



Department of Social Welfare and Development

DSWD-GF-010 | REV 01 | 17 AUG 2022

HONORABLE RODOLFO "OMPONG" ORDANES.

Chairperson
Special Committee on Senior Citizens
House of Representatives
Quezon City

Dear Representative Ordanes,

This refers to your request for comments and recommendations on the following bills protecting the elderly from abuse and violence:

House Bill (HB) No.	Title	Author
109	AN ACT DEFINING AND PROTECTING ELDERLY FROM ABUSE, PROVIDING PENALTIES THEREFORE, AND FOR OTHER PURPOSES	REP. ERNESTO M. DIONISIO JR Manila, 1st District
897	AN ACT PROTECTING SENIOR CITIZEN FROM VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREFOR	REP. CHRISTIAN TELL A. YAP Tarlac, 2nd District
1917	AN ACT PROTECTING SENIOR CITIZENS FROM VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREOF	REP. ALFRED C. DELOS SANTOS Ang Probinsyano Party List
2096	AN ACT PROTECTING SENIOR CITIZEN FROM VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREOF	REP. RODOLFO "Ompong" M.ORDANES Senior Citizens Party List
2579	AN ACT DEFINING ABUSE TOWARDS DIFFERENTLY - ABLED SENIOR CITIZENS, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PROTECTION FROM ABUSE, AND PRESCRIBING PENALTIES THEREFOR.	REP. EDWIN L. OLIVAREZ Parañaque City, 1st District
6476	AN ACT PROTECTING SENIOR CITIZENS FROM VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREFOR	REP. GUS S. TAMBUNTING Parañaque City, 2nd District
4297	AN ACT PROTECTING SENIOR CITIZENS FROM ABUSES AND VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREFOR	REP. MICHAEL M. MORDEN API Party List
4538	AN ACT PROTECTING SENIOR CITIZEN FROM ABUSE AND VIOLENCE, DEFINING SUCH ACTS AND PRESCRIBING APPROPRIATE PENALTIES THEREFOR, AND FOR OTHER PURPOSES	REP. SALVADOR A. PLEYTO Bulacan, 6th District



4696	AN ACT PROTECTING SENIOR CITIZEN FROM VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREFOR	REPS. PAOLO Z. DUTERTE Davao City, 1st District ERIC GO YAP Benguet, Lone District EDVIC G. YAP ACT-CIS JEFFREY SORIANO ACT-CIS
4818	PROTECTING SENIOR CITIZEN FROM VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREFOR	REP. JOSEPH GILBERT F. VIOLAGO Nueva Ecija, 2nd District
6301	AN ACT PROTECTING SENIOR CITIZENS FROM ABUSE, DEFINING ABUSE OF SENIOR CITIZENS, AND PRESCRIBING PENALTIES THEREOF	REP. MILAGROS AQUINO-MAGSAYSAY United Senior Citizens
5116	AN ACT PROTECTING SENIOR CITIZENS FROM VIOLENCE AND ABUSE, TO BE KNOWN AS "SENIOR CITIZEN PROTECTION ACT", DEFINING ELDER ABUSE, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER PURPOSES	REP. DALE B. CORVERA Agusan del Norte, 2nd District

We note that there is a substitute bill consolidating the above mentioned bills namely "An Act Protecting Senior Citizens from Violence, Defining Elder Abuse, And Prescribing Penalties Thereof". At the outset, the Department of Social Welfare and Development (DSWD) fully supports the bills pertaining to the protection of the elderly. The DSWD caters to the needs and welfare of the vulnerable and marginalized sectors and the passage of these bills are necessary to ensure that Senior Citizens are protected and given necessary importance in our country.

The DSWD continuously provides support/services to the elderly who are victims of abuse through Residential Care Facilities run by the Department, namely Haven for Elderly (IV A and IX), Home for the Aged (XI), and GRACES (NCR) that cater to elderly persons who are abused, abandoned, neglected and are in other disadvantaged situations. Also, the Reporting System and Prevention Program for Elder Abuse Cases (ReSPPEC) Project is in its Pilot Implementation that seeks to reduce, if not totally eliminate, the incidence of elderly violence through an installed referral system, community prevention activities, and provision of necessary interventions both for the victim and for the perpetrator to stop the violence. This program will also lessen the number of abandoned and neglected senior citizens that will be referred to long-term care facilities.

On account of these programs we take this opportunity to provide the following comments and suggestions for the consideration of the Committee:

1. On the Definition of Terms of the Bill

- To adopt the definition of Senior Citizen as defined in the Implementing Rules and Regulation of RA 9994 or the Expanded Senior Citizen Act of 2010, to read as:

“SENIOR CITIZEN OR ELDERLY – refers to any Filipino citizen who is a resident of the Philippines, and who is sixty (60) years old or above. It may apply to senior citizens with dual citizenship status, provided, they prove their Filipino citizenship and have at least six (6) months residency in the Philippines.”¹

- Under “safe place or shelter”, to include in the definition “other homes/shelters for the elderly managed by the LGUs, NGOs, and/or private institutions,” considering that homes/shelters are not only limited to DSWD-run centers. This shall also include institutions maintained or managed by the National Commission of Senior Citizens (NCSC) in compliance with RA 11350.

2. On the Acts of Violence Against the Elderly

- To include other forms of abuse such as abandonment, verbal, and non-verbal, discriminatory, domestic violence, bullying (including cyberbullying), and health care abuse considering that there are other types/categories of abuse that may be experienced by the elderly

3. On Mandatory Programs and Services for Senior Citizens Who is a Victim of Violence

- To involve the NCSC in the implementation of programs and services for senior citizens who are victims of violence. It is worth noting that the NCSC is mandated by law to “promote the advocacy of and collaboration between different stakeholders and senior citizens to ensure the effective implementation of various programs and services, particularly on the development of [senior citizens] and advancing their health, and well-being, and ensuring a supportive and enabling environment for the elderly”;²
- To replace “livelihood assistance” with “capability building programs.” This is to highlight that livelihood assistance is only a part of a more comprehensive service of the LGU, DSWD or private SWDAs, which targets the socio-economic situation of the abused elder person;
- To include support services for families taking care of senior citizens and interventions for perpetrators to recognize the importance of including interventions to families and perpetrators as most incidences of violence happen in their own homes, and family caregivers are the main perpetrators.

¹ Section 3, R.A. No. 9994 “Expanded Senior Citizen Act of 2010”

² R.A. No. 11350 “National Commission of Senior Citizens Act”

4. On the Response to a Request for Assistance

- To establish a hotline number and designated person to handle calls as one of the grievance mechanisms to facilitate better and faster reporting allowing the public to report complaints and grievances on elder abuse.

5. On Mandatory Reporting of Domestic Violence

As to the statement that “the DSWD shall assign a social worker to verify incidents of violence and file a petition for PO, if warranted”:

- To recommend that the Local/Municipal/Provincial Social Welfare and Development Office be engaged (LSWDO/MSWDO/PSWDO) considering that the first responders must be the local or municipality of the elderly due to the devolved social services in view of the transfer of Social Welfare Offices to LGUs in 1991 wherein each LGU at the Provinces/Cities/Municipalities operates or maintains an organic office to provide basic services and facilities for constituents at the community level the delineation of the provision of basic services are provided in RA 7160.³
- To include NCSC in the implementing rules and regulations, highlighting the functions of the Commission in the development of a database system and mechanisms to gather and document reports on elder abuse. Currently, there is no agency/government institution mandated to gather and record all reports on elder abuse, hence, there is a lack of national data indicating the prevalence/incidence of this concern.

6. On the Establishment of a Senior Citizen Help Desk

- To recommend that the Social Workers in the M/C/PSWDOS may provide technical assistance to the designated personnel to ensure that appropriate intervention is being provided. It is necessary that a criterion shall be defined in the IRR. The Office of the Senior Citizens Affairs (OSCA) may be explored to be the authorized personnel in the Senior Citizen Help Desk.

7. On the Implementing Rules and Regulations

- To indicate the agencies involved in the drafting of the implementing rules and regulations, which shall include the National Commission of Senior Citizens (NCSC).

8. Other Comments


- To consider the anticipated transfer of programs from DSWD to NCSC in the proposed bills. Henceforth, articles/sections initially identifying the role of DSWD may be replaced by the NCSC relative to the implementation of RA 11350 and its IRR.

³ Section 17 “Basic Services and Facilities”, R.A. No. 7160

May we also recommend identifying NCSC as the lead agency that will implement laws pertaining to Senior Citizens.

Thank you.

Very truly yours,



REX GATCHALIAN
Secretary
Date: MAY 22 2023