that constitute the total PNP Information Systems Plan (ISP). It shall also implements, maintains, and enhances all developed Information Systems.

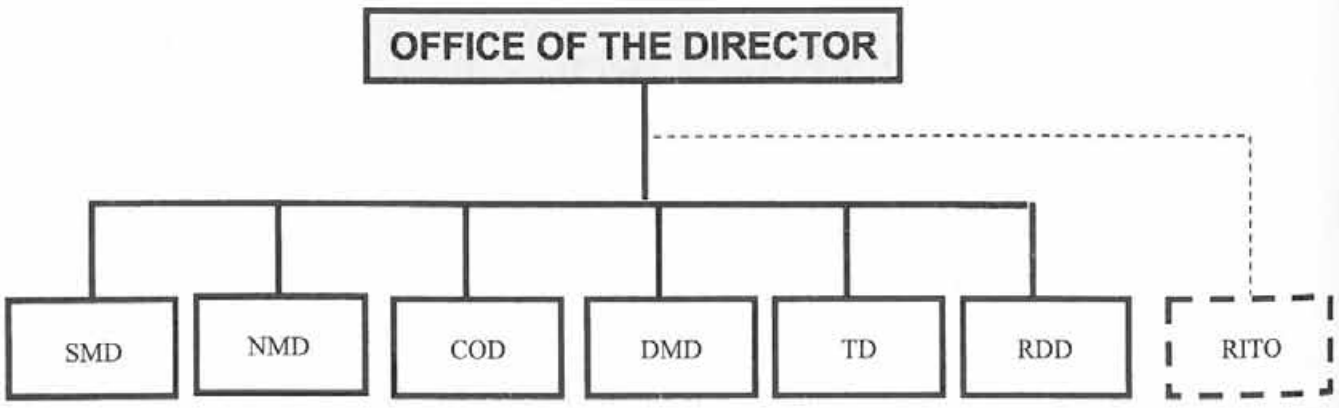
2. *Network Management Division (NMD)* - Operationalizes and manages the PNP Computer Network and supports the operation and maintenance of all PNP Information Systems

3. *Computer Operations Division (COD)* – Generates and releases the financial and management reports of the information systems maintained by the PNPCS as well as the upkeep of machine/equipment used.

4. *Data Management Division* (DMD) - Develops, manages, and maintains shareable, transferable, secure accurate, timely & relevant PNP Data / Databases and provides data preparation support and services to other PNP units / offices.

5. *Training Division (TD)* – Conducts of training courses in Information Technology (IT) necessary in the attainment of the PNP Vision and Objectives.

8. *RDD (Research and Development Division)* - Assists the concerned PNP units in the prevention and control of Cyber Crimes. Evaluates existing Information systems, Computer Resources, Network Security & approved IT courses.



LEGEND:
SMD - *SYSTEMS MANAGEMENT DIVISION*
NMD - NETWORK MANAGEMENT DIVISION
COD - COMPUTER OPERATIONS DIVISION
DMD - DATA MANAGEMENT DIVISION
TD - TRAINING DIVISION
RDD - RESEARCH & DEVELOPMENT DIVISION
RITO - REGIONAL I.T. OFFICES

ANNEX 9
PNP ISSUES/COMMENTS AND RESPONSES

1 COMMENTS DURING THE VALIDATION WORKSHOP, 12 APRIL 2005

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
OVERALL INTERNAL ADMINISTRATIVE MANAGEMENT OF THE PNP	The provided term for any police officer is already enough, there is no need to lengthen it, because there are enough measures that can be taken when there is a perceived need to lengthen an official's office.	
INSTITUTIONAL FRAMEWORK	The reform should pursue a self-administering PNP.	This is precisely what the study recommends.
POLICE OPERATIONS	The consultants may not have used the right manuals/ current manuals in their assessment.	The consultants definitely used the right manuals. All data from PNP on the study were provided by PNP.
	There is a need to improve and integrate PNP operational manuals ▪ No topics on PCR operations ▪ No topics on patrol operations The following are recommended : ▪ Codify the operational manuals ▪ Revise manual to suit present day operations ▪ Translate manuals to local dialects ▪ Prepare two manuals – one for police operations; and another for administrative functions ▪ Update PNP manuals in coordination with LGUs, NAPOLCOM, and the PNP ▪ Include in PNPO Manual the management of WCCD ▪ Develop operations manual for crime prevention, investigation and public safety activities ▪ Review the training procedures and subjects taught ▪ Design/implement training programs to immediately address changes in operations environment The manual should be made by officers and men who are really in the actual field of operations.	These are very well taken and should be inputted and should guide the subsequent phase of the Transformation program which is detail designing and implementation. Yes, the manuals should extensively use expertise of policemen who are really in the actual field of operations.
	Need to strengthen investigation capacities, especially in : ▪ Autopsy ▪ Custody of evidence ▪ Preservation of crime scenes ▪ Collection of fingerprints	This are very well taken and included in the revised report

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	The following are recommended to address political and media interventions in police operations: ▪ Make prior arrangements between PNP and media ▪ Amendment of PNP law on power of LGUs to choose COPS and Provincial Directors. ▪ PNP political and media modules to be integrated in training programs	This are very well taken and should be considered as very specific actions to be included in the detail designing and eventual implementation of the transformation initiatives.
	There is need to strengthen cooperation and collaboration with community/ public; and develop mechanisms to uphold mandate in protecting the rights of women, children, and youth. There is a need to strengthen cooperation with NGO and for the rightful accordance of due recognition to their projects and efforts to support and strengthen the police force. The following recommendations will address above issues: ▪ Revival of female matters office (Directorate for women and children) ▪ Increase capacity for cooperation with public/ community to include the conduct of dialogues with the barangay officials and citizens to address grievances; and developing police friendly generations ▪ Study the revisions of the two-tiered police system – national and local police	These recommendations are imbedded in the safer cities project initiatives which have very strong community and civil society collaboration and partnership mechanisms with the police at the local level. The recommendations are very useful in fleshing out the subsequent detail designing of the safer cities project.
POLICE RESEARCH AND DEVELOPMENT	Need to strengthen crime research and development capacity and formulation of research agenda through the following measures: ▪ Letting DRD concentrate on crime research and development and translate results to field ▪ Estimating a standard crime data processing	This is very well taken and is already contained in the study report. This recommendation should also be inputted in the subsequent detail design and implementation phase of the transformation program.
INFORMATION SYSTEMS AND TECHNOLOGY	There are currently no information systems and technologies that support administrative and financial management of the PNP.	Yes, this will be addressed in the report. The computerization program will now address both mission-critical and administrative as well as financial systems.
RESULTS BASED MONITORING AND EVALUATION SYSTEM	There is a need for post operations feedback mechanism for "lessons learned". DHRDD should fully implement its doctrine development function especially for lessons learned in operations. Feedback mechanisms must be put to place.	This idea is very useful indeed and will be incorporated in the report.

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	Merge DRD and DHRDD to handle feedback mechanisms to synthesize research and exploit lessons learned.	
FINANCIAL MANAGEMENT	Police operations are not given adequate fund support/ no support at all. This issue could be addressed by: ▪ Providing support per activity required ▪ Strengthening the station in terms of manpower, firepower, financial support ▪ Ensuring transparency in the management of finances from the headquarter level to the station level ▪ Encouraging a culture of honor	This comment is very well taken. Our assessment of the financial management system also noticed the same deficiencies and inadequacies. The reengineering of the budgeting system as indicated in the reform program formulation section of the report should very well address this issues and take this considerations in mind.
	On the perceived corruption in the PNP, the following are recommended: ▪ Policy support ▪ Implementation of the PNP Anti-Corruption Plan (AO 70) ▪ Increasing transparency in management of funds	Very well taken. A reengineered financial management system, from strategic planning, to budgeting and accounting shall be able to address all these issues. Detail design of systems will have strong integrity features imbedded in the structure of processes, reporting systems, internal controls, and information access/transparency mechanisms.
	Reforms should address issues on how financial management will operate at the station level.	Very well taken. A reengineered financial management system, from strategic planning, to budgeting and accounting shall be able to address all these issues.
LOGISTIC REQUIREMENTS	The strengthening at the station level should address basic police logistics requirements to enable them to respond adequately.	The reform on Program C - Facilities Development which aims to update the standards of police equipment and accelerate the equipping of all the delivery units of the PNP through an effective resource mobilization strategy can very well address this issue.
HUMAN RESOURCE MANAGEMENT	On the authority of CSC, NAPOLCOM and PNP CSC should not intervene in personnel administration of the PNP NAPOLCOM should be the civilian agency that will perform administrative functions over the PNP	This suggestion that NAPOLCOM be given exclusive authority for personnel administration over the PNP, leaving out in effect the CSC and the other agencies currently involved in HRM matters, is totally a deviation from the feedbacks that the consultants received during the data gathering phase of the project from PNP key informants who prefer to be rather outside of the NAPOLCOM's administrative supervision, which the study supports. The CSC, being the central personnel agency of the government (see EO 292, otherwise known as the Administrative Code of 1987), has jurisdiction over personnel of national government agencies and local government units , including the PNP which is a civilian agency, as clearly indicated in RA 6975. If the PNP is to operate as a civilian agency, it must comply with common oversight/macro HR rules and regulations across the government being prescribed by CSC. The involvement of the CSC as an independent oversight personnel agency provides safeguard against undue political interference, discrimination and arbitrary action in the PNP personnel administration. It is also consistent with

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
		international practices to have an agency that oversees the enforcement of the government merit system. As what is presently being done, the PNP and the CSC, as well as the NAPOLCOM, must continually coordinate to address certain issues that may require special consideration, and simplify personnel transaction and processes. The study on the other hand supports the idea that personnel administration for the police be given fully/completely to the PNP. This would require transfer of certain personnel functions presently being done by NAPOLCOM for the police to the PNP. NAPOLCOM must strengthen its role as a civilian oversight agency, whose primary function should be to ensure PNP's compliance to laws, rules and regulations, and policies. Related to this, undue political interference of local government executive in personnel administration must moreover be done away with, to evolve a genuine merit system in the police. The overall idea is to enable the PNP to exercise all personnel administration functions and authorities over the police, consistent with laws, rules and regulations.
	On recruitment Recruitment of police officers and non officers follow different procedures. Set the standards and process (sic) of the recruitment first.	The terms "police officers" and "non-officers" are taken to mean "police commissioned officers" (PCOs) and "police non-commissioned officers" (PNCOs), respectively, following current PNP position nomenclatures. On the other hand, "recruitment" is the process of inviting and encouraging prospective applicants to apply in the agency and so that their qualifications could be evaluated to determine if such matched the agency requirements. This process more aptly describes recruitment from the outside of the agency, and thus applies to new possible recruits. As such, we concur to the PNP comment that the recruitment process for PNCOs is quite different from that of the PCOs. Recruitment of PNCOs, is basically through the regular hiring process where new recruits are placed at lowest PO 1 position. For PCOs, specifically for positions of Inspector and Senior Inspector, recruitment is through lateral entry. We agree that policies and criteria as well as procedures for recruitment to specific position levels should be clearly established and communicated.
	Recruitment is a responsibility of the agency, the PNP. It is already integrated within the PNP so there is no longer a need for the recommendation on "integrating within the PNP of the police recruitment system." Clarify the difference between "integrate within the PNP the police recruitment system" and the "creation of an independent assessment institution for police recruitment	As clarified during the validation workshop, the use of the word "integration" in the presentation of findings and recommendations does not literally mean nor imply that PNP is not doing recruitment and selection functions. The perspective being emphasized on the use of the term is the fact that PNP's authority in hiring uniformed personnel is being diluted or weakened by the presence of many "players" in the police recruitment system. Recruitment is an internal administrative process, and no other than the PNP itself must have exclusive jurisdiction over it. "Integration" within the context of the study thus means placing in PNP full authority and final decision in recruiting and

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
		selecting individuals that will comprise the police force and the removal of external stakeholders in the recruitment process. The independent assessment institution (an idea of General Virtus Gil) in effect creates an organization outside of the PNP to screen for the PNP all applicants to the police force, using more objective assessment of qualifications, and selection procedures. This is seen to reduce current politicization of the police recruitment process.
	In recruitment, there should be an assessment center that applies or uses instruments in reviewing the applications. On the other hand, another group member indicates that the CSC and the NAPOLCOM should not create another assessment body, as they are involved in the assessment already.	The study suggests that the feasibility and practicability of outsourcing and/or tapping the services of assessment centers for the recruitment and selection of police officers be looked into. The use of private assessment centers has its advantages because these organizations are among other reasons far less subjective and non-discriminatory. The consultants do not agree with the idea that CSC and NAPOLCOM should be involved in recruitment. Their proper role should be to provide the policies, and standards that will ensure quality recruitment and to prevent corruption in the process.
	Need to re-define/ clarify the definitions used for recruitment, appointment and promotion. President is not involved in the recruitment. Recruitment and promotion of police officers is done by DILG, not the PNP	The study does not deviate from the standard definitions of recruitment, appointment and promotion in HRM. The president's appointment of police officers is a form of recruitment (by appointment) in the strict sense of the recruitment concept. The president recruits the most senior officers and then appoints the one she finally chooses. Recruitment here may be via promotion or getting a person outside of the PNP.
	The issue is not "politicized" recruitment, but weak recruitment system. Rather than review and improve/ streamline the recruitment process, this can be rephrased as "strengthen the recruitment process" in view of the opinion that these recommendations exist already in the current PNP set-up. The recommendations on recruitment should also address the vulnerabilities of the people undertaking the recruitment, rather than blaming politics for it. Demonopolize and improve the process of recruitment by involving the recruits themselves.	The consultants are of the view that the recruitment issue is both politicization and system weaknesses. The observations and suggestions have been well considered. But more than accepting what have been recommended a more detailed systems review will be required before a logical identification of the strengthening measures can be made. System weaknesses are like human sicknesses. There is a need to treat not just the symptoms but the root causes of these symptoms. Thus the recommendation to detail review and detail design is maintained. A systems review and reengineering approach considers people and not just process vulnerability. Thus the suggestion to look at people weaknesses is very important.

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	All of the recommendations on recruitment are part of the recommendation "Review and improve/ streamline recruitment processes and methodologies". Thus there could just be one recommendation for recruitment but this has to be rephrased in a manner that summarizes all of the recommendations under it.	The suggestion to involve the recruits in the recruitment process is an innovative approach that will potentially improve the integrity of the entire recruitment system and is very well taken, but the proper place for this idea is in the detail designing of the reforms.
	On placement and promotion Placement and promotion was not covered under the study	The whole discussion in the report on personnel hiring, basically through the processes of recruitment, selection and appointment, has its ultimate objective of placing and installing "newly procured" individuals in intended organizational units and capacitate and build them into a productive police force. The study likewise covers deployment and transfer as personnel movements. Promotion is another topic areas thoroughly discussed.
	On career progression Horizontal progression is not applicable to the police and therefore the recommendation to provide equal and wider opportunities for both horizontal and vertical career progression is partly applicable. Need to define the terms used, specifically the meaning of horizontal career progression	Horizontal and vertical career progression has been discussed in pages 6-44 to 6-45, Para 5.3.1 to 5.3.4 of the report, including the advantages of having such two-track career pathing scheme and a general description on how each would work. Simply speaking the vertical career path allows policemen who want to be police administrators to rise along the managerial hierarchy. The horizontal path allows policemen who want to pursue higher level expertise in specialized fields can progress along the horizontal path. The horizontal path is, in other words, the specialist/scientist path. These approaches are intended to distinguish and design a separate career path for the police managers from that of the police specialists, both to be ultimately providing the means to achieve a police officer's fullest career objective in the organization. A police officer whose competencies are in the field of specialized or thematic police expertise (such as ballistics, crime scene investigation, forensics, etc) could instead advance his career as a Specialist with corresponding salary adjustments as he moves further the horizontal path as first level specialist, second level specialist, third level, fourth level, and so on.
	On appointment system There is a need for an extensive review of the appointment system and its effects on the internal management of the PNP.	This is a welcome suggestion to improve the HRM police system. The issues that affect the police HRM and the different dysfunctions presented in the study on each component of the system are expected to be addressed under the succeeding efforts of designing a seamlessly integrated and streamlined human resource management system for the police.

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	On police pension and insurance Reforms for the pension and insurance of the police officers are already being undertaken by the PNP.	This information has been well noted and inserted in page 6-107 as a footnote 125.
	On rights and service requirements of police officers There is a need to protect the rights of police officers as well. Need to support police in terms of legal assistance especially when they incur cases as a result of the conduct of police operations Inadequate medical assistance to wounded PNP personnel	The study supports the recommended measures on the rights of police officers and their needs for assistance, especially legal and medical services. The whole Section 3, Chapter 6 of the report actually deals with factors that will motivate the police, including the need for appropriate compensation package, benefits, retirement pay, incentives and rewards, as well as the need to address police stress. Police officers interviewed under the project are one in forwarding their concerns primarily on the need for legal services as most of them have to shoulder the cost for attorney's fees and other incidental expenses like documentation requirements and fare cost.
	On police training The training functions for police personnel should not be integrated to the PPSC. o It runs contrary to the recommendations set in the pending bill to Congress, which proposes the training function should be returned to the PNP o PPSC is working on a tight budget, and can only train a given number of police officers. Thus there is a need to farm out the training function to other institutions of PNP o PNP's operational requirements is not addressed by the PPSC o The PPSC's budget constraints adds to the backlog on training o Training is a function of command, and hence it would be best for PNP to train its own people o The PPSC is accountable for training the students, however should there be a foul up, the PNP is blamed for this. o The PPSC handles preparatory or basic courses, the PNP still handles most specialized courses. It is also argued on the other hand by some members of the group that PPSC just needs the corresponding institutional strengthening and adequate resources, but should, as its legally mandated to, carry out all training functions for the police.	Training and education is one area where the validation participants were divided in opinion and position on the suggested reform directions. On one hand, there are those who were not in favor of integrating all training functions for police officers in PPSC. On the other hand, there are participants that recommended the strengthening of the PPSC as a training institution for the police. While the study supports the latter, the position and justifications on the non-integration of all police training programs in PPSC have been significantly taken into consideration. But the training function of the police is not within the mandate of the PNP. It is clearly within the mandate of NAPOLCOM (to provide policies and define requirements) and the PPSC. The argument for integration stands and is anchored on specific perspectives such as achieving coherence in the entire program, improving efficiency, and improving administration.

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	On police image and credibility The positive image of the police should be projected more, and the police must live to this positive image. The focus of the study is more on attaining effectiveness and capacity, but less on improving the credibility of the police. Reforms should focus on increasing public participation and credibility building for the police.	The study tackles the issues on police image (page 6-27, Para. 5.1.1.-5.1.6). Both good and bad image are projected by media, although there are general sentiments from most of key police informants that the media seems to downplay police good work and report more on poor performance. The study posits that good work, integrity and quality performance that can be seen and appreciated by the public will help in projecting a good police image. People's feedback generally serves as an indicator on the quality of police services. The need at this point is to transform the biases of certain sectors in the society against the police into positive impressions, that is, projecting them as well-dependable and reliable police force. Institutional strengthening and individual police capacity enhancement are among the positive measures in attaining such necessary credibility of the police.
REFORM PROGRAM MANAGEMENT AND IMPLEMENTATION	Some recommendations are beyond the PNP, and would require legislation. Consultants should segregate the doable recommendations from those that will require Congressional interventions	The programs are organized in accordance with major reform areas. The Instrumentation of implementation (whether by legislation or other enabling instruments) will not be guiding factors logically organizing the reforms, but are useful considerations in the programming of the reforms. These will be the concern of the detail design process.
CLARIFICATIONS	There is a need to define "internal security" before recommendations on the development of internal security can be developed.	This is well taken. Internal security here is considered to comprise of issues that are non-defense (concern of DND) in nature.
	The reform recommendation on "contractual relationship" between the PNP and the local governments needs to be clarified by the Consulting Team.	This is well taken and is inputted accordingly.
	Issues on the statements, need to rephrase the following statements: ▪ Inequity in resource distribution ▪ No tracking of resources-financial and physical ▪ No strategic planning activity The recommendation on the rephrasing of above statements is as follows: ▪ Inequity in the distribution of *some* resources ▪ *Less* tracking of resources – financial and physical ▪ *Lack of* strategic planning activity	This are all very well taken and are inputted accordingly.

2. PNP COMMENTS THROUGH VARIOUS COMMUNICATIONS ENDORSED BY DPRM TO CPRM ON 02 MAY 2005

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
INSTITUTIONAL FRAMEWORK AND PNP'S INTERNAL MANAGEMENT AND STRUCTURE	DHRDD: On the issue of duplication of functions DPRM is in-charge of personnel placement and records management-that alone is a gargantuan task that needs its full attention. DPL and DRD are in-charge of long term development for the PNP as a whole – they adjust their concerns when policy initiatives in the National Government changes or shifts. DHRDD is concerned with providing the country with the PNP's best resource, the ideal Filipino Officer. Each directorate complements each other; they could never assume each other's functions without resulting in bediam. Even the CSC has its say on the importance of HRD and the need to separate it from other divisions, as stated in Sec. 6 Rule VII Career and Personnel Development Omnibus Rules Implementing Book V of EO 292: "Each department or agency shall have a human resource development created or a staff assigned solely for the purpose of attending to the agency's human resource development functions, activities and requirements" XXX "It shall have a training staff, which shall be supported by all supervisors in establishing a continuing program for the development of the agency's personnel" Based on the definition of HRD in the Philippine Labor Code, it did not include personnel placement, promotion, and record keeping as part of HRD functions. It says that "HRD refers to the process by which the actual and potential labor is made to systematically acquire greater knowledge, skills, or capabilities for the nation's sustained economic and social growth." The CPRM has repeatedly stressed the existence of duplicating functions or role between PNP Directorates and support units. Notable mention are the DC and the FS, the DL and LSS, and the DHRDD and DPRM. While in fairness to CPRM, it did not overtly mention the abolition/ merging of these offices in their recommendations, still, their repeated mention of "reorganization" and "reconstruction" bodes that major changes may be forthcoming . The	These comments are all very well taken but does not change the perspective and recommendations of the consulting team. An analysis of the institutional framework for human resources development which supports the recommended organization changes are presented extensively in the report.

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	DHRDD is further disturbed by the fact that CPRM have floated the idea of a merged DHRDD and DPRM during the several consultants conducted with this Directorate. They based their assumptions on management theory that HRD functions, doctrine development, and personnel administration can be placed under a single Department, so more policemen will be available for "actual" police work. The same experts deplore the alleged duplication of functions of several key PNP units which leads to bureaucratic red tape. The key therefore, is to downsize the administrative aspect of the PNP organization and increase its operational capabilities. The DHRDD contends that this is a flawed argument and does not apply in this particular situation. Merging two directorates will not decrease red tape; it will create a massive centralization of functions and convergence of power which all notable government institutions are trying to avoid. The proposed "super directorate" known as the Directorate for Human Resource Management will be inundated with all the tasks and responsibilities of the 2 directorates resulting in massive decrease in efficiency, manpower exhaustion and loss of focus/ orientation. One must realize that the PNP is not a profit oriented organization wherein the fewer departments, the better cost to service ratio. Likewise, history has demonstrated time and again that the concentration of too many powers in a single entity tends to lead to graft and corruption. The DHRDD and DPRM complement each other by providing check and balance to their functions. It is acknowledged that response ability or operational readiness is defined by the organization's level of training and proficiency – the mandate of the DHRDD. By abolishing the DHRDD, you lose a mechanism which can affect a PNP member's performance in real time, and that could ever yield real significant results of our personnel are not provided with the necessary training to accomplish the mission. Failures in police training and education naturally result in failed police operational objectives, and dissatisfied public expectations.	

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	DHRDD: CPRM contents that graft and corruption exists in the PNP because (a) it is organized and (b) its is rationalized. It is hard to comment on organized corruption since it is Catch 22 situation – whatever statement the PNP will make will be deemed as self-serving, biased, and unsubstantiated. However, when the CPRM insists that corruption is rationalized by the organization – a sort of "force majeure" situation because PNP personnel are underpaid and underprivileged – then it becomes debatable. First, they based their assumptions again on a number of interviews, which is second-rate information. Second, their analysis clearly delineates the rank and file as major source of corruption, while extolling the virtues of the managerial and supervisorial policemen. While the DHRDD is thankful for this analysis, still the question is: What was their basis for this assumption? Second, it conflicts with their initial assessment that PNP corruption is organized.	
	DO: The PNP is burdened by so much supporting role in the enforcement of special laws, like traffic management – the MMDA have their traffic enforcement groups, plus the traffic personnel of the LGUs There must be a clear delineation of functions and responsibilities between the police and the other government agencies.	This is one of the major issues discussed in the PNP. This is very well taken indeed.
	DO: As the draft implies weaknesses on internal PNP structure which finds that Task Forces on Terrorism and other Task Forces are well so oil funded, which prejudices the other PNP operational units. Strengthening the police station in terms of manpower, logistical and other resources, because it is the local police unit which is best able to prepare for and implement strategies specific to the needs and concerns of the localities, and a principal implementing arm of the PNP campaigns; strengthen crime research and investigative techniques down to the public stations; establishment of COMPACTs at all barangay levels nationwide; PNP reorganization	

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	DO: Other issues and concerns include: ▪ Political and media intervention ▪ Training design of PCOs/ PNCOs adaptable to present environment ▪ Publication of lesson learned to all PNP units.	
	DPRM: (Referring to p.4-23, paragraph 4.3.3 "Since the directorial staff offices undertake management of delivery functions it has created an informal command structure that duplicates with the regular line of authority of the PNP") The C,PNP exercise the principle of management called delegation of authority. Thus, the need of Directorial Staff. (PNP is 120,000 strong police force) So with Regional Directors – regional staff functions are delegated functions.	
POLICE OPERATIONS	DIDM: The draft final report's assessment that "only minor importance is given to women's and children's rights and protection," that "the PNP has not substantially operationalized the legislative mandate of upholding the rights of women and children" and that there is "no training for women officers manning women's and children's desk should be reviewed in the light of the following humble accomplishments of the WCCD of DIDM: ▪ 1,782 women's and children's desks are already established ▪ 2,462 women police officers are presently assigned to the different women's and children's desk ▪ 108 participants benefited from the series of UNICEF funded training on the investigation of crimes involving women and children from February to September in 2004 gaining them not only knew knowledge but also greater appreciation of the important work of the women's and children's desk officers ▪ 231 participants benefited from the series of UNICEF re-echo training conducted in different areas from July to October 2004 ▪ 607 participants benefited from the 5 day module on the investigation of crimes involving women and children integrated in the Criminal Investigation and Detective Development Course (CIDDC) offered by the PNP Detective School from March to December 2004 ▪ WCCD through DIDM also maintains vital partnerships with other entities yielding the following positive results:	This is very well taken. The report will be toned down to reflect specific rather than generic problem pertaining to the issue on women and children.

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	training for medico legal officers on the examination of victims of sexual abuse conducted in collaboration with UP and the Child Protection Unit Networks, Inc.; and a training on investigative techniques for the PNP through the DOJ-UK Plan of Safeguarding Children from Commercial Exploitation and Sexual Abuse. ▪ A Training Manual on the Investigation of Crimes Involving Women and Children was launched in 22 November 2004 ▪ A Manual on Taking the Sworn Statement of Children, promoting a child friendly investigative interview, was launched 8 November 2004 ▪ WCCD of DIDM also directed all PROs to install separate investigation rooms and to take an active role and cooperation with their DSWD counterparts in the regions for the establishment of the present 196 Rape Crises Center in every city and provincial hospital as mandated under RA 8505 or the "Rape Victims Assistance and Protection Act of 1998" ▪ The Chief WCCD, DIDM represented the PNP in international forums such as International Police Executive Symposium; Regional Wokrshop on Professional Police Training, ; Asia Pacific Policy Forum in Human Trafficking and Exploitation of Women and Children in the Philippines; International Law Enforcement Academy ▪ A Fil-Am offender was arrested in California on 4 November 2004 for possession of 3 memory stick of computer containing pornographic materials suspected to be perpetrated in the Philippines.	
	DIDM: The draft final report's assessment that "there is little appreciation of the importance of warrants of arrest" should likewise be reconsidered in the light of the recent DIDM reminder to all lower police officers to observe the (mentioned) categories in their validation of warrants of arrest.	The report refers to the application of the rule by policemen in police stations rather than the aspect of policy and rule formulation.
	DPRM: p.7-13: The Philippines has the lowest recorded crimes per 100,000 population "COPs are not reporting some crimes for fear of being relieved from service"	

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	DHRDD: On Chap.5, Sec.5.1.13: "The Handbook and all rules and procedures that will be used by the policemen in the field should be translated into major dialects" – It has been proven that the bilingual policy in the Philippine education has been one of the major causes of the deteriorating academic standards and performances of our youth. Furthermore, poor English language proficiency have prevented numerous individuals from acquiring new knowledge and technology transfer since most modern books and manuals are written in English The PNP should be spared from this bilingual circle of ineptitude by insisting that all manuals should be written in English. The CPRM should realize that most PNP personnel are college graduates and thus are expected to have a modicum of English skills – lowering the standards to benefit the few is not a good policy.	
	DO: The draft does not contain extensive discussion on Patrol Operations, which is the backbone and the most important component in any Police Organization, because, Patrol is the direct contact with the public. Topics such as police beat, walking the beat, patrol strategies, neighborhood watch, police plans and operations, ethics in law enforcement, basic concept of patrol, handling calls for service and others. Lift some points or topics about police patrol operations on the book of Mark and Miller, and also the manual *Police Operations and Basic Police Responsibilities in the Philippine Society* by Prof. Basilio G. Cael. They are available at the PPSC library	
	DO: The proposed reformulation of some Master Plan like SANGBANAT – as this was transferred and implemented by PDEA. That out of the PNPs six masterplans: SANDIGAN, SANGINGAT and SANDUGO, which are primarily refers to PNP mission and functions, the others SANGBANAT, SANGYAMAN, and SAKLOLO are only supportive roles. The Masterplans must give emphasis to PNP operational plans and programs as crime prevention and suppression, maintenance of peace and order, and enforcement of laws, at which the functions and strategies of the PNP are defined, categorized and prioritized; and	

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	improvement on updating of Masterplans, LOIs and other PNP Operational Manual.	
	DO: There is no discussion or topic about police community relations, which is also very important. Topics such as PCR in C.O.P.S., PCR in CJS, PCR in Quad concept of police operations, conceptual framework of PCR Masterplan, Crisis Public Relations, PNP Transformation Program and others. Recommendation: Coordinate with TDPCR and PCRG	
HUMAN RESOURCE MANAGEMENT	DPL: On career development of NUP The concerns of NUP on the lack of career development program, equitable dispensation of benefits and privileges, etc. were not discussed in the report. (DPL)	We concur with the observation that the concerns for the career development of non-uniformed personnel (NUP) have not been covered in details in the report, inasmuch as the focus of the study is on the 95% of the total PNP personnel, who are the police officers, considering the relatively complex and significant issues that affect their performance and productivity of the total police force. The regular CSC rules and regulations and policies on HRM are strictly applied to NUPs, and thus their problems are most likely those that are commonly/similarly shared by the rests of government employees that require bureaucracy wide responses. The internal personnel-related problems of the 5,900 NUPs assigned nationwide (5% of total PNP personnel) may be well assessed as part of the day-to-day supervisory responsibilities of the heads of the units where they are assigned.
	DIDM: On lateral entry The report that lateral entry is a source of demoralization among PNCO ranks should be reviewed vis-à-vis an appreciation of the statutory mandate for the PNP to provide "legal assistance to any member of the PNP before the Prosecutors Office, the court, or any competent body, a charge or charges arising from any incident which is related to the performance of his official duty" (Sec. 49, RA 6975; Sec. 56, RA 8556). The lateral entry of lawyers into the PNP should, in fact, be encouraged in order that adequate legal assistance may be extended especially to those PNP members facing mere harassments cases.	The study supports the continuance of lateral entry. In fact, it suggests the possible expansion of the system to include even the PNCO levels. Please page 6-64, Para 6.6.5 to 6.6.9 on discussions and inclusion of the DIDM comments.

SUBJECT	PNP COMMENTS/RECOMMENDATIONS	CONSULTANTS' RESPONSE
	DI: On education and training It is observed that the report focused on recruitment, selection, appointment and disciplinary mechanisms to include training, its quality compared to quantity. Its suggested reforms need amendment of the law and require a development plan and target-setting for the purpose. CPRM's review of the institutional framework for education and training, assessment of the quality, relevance and performance of the police education program in supporting the core competency and continuing competency development are well discussed. <u>Page 6-40, Para 5.1.5 (DPRM)</u> Training and education opportunities should be properly distributed and perceived "elitism" by some units/offices should be eliminated.	These comments on the training and education component of the study are well noted and accordingly considered in the reform directions.
	DPRM: On competency framework <u>Page 6-40, Para 5.1.3</u> Competency framework should further be explored as to the type of functions of units (specialization) and overall police work (general). Basic police competency required must be, as follows: ▪ Must know how to conduct police patrol ▪ Investigate ▪ Know some interventions techniques like how to arrest, shoot, fill up forms like investigation, complaints, etc ▪ Communicate As he goes up the ladder, he should be able to write reports, supervise, plan, etc.	These specific comments and suggestions of the DPRM have been included on page 6-40 of the final report as 5.1.4. Thus, the corresponding number of succeeding paragraphs was adjusted accordingly.
	DHRDD: On retirement age Increasing the mandatory age from 56 to 65 might not be applicable to PNP. Will a 65 year old officer will be able to still cope with the physical, mental and emotional requirements of his job? Will extending mandatory retirement age enhance organizational productivity or will it prevent the infusion of "fresh blood" into the system"	This is indeed a sensitive matter as far as the police is concerned especially since they did not approve a proposed bill introduced during the 12th Congress related to the extension of the retirement age of police officers. On the other hand, the study finds the age extension proposal technically meritorious. The recommendation to extend the retirement age for police officers is related to the dual career progression system which is also being proposed as a reform direction for the police. The age extension for retirement is however applicable only to the police managers who will follow the vertical managerial career path and the police scientist positions that will not be involved in physical engagement.

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		Considering the need for physical agility and strength for policing work, police officers who would not make it to the managerial path or the specialization path, a study can be further made on retiring such police officers even at age earlier than 56 so that they would have opportunity to find work outside of the police system.
	DPRM: On approving authority of NAPOLCOM Para 8.2.3 Revise totally – promotional examination by NAPOLCOM – please refer to qualification standards Page 6-68 Promotional approval by NAPOLCOM not required except on special promotion	Section 21 of RA 8551 which amends Sec. 32 of RA 6975 provides that the ...."National Police Commission shall administer the entrance and promotional examinations for policemen on the basis of the standards set by the Commission". NAPOLCOM Memorandum No. 2001-2005, Amending NAPOLCOM Memorandum Circular No. 99-013 dated December 15,1999, entitled "Clarifying the Scope and Extent of the National Police Commission's (NAPOLCOM's) Power of Administrative Control and Operational Supervision Over the Philippine National Police (PNP) Under Section 14 of RA 6975, As Amended", on Personnel matters, is moreover explicit on its provisions on the approving authority of the NAPOLCOM on the list of appointees for both recruitment and promotion to the rank of PO1 to Deputy Director General prior to the issuance by PNP and attestation by CSC of their appointments. Such approving authority specifically includes the following: (a) annual recruitment and promotional quota; (b) composition of the screening committees; (c) list of projected appointees to PO1 to SPO4 positions; and (d) list of lateral entry and promotional appointees to the rank of Police Inspector to Deputy Director General. As stated above, the approving authority of NAPOLCOM is not limited to special promotion, but even to the regular promotion of police officers.
	DPRM: On pension fund RSBS or Pension Fund to be created – there will come a time that government could no longer support the retirement benefits/pension of PNP which is being included in the GAA; the retirement/pension system of PNP is non-contributory .	This comment, which the study shares with the DPRM, is indeed a matter of urgent concern for the PNP. (Please refer to the discussions on separation and retirement on pages 6-102 to 6-108 that tackles the issues on the matters.)
	DPRM: On additional inputs and recommendations Page 6-40 to 6-43 Proper job classification and designation. P/Supt to PO1 can be designated as Chief of Police (PO1 in ARMM) resulting to non-distinction of position. (Also observed in technical units in CL where PO1 to P/Supt are performing functions	These relevant additional comments from DPRM are reflected in the final report on page 6-42, Para 5.2.3 and 5.2.4.

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	of forensic examiners due to minimum requirements of court as to passing the required board exams and training). Gender issues – only fourteen (14) female PCOs or 2% are designated as Chief of Police in all offices where policewomen are relegated to clerical duties and those considered "women" jobs. Page 6-60, Para 6.5 Outsourcing services for recruitment and selection as an alternative. – Could be possible or strengthen our screening process. Psychological and neurological/psychiatric findings not optimized or not being used to determine the potentials, character, traits and aptitude of applicants. This information is not reflected in the report from the Health Service (HS). The PNP can provide this data from applicants and database could be established.	These important additional inputs are reflected in the final report on page 6-62, Para 6.5.3
FIN ANCING THE PNP AND FINANCIAL MANAGEMENT	DPRM: p.7-63: (45% - distributed by collecting units) No discussion; such scheme is not effective. The expenditure must be need-driven and not unit-focused. This is the reform we need!	This comment is very well taken. Page 7-63 refers to the policy of the PNP on Trust Receipts collection. While we agree to the fact that the expenditure must not be unit-focused, we also firmly believe that the collection of Trust Receipts of the PNP shall be included in the overall financial resources of the PNP that must be budgeted and expended properly using reengineered budgeting system.
	DPRM: p.7-70 ("There is a lack of transparency...") – Then how do we go about this? How do we address the issue on "conversion" as raised in the four FGDs in Phase 1 of the project.	The transparency issue on the financial management of the PNP will be addressed in the reengineering of financial management system which is part of the Medium-term Public Investment Program.
	DRD: Under paragraph F-2.1.15 also stated in Project E.2 (23) on the "Deficiency of the PNP Budget System" mentioned is about disjointed budget process particularly deficiency in the function of and competency of support system for police stations. Our lowest PNP units particularly PCPs are ill- equipped, and at times lack the much needed administrative, operational and investigative equipment for their use. This renders our station prone to corruption by sourcing funds even from illegal sources to augment the needed material and logistical requirements. The budget process on the OPB which is prepared at the regional level must be prepared by the lowest police unit on how it should allocate its operational fund.	This comment is very well taken. Our diagnostics study has also pointed out the same issues. Thus, we recommend for a reengineering of the budgeting system of the PNP. The reform recommendation of DRD shall be taken into consideration when the design of the reengineered budgeting system will be conducted.

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	DPL: The GOP counterpart amounting to P415.7 million could also affect the program. This counterpart has to be approved and included in the PNP's annual budget through congressional action/ legislation.	The counterpart is not in the form of fresh budgetary provision but in the form of the money value of counterpart resources and services provided such as office space, use of equipment, staff and officials' time.
OTHER ISSUES	DHRDD: However, a careful evaluation of the submitted Draft Final Report by this Directorate has revealed some inconsistencies which may affect the reliability and accurateness of the data within. Most glaring is the tendency of CPRM to rely on second-hand information (i.e. interviews with unnamed PNP personnel) instead of going after primary sources. This practice has relegated some of their conclusions as mere heresay and will not pass academic scrutiny.	The issues and comments on the HRM component of the diagnostics study and recommended transformation directions under the PNP study have been well taken and considered in the finalization of the report. It may be noted that some of the issues and comments made on the report are consistent with the key findings and recommendations contained in the study. However, there are also a number of divergent ideas, which are either seeking clarifications or suggesting alternative courses of actions for which brief responses are presented in this document and in the final report, in the form of clarification and supplemental information. Human resource management (HRM) is a touchy area in the PNP where substantial divergence of opinions/views is expected. The sheer size of the PNP organization in terms of personnel, its historical development, the impact of personnel policies, processes, resources and institutional arrangements on the performance of the police, and the interplay of the police with their external environment, result in such large divergence of opinion The approach we adopted under the project is not to eliminate such divergence, but basically to (a) present, capture, pinpoint and document the different concerns and issues on HRM highlighted during consultations with key informants from the PNP and other point persons and from review of official PNP documents and researches; (b) study various approaches, strategies and tactics that may be adopted to address the identified issues and concerns, and present their positive and negative implications in reforming the PNP; and (c) formulate a set of core reform directions that the PNP may pursue to improve its HRM system, among others
	DHRDD: On Chap.5, Sec. 3.2.15 stating "Rule 11 does not provide for the giving of Miranda warnings to persons arrested pursuant to a warrant of arrest" On the contrary, there has been a supreme effort among all PNP units to emphasize the need to issue Miranda warning before arrests. It has become standard procedure for PNP personnel to "memorize" the Miranda warning since it has become public knowledge that cases can be dismissed on the mere failure to inform a suspect of his rights – a legal technicality.	The report here does not question the rule but has reported on the practice in the field which points to issues in rule implementation. The report is not meant to be critical. It is meant to present perspectives and information that will hopefully enable the discovery of issues that need to be addressed.

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	Finally if CPRM bothered to read carefully Rule 11 of the same PNP Operational Procedures, they would have realized that the Miranda warning is incorporated in Sec. 6, which details the "Duties of Arresting Officer in Case Without Warrant." Granted that there was an oversight in the drafting of the PNP Operational Procedures when it comes to proper procedures during arrest made with warrants, it does not mean the practice of giving Miranda warnings is not institutionalized in police procedures. It is also highly irresponsible and nitpicky for CPRM to assume that PNP operations are below par simply because of a typographical error, a misprint, or a deletion. The bottom line is" PNP personnel are aware of the importance of the Miranda warning. On Chap. 5, Sec. 3.2.3: "Some police stations indicated that their reports were changed at the Central Office to depict a better peace and order situation" – This is a sweeping and reckless generalization. The CPRM must be required to present solid evidence to back up these claims, since this constitutes a major criminal activity. On Chap.5, Sec. 4.2.17: "According to one station commander, there are no specific guidelines for police operations, and he noted, in Tagalog ' Kung meron man, nakatago lang yon sa library ng PNP'"- The PNP Command Library has a complete and detailed list of all manuals and handbooks it has disseminated over the years to all police stations in the country.	
	It is unfortunate that the CPRM accepted the above quoted observation from an unnamed station commander as factual without even bothering with Command Library's records. Worse, CPRM even managed to use this statement as basis for their hypothesis that police operations are "inadequate" and "non-existent." The manuals and training programs.	
	DPRM: Presentation of the SC PMO more comprehensive (analysis limited – served only as another input to the study)	

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	DPRM: Crime statistics was not properly explained/ analyzed for good anti-crime campaign/ measures	The crime statistics was not presented for the purpose of anti-crime measures but for the purpose of providing a context within which the institutional review and program identification were made. Specific anti-crime measures relating to statistics will be the concern of the next phase of the transformation program.
	DPRM: 34 agencies identified to perform police functions or functions relative to police functions were not identified.	The agencies are in fact enumerated in the report.