MEMORANDUM CIRCULAR

TOPC
TREATMENT OF PDL WITH SPECIAL NEEDS

SUB-TOPIC
Treatment of Senior Citizen Persons Deprived of Liberty

1.0 REFERENCES

a. United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules);
b. 1987 Philippine Constitution;
c. Republic Act No. 10645: An Act Providing for the Mandatory Philhealth coverage for all Senior Citizens, amending for the purpose Republic Act No. 7432, as amended by Republic Act No. 9994, otherwise known as the "Expanded Senior Citizens Act of 2010";
d. Republic Act No. 9994: An Act Granting Additional Benefits and Privileges to Senior Citizens, Further Amending Republic Act No. 7432 as amended, otherwise known as "An Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits and Special Privileges and for other purpose";
e. Republic Act No. 9257: An Act Granting Additional Benefits and Privileges to Senior Citizens Amending for the Purpose Republic Act No. 7432, Otherwise known as "An Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits and Special Privileges and for other purpose";
f. Republic Act No. 7876: An Act Establishing A Senior Citizen Center in all cities and municipalities of the Philippines, and appropriating funds therefor;
g. Proclamation No. 470 dated September 26, 1994, re: Declaring the First Week of October of every year as Linggo ng Katandaang Filipino (Elderly Filipino Week);
h. Republic Act No. 7432: An Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits and Special Privileges and for other purpose; and

2.0 RATIONALE

It is the declared policy of the State to give full support to the improvement of the total well-being of the elderly and their full participation considering that senior citizens are integral part of Philippine society, to recognize their rights as senior citizens, and to motivate and encourage them to contribute to nation building.

As of December 2018, a total of 3,169 or 2.32% of the total PDL population are aged 60 years old and above. PDL who are senior citizens are classified as vulnerable groups because of their advancing age and its impact to their well-being. Consequently, they can be prone to abuse. In terms of health, their advancing age increases their risks to illnesses,
thus demand more attention. At present, there is no existing policy of the Jail Bureau as to their proper treatment, specific and standard programs and services for them, and continuity of care.

This policy will not only safeguard the senior citizen PDL in jail units but more especially to promote active aging, ensure their access to services, maximize their societal contributions, and enlist the widest participation of families and communities towards the welfare of senior citizen PDL in keeping with the declared policy of the State for Senior Citizens.

3.0 OBJECTIVES

This policy aims to:

3.1 Promote the total well-being of senior citizen PDL by formulating and facilitating interventions/activities specific to them;

3.2 Provide avenues for senior citizen PDL to showcase and share their talents and expertise to fellow PDL and to the jail community;

3.3 Establish mechanisms to ensure the access of senior citizen PDL to various mainstream programs and services for senior citizens under the Senior Citizens Act and other administrative issuances;

3.4 Encourage families and the communities to reaffirm and apply the valued Filipino traditions of caring for senior citizens;

3.5 Create sustainable partnerships with government, non-government, people’s organization and other stakeholders for the improvement of the welfare of senior citizen PDL and in preparation for their eventual release to the community; and

3.6 Assign roles and responsibilities in the implementation, monitoring, and evaluation of this policy.

4.0 DEFINITION OF TERMS

4.1 Office of the Senior Citizen Affairs (OSCA) - refers to the office established in cities and municipalities under the Office of the Mayor headed by a senior citizen.

4.2 Person Deprived of Liberty (PDL) - refers to a person under the custody of BJMP.

4.3 Regional Welfare and Development Division (Regional WDD) - refers to the division at the regional offices in-charge in the monitoring of the implementation of welfare and development programs.

4.4 Senior Citizens’ Act - refers to R.A. No. 7432, as amended by R.A. No. 9257, R.A. No. 9994, and R.A. No. 10645.

4.5 Senior Citizen or elderly - refers to any resident citizen of the Philippines at least sixty (60) years old.

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4.6 **Senior Citizens Center** - refers to the place established by Republic Act No. 7876 or the Senior Citizens Center Act, with recreational, educational, health and social programs and facilities designed for the full enjoyment and benefit of the senior citizens in the city or municipality accredited by the DSWD. It can be any available structure, a spacious room in a private or public building, a room attached to a community center, a barangay hall or chapel.

4.7 **Senior Citizen’s Identification Card (SC ID)** – refers to card issued by the OSCA for the availing of benefits and privileges under the Senior Citizen Act, to be presented by the senior citizen, or his/her duly authorized representative as proof of eligibility and which shall be honored nationwide.

4.8 **Senior Citizen PDL (SC PDL)** - refers to a PDL who is sixty (60) years old and above.

4.9 **Social Pension** - refers to the monthly stipend amounting to five hundred pesos (P500.00) to augment the daily subsistence and other medical needs of indigent senior citizens, subject to review every two (2) years by the Presidential Coordination with the DSWD (AO No. 15, Series of 2010, DSWD).

5.0 **PROCEDURES/DETAILS AND GUIDELINE PROPER**

5.1 **GENERAL GUIDELINES**

5.1.1 Senior citizen PDL shall be treated with utmost respect and shall not be discriminated against by reason of their advanced age.

5.1.2 Pursuant to the declared policy of the State to motivate senior citizens to contribute to nation building, all senior citizen PDL shall be encouraged to participate in the different programs and activities in the jail. Likewise, any capable senior citizen PDL, subject to jail rules, shall be allowed to render services to fellow PDL which shall consist of, but not limited to providing tutorial services in relation to the ALS or educational program of the jail, actual teaching and demonstration of income generating skills and giving lectures on special fields/areas of his/her expertise. Corollary, all senior citizen PDL who rendered such services shall be granted their corresponding time allowances.

5.1.3 In designing programs/projects/interventions and in the actual implementation of the same, the special needs of senior citizen PDL shall be taken into consideration. Confidentiality, whenever required, must be respected.

5.1.4 All generic programs and services currently provided to the general population of PDL shall also be provided to senior citizen PDL by adjusting the manner and frequency of implementation to cater to their special circumstances.
5.1.5 Awareness of the rights of senior citizens is not for the senior citizen PDL only but for everyone, hence orientations and other informative activities on senior citizen rights should include all BJMP personnel, PDL, and visitors coming into the jails.

5.1.6 Senior citizen PDL must be granted 20% discount in the purchase of goods in our commissaries/cooperatives as per Section 4(a) of R.A 9994.

5.1.7 Each jail unit has to prepare a master list of its senior citizen PDL following the prescribed format in Annex A. This master list shall be updated monthly and reported to the Regional WDD on a monthly basis. The Regional WDD, in turn, shall submit a consolidated quarterly master list of senior citizen PDL to the Directorate for Welfare and Development.

5.1.8 The jail WD Officer shall be charged with the responsibility of informing the senior citizen PDL of their rights and responsibility under the Senior Citizens Act. For this purpose, the jail WD Officer may coordinate with the OSCA or the City or Municipal Social Welfare Office in the locality.

5.1.9 Each jail unit is enjoined to coordinate with the OSCA and Senior Citizen Centers nearest their respective jails to facilitate access of senior citizen PDL to the various mainstream services for senior citizens.

5.1.10 Each jail unit is encouraged to widen its linkages with other sectors in the community for advocacy, resource mobilization, and synchronization of services for senior citizen PDL.

5.2 PROVISION OF PROGRAMS AND SERVICES SPECIFIC FOR SENIOR CITIZEN PDL

5.2.1 Acquisition of Senior Citizen Identification Card, Purchase Slip Booklet, and Social Pension

To guarantee the access of the senior citizen PDL to the mandatory assistance, privileges and services under the Senior Citizen’s Act, as amended and other local government issuances, jail WD Officers shall endeavor to facilitate the application of senior citizen PDL for their individual Senior Citizen’s Identification Card and Purchase Slip Booklet.

Likewise, the jail WD Officer shall coordinate with the local government and facilitate the application for social pension of qualified senior citizen PDL in accordance with rules and regulation issued by appropriate agencies.
5.2.2 Specialized Activities/Services/Interventions for SC PDL

These activities aim to provide the senior citizen PDL with mental, social and physical stimulation to keep them as active as possible and remain sharp despite their advanced age. Likewise, the activities are strategies to prevent depression-related problems resulting from separation from their respective families, jail conditions, and other factors. Furthermore, activities facilitated in small groups among senior citizen PDL promote their socialization and help dispel the sense of isolation and disconnection.

Senior citizen PDL who have reduced mobility because of previous illness, present medical condition like stroke, severe arthritis, or injuries, and diminishing physical strength on account of age shall also be encouraged to participate in the activities suitable to their abilities. Such activities will help prevent fast physical and mental degeneration.

The list of activities provided below is not exhaustive and more activities can be explored by the Jail WD Officer with the assistance of other jail personnel. The WD Officer can tap the assistance of the OSCA and other service providers that cater to senior citizens to support the implementation of the activities.

A. Cultural Group Activities

1. Celebration of The Elderly Filipino Week pursuant to Proclamation No. 470 declaring the first week of October of every year as Linggo ng Katandaang Filipino (Elderly Filipino Week).
2. Other cultural activities depending on the culture and traditional activities of the locality where the jail unit is located.

B. Psychological and Social Group

Senior citizen PDL in need of psychological interventions and emotional support shall be provided with one-on-one counseling. This service shall be provided by the jail WD Officer or jail personnel trained in counseling. Senior citizen PDL who need further psychiatric evaluation and treatment shall be referred to the BJMP psychiatrist or to the nearest medical center/hospital that provide psychiatric services. All referrals for medical and mental health shall be facilitated by the jail nurse.

It is also highly recommended that senior citizen PDL be grouped together for sessions and activities that will serve as venue for offering moral support to each other, socializing, creative expressions, and self-improvement.

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C. Reading

Scientific studies have found many benefits of reading for older adults, ranging from enhanced memory, sharpened decision-making skills, delayed onset of Alzheimer’s and Dementia, reduction of stress, and improvement of sleep.

Subject to the policy on reading materials, the Jail WD Officer shall ensure the availability of reading materials like newspapers, magazines, books, and others for common use of senior citizen PDL.

D. Exploring new skills and hobbies

For older persons, new hobbies can help them stay sharp, keep boredom at bay, and reduce the potential risk of mental health disorders. Towards this end, the jail WD Officer shall include senior citizen PDL, whenever possible, in skills training and other new learning opportunities offered in the jail.

E. Regular physical exercise

According to studies, physical activities contribute to longevity, better looks, improved mental abilities and greater sense of well-being. Likewise, included in the benefits of regular exercises are proper weight management, decreased impact of illness and chronic disease, enhanced mobility, flexibility, and balance, improved sleep, better moods and increased self-confidence. Consequently, all senior citizen PDL shall be allowed and encouraged to do their daily sunning and physical exercises.

F. Creative Arts and Crafts

Creative arts and crafts are not only good diversions for the senior citizen PDL but they promote imagination and creativity and boost confidence. Finished projects can also be an additional source of income for the senior citizen PDL. Examples of creative arts and crafts applicable to senior citizen PDL are painting, drawing, art book coloring, mosaic, origami, paper crafts, bead works and others.

G. Watching Television and movies

For most people, the television serves as the window to the world especially to PDL who have limited contact outside. In addition to the entertaining benefits, watching television keeps the senior citizen PDL abreast with current events. However, watching television and movies is still subject to existing jail rules and supervision of jail personnel.

H. Volunteer work in the jail as teacher, tutor, and others

To ensure that senior citizen PDL stay engaged and feel a sense of purpose and accomplishment, they shall be encouraged to do volunteer work in selected jail activities or they can be given special assignment congruent to their different abilities. For example, they can be recruited as teachers or tutors in the Alternative Learning System (ALS).
5.2.3 Health Services

Senior citizen PDL shall be given priority in the provision of health services considering that advanced age contributes to increased risks to various health conditions. The jail nurse is primarily responsible in the health monitoring and facilitation of health services for senior citizen PDL.

5.2.4 Priority in the Provision of Meals and Medicines

The jail unit shall ensure that senior citizen PDL are given priority in the ration of meals. It shall be the responsibility of the jail nurse in coordination with the jail food service unit to ensure compliance to the dietary requirements of senior citizen PDL found to be suffering from medical conditions necessitating meal management.

5.2.5 Priority in the Provision of Paralegal Services

The Paralegal Unit in the jail shall ensure that senior citizen PDL are given priority in the provision of various paralegal services with the goal of securing their expeditious release from confinement.

5.2.6 Referral to Outside Agencies

Whenever necessary, the Jail WD Officer shall prepare and facilitate referrals to outside agencies to timely and appropriately respond to the needs of any senior citizen PDL that cannot be provided by the jail unit. Consequently, each jail unit has to prepare an updated directory of agencies within the locality where the jail is situated for referral purposes.

Referrals for the aftercare of senior citizen PDL who are to be released from custody should be prioritized by the jail unit WD.

5.2.7 Working with families of Senior Citizen PDL

The family is the main source of support for individuals especially for senior citizens whose economic capacity diminished. For this reason, the jail unit WD Officer, to be assisted by other capable jail personnel, shall endeavor to work with the families of the senior citizen PDL by conducting family orientations, meetings, and family counseling geared towards helping the family members understand the situation of the senior citizen PDL, reconciliation in some cases, and preparing the family in welcoming back the senior citizen PDL who will be released eventually.
5.3 ENHANCING THE MOBILITY OF SC PDL IN JAIL FACILITIES

In the construction of new jail facilities and renovations of existing ones, the Jail Bureau shall consider the installation of structural features as shall reasonably enhance the mobility of senior citizen PDL such as ramps, hand rails and the like.

5.3.1 Strict compliance with the Priority Lane policy

Each jail shall ensure the functionality of the Priority Lanes intended for the Elderly, PWDS and Pregnant women whether PDL or visitors. This means that the signage should be clear and displayed in appropriate places of the jail. More important than the mandatory signage is the provision of conducive and safe waiting/holding areas for them.

5.4 ROLES AND RESPONSIBILITIES

5.4.1 Personnel in-Charge in Special Projects at the DWD-NHQ

a. Ensures widest dissemination of this policy to all Directorates at the national headquarters.

b. Conducts random monitoring of policy implementation thru actual jail visits/inspections.

c. Conducts advocacy and coordination with service providers at the national level regarding the welfare and development of senior citizen PDL.

d. Consolidates the statistical and narrative reports submitted by the regional offices.

e. Submits status report to the Director for DWD who shall in turn report to the Command Group regarding the compliance and implementation of this policy.

f. With the approval of the Command Group, furnishes copy of reports to other agencies for whatever legal purpose.

5.4.2 Chief, Regional Welfare Division

a. Ensures widest dissemination of this policy to all units in the regional office and to all personnel in all jail units in the region.

b. Conducts monitoring of policy implementation by actual jail visit/inspection.

c. Conducts advocacy and coordination with service providers at the regional level regarding the welfare and development of senior citizen PDL.

d. Consolidates the statistical and narrative reports from the jail units and submits the same.
5.4.3 Jail Warden

a. Responsible in the information and education of all jail personnel under his/her command on this policy and related laws on senior citizens specified in the references hereof.
b. Ensures that SC PDL are not discriminated in any way by reason of age while they are under custody.
c. Ensures the implementation of this policy in the jail unit.
d. Linkages with service providers and stakeholders to promote the welfare of senior citizen PDL.

5.4.4 Jail Unit WD Officer

a. Ensures that SC PDL's access to all welfare and development programs and activities.
b. Facilitates activities/interventions specific for SC PDL.
c. Facilitates aftercare referrals to different service providers of SC PDL who are to be released.
d. Coordinates with OSCA for the application, free of charge, of SC PDL ID Card and Purchase Slip Booklet.
e. Coordinates with the Department of Social Welfare and Development (DSWD) for the enrollment of SC PDL who are indigent and who qualify to be entitled to the social pension under Section 5(1) of R.A.9994.
f. Assists the Jail Warden in coordination and linkages activities with service providers and stakeholders to promote the welfare of SC PDL.
g. Prepares the required monthly reports and after activity reports.

5.4.5 Jail Nurse

a. Provides health services to SC PDL.
b. Facilitates referrals for health services of SC PDL.
c. Coordinates with Department of Health for the free vaccination of SC PDL against influenza virus and pneumococcal disease as per Section 5(2) of R.A. 9994.
d. Assists the Jail Unit WD Officer in facilitating health-related activities for SC PDL.

5.4.6 Jail Records Officer

a. Assists the Jail Unit WD Officer in preparing and updating the Masterlist of SC PDL.

5.5 REPORTORIAL REQUIREMENT

Each jail unit WD shall prepare a monthly Master List of SC PDL in their respective jails using the prescribed form (Annex A) to be submitted to Regional

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WDD. Likewise, each jail unit WD shall prepare the Summary of WD Services Provided to SC PDL using the form (Annex C) and submit the same to the Regional WD. The Regional WD shall be responsible in consolidating the reports and submit them on time to the DWD-NHQ.

After Activity Reports on activities/events concerning senior citizen PDL shall be prepared and submitted immediately after the said activities/events.

Jail Unit WD and Regional WD shall make use of the prescribed form of their respective reporting. All jail units and regional offices are enjoined to submit only verified and accurate reports as these reports are the official sources of national reports of the Jail Bureau in terms of SC PDL.

5.6 INCENTIVES AND AWARDS

In addition to the incentives and awards that a jail unit or regional office may receive pursuant to the Senior Citizens Act, as amended and issuances of the different local government units, the jail units and regional offices will be granted additional points in their quarterly performance ratings depending on their compliance and over-all accomplishment in the strict observance and consistent implementation of this policy as reflected in their monthly, quarterly, and after activity reports.

6.0 SEPARABILITY CLAUSE

In the event that any provision or part of this policy is declared invalid by competent authority, all other provisions not affected by such declaration shall remain valid and effective.

7.0 REPEALING CLAUSE

All other existing issuances that are inconsistent with this policy are hereby amended or modified accordingly.

8.0 EFFECTIVITY

This Circular shall take effect fifteen (15) days after its filing at the ONAR, University of the Philippines Law Center in consonance with Sections 3 and 4, Chapter 2, Book II of Executive Order No. 292, otherwise known as the “The Administrative Code of 1987.”
9.0 ANNEXES

Prescribes Form

a. Annex A: Master List of Senior Citizen PDL (Jail Unit).
b. Annex B: Quarterly Consolidated Master list of Senior Citizen PDL (Regional WD).
c. Annex C: Summary of Welfare and Development Services. Provided to SC PDL (Jail Unit)
d. Annex D-1: Consolidated Welfare and Development Services Provided to Sentenced SC PDL (Regional WD)
e. Annex D-2: Consolidated Welfare and Development Services Provided to Detention SC PDL (Regional WD)
Quarterly Master List of Senior Citizen PDL

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"Changing Lives, Building a Safer Nation"

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Summary of Welfare and Development Services Provided to SC PDL

Month/Year

Name/Logo/Address of Jail Unit

Annex C
### Consolidated Welfare and Development Services Provided to Sentenced SC PDL (Regional Unit)

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**Remarks**

- Any additional notes or remarks regarding the service provision or beneficiaries.

**Grand Total**

- Municipal Jails
- City Jails
- District Jails

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**Approved by:**

**Noted by:**

**Prepared by:**

**Chief RWD:**

**Regional Director:**

**Jurisdiction: Change in IWD Reports**

**Office of the National Academy of Science, Technology & Innovation:**

**U.P. Law Center Regions:**

**May 27, 2019**

**Received by:** [Signature]

**Date:** [Date]
### Changing Lives, Building a Safer Nation

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### Remarks
- The service providers in coordination with the service providers specified in the service providers' delivery agreements are provided to the beneficiaries.
- The service providers specified in the service providers' delivery agreements are provided to the beneficiaries.

### Consolidated Welfare and Development Services Provided to SC PDL (Regional Unit)

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Annex D-2