Research Article

Competencies of Philippine Coast Guard Personnel in the Enforcement of Criminal Laws

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ABSTRACT

This study shows a comprehensive evaluation of the Philippine Coast Guard (PCG) personnel's competencies in enforcing maritime criminal laws. Anchored in the context of the Philippines' complex maritime environment, the research highlighted the pivotal role of the PCG in safeguarding maritime security, safety, and environmental protection through effective law enforcement. Employing mixed methods, the study used interviews and survey questionnaire among PCG personnel. The findings revealed significant gaps in knowledge and skills among PCG personnel, particularly in the application of specific criminal laws and procedures relevant to maritime law enforcement. It was observed that while personnel possessed basic knowledge of laws, there were inconsistencies in their ability to apply this knowledge effectively during law enforcement operations. Additionally, the study identified a strong correlation between the level of education, training, and the competency levels of the respondents, suggesting that continuous professional development and targeted training programs are crucial for enhancing the PCG's operational effectiveness.

The study underscored the need for a structured and comprehensive training program tailored to address the identified competency gaps. The program is essential for enhancing capabilities for maritime criminal laws enforcement. The research advocated for the integration of theoretical knowledge with practical application through continuous education and training, emphasizing the importance of developing a skilled workforce capable of adapting to the challenges of maritime law enforcement. The findings serve as a strategic guide for the PCG to enhance personnel management, operational efficiency, and stakeholder trust, ultimately contributing to the nation's maritime security framework.

***Keywords**: Maritime criminal law, Maritime law enforcement, Philippine coast guard*

Introduction

The center of maritime activities is the sea which provides food, energy, and power. Over 80% of the world's commerce items are transported by the sea, which also serves as a communication channel between islands and countries. This key role played by the sea to the global trade, economy and security necessitates rules for its fair, responsible and sustainable use.

The Philippines as an archipelagic country influence how it administers its marine domain. The Philippines' conception and approach to maritime security must progress to address the concerns of the present and the future, as internal and external maritime dangers continue to evolve and rise in the region (Palma & Alano, 2023). This 'enforcement' falls significantly to the ambit of the Philippine Coast Guard (PCG). The PCG is the Philippine's uniformed armed service that implements and enforces all national and international maritime safety, security, search and rescue, and marine environmental protection laws in support of the integrated Maritime Transportation Network objectives, national security and economic development of the Philippines. This general mandate of the PCG is further divided into separate functions, namely: Maritime Safety; Maritime Security; Marine Environment Protection; Maritime Search and Rescue. All of these functions involve Maritime Law Enforcement which broadly defined as the coordinated efforts by the government to enforce, prevent, detect and suppress the violation of the maritime laws and regulations.

The waterways of the Philippines, an archipelagic and maritime nation, are essential to its overall national interests as well as its food and economic security. Approximately 60% of Filipinos, or 55.3 million people, reside in coastal towns, with the country's more than 7,000 islands connected by oceans covering 220 million hectares. The abundance of resources in these waters propels and links the specialized economies scattered throughout the archipelago (Amador, 2023).This study focused on evaluating the competencies of the PCG personnel in enforcing maritime criminal law. The study described the demographic profile of the personnel in terms of academic qualification, length of service in the PCG, trainings and seminars attended related to maritime law enforcement, rank and designation. This paper also evaluated how the personnel perform in the theoretical examination on PCG-commonly enforced laws such as Anti-Piracy Law, Philippine Fisheries Code, Anti-Trafficking in Person Act, Comprehensive Dangerous Drugs Act and Firearms Law. In addition, the study also measures the skills of the personnel in following criminal procedures during the conduct of maritime criminal law enforcement operation in terms of arrest, search and seizure, custodial investigation, inquest proceedings, filing of complaint, preparation of case trial, and court testimony. Moreover, the study determined if the demographic profile has significant relationship to the performance of the personnel in the theoretical examination on PCG-commonly enforced laws and the skills of the personnel in following criminal procedures during the conduct of maritime criminal law enforcement operation. Lastly the study identified the significant relationship between the personnels level of knowledge in PCG-commonly enforced law and skills level in conducting maritime criminal law enforcement.

The findings did not only contribute to the professional development and motivation of PCG personnel but also serve as a strategic guide for enhancing personnel management within the organization. Ultimately, this study holds significant implications for the PCG, offering actionable insights to reinforce competencies, uphold justice, and ensure the security of maritime operations, thereby fostering trust and satisfaction among maritime stakeholders and the public.

Methods

The study adopted a mixed-method concurrent triangulation research design, blending qualitative and quantitative methods to achieve a thorough understanding. The quantitative part which involved conducting a competency test focused on collecting data to assess respondents' profiles, their knowledge of PCG commonly enforced criminal laws, and their proficiency in criminal procedures. This phase aimed to uncover patterns and relationships among these variables, investigating significant

correlations between respondents' profiles and their levels of knowledge and skills in PCG commonly enforced criminal laws and procedures. The qualitative component which involved conducting an interview delve into the knowledge and skills required of PCG personnel in enforcing criminal law.

The study's respondents were drawn from two specific groups: personnel of the Coast Guard Distict National Capital Region-Cental Luzon (CGDNCR-CL) and a carefully selected expert lawyers from the PCG who specialize in maritime law enforcement. For the CGDNCR-CL personnel, the sample size was determined using Raosoft Calculator. A total of 211 out of 493 personnel of CGDNCR-CL and two (2) maritime law enforcement lawyers participated in this study.

This study used two instrument tools such as the researcher-made survey assessment questionnaire and a semi-structured interview. The survey assessment questionnaire tool was answered by the PCG personnel as respondents of this study while the semi-structured interview was conducted among the selected lawyers who are expert in maritime law enforcement of criminal laws.

Frequency and percentage distribution provided a clear overview of the respondents' profile, performance on theoretical examination on PCG-commonly enforced law and skill level on criminal procedures during the conduct of criminal law enforcement operations. Pearson R Correlation was used to identify the relationship between the profile of the respondents and their level of knowledge, the relationship between the profile of the respondents and their skills level and the relationship between the respondents' level of knowledge and skills level. The methods used for qualitative data analysis were transcription of data, reading and organizing the data, identifying the codes and themes based on objectives, and analyzing the themes.

Results and Discussion

Profile of the Respondents. The majority respondents of the are college graduates indicating a high level of formal education among the personnel, limited number pursuing postgraduate studies points towards potential areas for educational enhancement. The presence of highschool graduates among the respondents suggests diversity in educational backgrounds, which could influence the approach to training and professional development within the PCG. The educational profile of the PCG personnel underscores the importance of continuous professional development initiatives to complement their diverse educational backgrounds (Berbie, 2024). Majority of the respondents have served the organization for more than five years. There are personnels who did not attend maritime enforcement trainings. Alindayu (2023) emphasized the importance of regular training and professional development for maritime law enforcement personnel to effectively respond to evolving challenges and maintain operational readiness. With a majority ranked as Coast Guard Apprentice Seaman to Coast Guard Seaman Second indicating a large base of personnel in the lower echelons of the organization. More than half of the respondents holds a designation of staff who is responsible for managing communication processes, document handling, administrative tasks, and equipment/supplies programming, ensuring efficient operations within the Station and Sub-Station as directed by superiors.

Table 1. Performance in Theoretical Examination on PCG-Commonly Enforced Law

PCG Competencies on Maritime Criminal Laws	Overall Correct Responses Percentage
Level of Knowledge about Anti-Piracy Law	56.56 %
Level of Knowledge about Philippine Fisheries Code	62.99 %
Level of Knowledge about Anti-Trafficking in Person Act	73.30 %
Level of Knowledge about Comprehensive Dangerous Drugs Act	71.72 %
Level of Knowledge about Firearm Law	77.71 %
Overall average of correct response	68.46 %

86-100%-Outstanding;66-85%-VerySatisfactory;51-65%-Satisfactory;0-50% Unsatisfactory

This table shows the personnel's performance on theoretical examination in PCG-commonly enforced law which indicate a very satisfactory performance with an overall average correct response of 68.46% across five key legal competencies vital to their operational effectiveness. The data reveal that there are disparities in the satisfactory performance in each area, with the understanding of Anti-Piracy Law being the lowest at 56.56%. This suggests that there may be a need for enhanced training and education on maritime piracy laws to ensure that PCG personnel are fully prepared to address and enforce regulations against piracy effectively. This aligns with of a study by Otto and Jernberg (2020), which emphasized the importance of continuous training and education for maritime law enforcement personnel to effectively address emerging threats and challenges in the maritime domain.

In contrast, PCG personnel show a relatively very satisfactory performance in the Firearm Law with a 77.71% correct response rate, indicating that current training on firearm regulations may be more effective or more emphasis has been placed in this area. Knowledge levels about the Anti-Trafficking in Person Act and the Comprehensive Dangerous Drugs Act are also above 70%, demonstrating a very satisfactory level of understanding which is crucial for the PCG's roles in preventing human trafficking and drug trafficking. In line with this analysis, targeted training programs focusing on Dangerous Drugs Act and the legal aspects of drug paraphernalia possession could effectively enhance the overall comprehension and implementation of the Comprehensive Dangerous Drugs Act among Philippine Coast Guard (PCG) personnel (Abad et al., 2023).

However, the understanding of the Philippine Fisheries Code remains satisfactory at 62.99%, hinting at potential room for improvement in the comprehension of environmental and conservation laws, which are critical for preserving the country's marine ecosystems against illegal fishing practices.

Finally, the very satisfactory overall average correct response rate stands at 68.46%, suggesting that while there is a foundation of knowledge present, there is still considerable room for development. Improving knowledge in areas where PCG personnel show less understanding will likely enhance their enforcement capabilities. Continuous and specialized training tailored to each legal area can help increase the effectiveness of the PCG in maintaining law and order on Philippine waters, thereby supporting national security and maritime law enforcement objectives.

Table 2. Relationship Between the Profile of the Respondents and Level of Knowledge in Performing the PCG-Commonly Enforced Law

Relationship to Knowledge	Mean	Std. Deviation	Pearson Correlation Coefficient	P Value	Relationship
Academic Qualification	2.67	0.680747	0.021	0.771	Not Significant
Length of Service	2.17	1.14352	0.088	0.216	Not Significant
Attendance to Seminars or Trainings	1.46	0.499648	0.021	0.763	Not Significant
Rank	2.235	1.291555	0.165	0.020	Significant
Designation	1.83	1.371314	0.177	0.012	Significant

This analysis reveals that rank and designation significantly correlate with the level of knowledge in performing the PCG-Commonly enforced Law, as indicated by Pearson Correlation Coefficients of 0.165 and 0.177, respectively, and corresponding p-values of 0.020 and 0.012. This suggests that as personnel ascend in rank or assume more complex roles, their knowledge of enforced laws increases, potentially due to experience or access to specialized training. This finding is supported by recent research conducted by Sija (2023), which demonstrated a similar positive correlation between rank/designation and legal knowledge in a study involving law enforcement personnel.

Table 3. Skill Level of Respondents on Criminal Procedures in the Conduct of Law Enforcement

Skill Level on Criminal Procedure	Overall Correct Responses Percentage
Skill Level in Terms of Arrest	28.17 %
Skill Level in Terms of Search and Seizure	42.87 %
Skill Level in Terms of Conduct of Custodial Investigation	15.16 %
Skill Level in Terms of Inquest Proceeding	36.65 %
Skill Level in Terms of Filing of Complaint	50.00 %
Skill Level in Terms of Preparation of Case for Trial	49.32 %
Skill Level in Terms of Court Testimony	23.08 %
Overall Average Correct Responses	35.03 %

The skill levels of Philippine Coast Guard (PCG) personnel in various criminal procedures, as depicted in the table above reflect a need for targeted improvement in several key areas. With the overall average correct response rate standing at 35.03% with interpretation of unsatisfactory, it is clear that there are significant opportunities for development, particularly in the procedures for custodial investigation and court testimony, where the skills levels are notably unsatisfactory at 15.16% and 23.08% respectively. The unsatisfactory skill level in search and seizure, and filing of complaint, at 42.87% and 50.00%, indicates existing strengths upon which to build. These findings suggest that enhancing training programs to focus on the areas of greatest need could substantially increase the effectiveness and legal compliance of PCG personnel in their critical roles. This observation aligns with the findings of a recent study by Gulati et al. (2021), which underscored a similar deficit in arrest procedure knowledge among law enforcement officers, emphasizing the necessity for targeted training interventions to address these gaps and ensure compliance with legal protocols.

Table 4. Relationship Between the Profile of the Respondents and Skill Level in Performing Criminal Procedures During the Conduct of Criminal Law Enforcement Operations

Relationship to Skills	Mean	Std. Deviation	Pearson Correlation Coefficient	P Value	Relationship
Academic Qualification	2.67	0.681	-0.097	0.171	Not Significant
Length of Service	2.17	1.144	-0.148	0.036	Significant
Attendance to seminars or trainings	1.46	0.500	-0.114	0.106	Not Significant
Rank	2.235	1.292	-0.143	0.043	Significant
Designation	1.83	1.371	-0.086	0.224	Not Significant

The significant negative correlations with length of service (-0.148) and rank (-0.143), along with their respective p-values (0.036 and 0.043), this indicate that rank and length of service do not necessarily correlate with skill levels. This unexpected finding suggests that experience and position within the PCG do not automatically translate to improved operational skills, highlighting the importance of continuous, role-specific training. This unexpected finding underscores the necessity for reassessment and potential restructuring of training programs within the PCG to ensure that skill development is not solely reliant on length of service or rank, but rather on targeted, ongoing training initiatives tailored to specific roles.

A study conducted by Vartanian et al. (2020) in the context of military organizations found that traditional measures such as rank, and length of service do not consistently predict performance outcomes. Instead, they emphasized the critical role of role-specific training in enhancing operational effectiveness.

Table 5. Relationship Between the Respondents' Level of Knowledge in Performing the PCG-Commonly Enforced Law and Skill Level in Performing Criminal Procedures During the Conduct of Criminal Law Enforcement Operations

Relationship of Knowledge to Skills	Mean	Std. Deviation	Pearson Correlation Coefficient	P Value	Relationship
Overall Knowledge	13.43	3.231	0.221	0.002	Highly Significant
Overall Skills	6.62	2.287			

The positive linear relationship between overall knowledge and skills, indicated by a Pearson Correlation Coefficient of 0.221 and a p-value of 0.002, suggests that higher levels of legal knowledge correlate with improved enforcement skills. The knowledge of PCG personnel in performing PCG-commonly enforced laws has significant relationship in their performance of criminal procedures in the conduct of maritime law enforcement. The significant positive correlation between overall knowledge and skills within the PCG highlights the importance of prioritizing comprehensive education and training programs for personnel. This finding suggests that investing resources in continuous learning and development initiatives could directly lead to improved law enforcement outcomes, as personnel with higher levels of legal knowledge demonstrate enhanced enforcement skills. Support for this implication can be found in a study by Engel et al. (2022), which examined the impact of education and training on law enforcement effectiveness. They found that agencies that prioritized ongoing education and training for their personnel tended to have higher levels of operational effectiveness and better outcomes in terms of crime prevention and resolution. Furthermore, the positive association between knowledge acquisition and skill development in law enforcement contexts, emphasizing the need for continuous learning to adapt to evolving challenges and legal frameworks.

PCG Personnel Requirements to Enforce Maritime Criminal Law. Based on the analysis of the qualitative data gathered five (5) themes have emerged on the requirements of PCG personnel to enforce criminal laws.

Professional Development and Training. Participants highlighted that professional development and training within the PCG are crucial for equipping personnel with the necessary skills and knowledge to perform their duties effectively. This duality serves not only to inform personnel of the legal frameworks within which they operate but also to ensure that they are adept at applying these frameworks in real-world scenarios. The call for training overhaul suggests a critical introspection within the PCG about the current state of their training programs and points to a broader recognition of the need for continuous evolution in training methodologies. The discourse here aligns with modern Baysa and Ferrer (2023), that advocate for experiential learning as a means to enhance professional competence and effectiveness.

Legal Foundations and Expertise. Delving into the theme of legal foundations and expertise, the analysis reveals a strong emphasis on the necessity of deep legal knowledge as the bedrock of effective law enforcement. The differentiation between knowledge and skill presented by participants underscores the critical nature of not only understanding legal principles but also being proficient in their application. This distinction is crucial in the context of law enforcement, where the practical application of legal knowledge determines the legality and legitimacy of enforcement actions. This theme resonates with the broader discourse on legal education and its impact on law enforcement, suggesting that a well-founded legal education is instrumental in cultivating law enforcement officers who are both competent and ethical in their professional conduct as mentioned by Gulati et al. (2021).

Operational Competence and Effectiveness. The insights from the participants highlight the significance of aligning specific competencies with the unique challenges of maritime law enforcement. The advocacy for putting the right

person for the job and the development of specific procedures for criminal law enforcement are indicative of a strategic approach to operational planning and execution. This discussion points to the importance of a competency-based framework that ensures personnel are not only well-trained but are also deployed in roles that match their skill sets and areas of expertise. The focus on standardized procedures underscores the need for consistency in operational practices, which is essential for both the effectiveness and accountability of law enforcement actions. The discourse around operational competence and effectiveness mirrors Azeem et al. (2021) on competency management and standard operating procedures as key drivers of organizational performance and efficiency.

Policy, Procedures, and Compliance. The emphasis on policy, procedures, and compliance highlights the critical role of governance structures in guiding and regulating law enforcement actions.This discussion aligns with governance and compliance theories that advocate for the establishment of strong policy frameworks and compliance mechanisms to ensure that organizational actions are both effective and aligned with legal and ethical standards. The focus on policy and procedures is indicative of a mature approach to organizational governance, emphasizing the importance of clarity, consistency, and accountability in law enforcement operations as mentioned by Azeem et al. (2021).

Innovation and Adaptation in Law Enforcement. This captures the dynamic nature of law enforcement in the face of evolving challenges and technological advancements. The acknowledgment of gaps in the PCG's data management systems points to opportunities for technological innovation to enhance data-driven decision-making and operational efficiency.

Proposed Revision of the Maritime Security and Law Enforcement Course. Based on the results of the analysis and interpretation of data gathered, the output of this study is the revision of the Program of Instruction of Maritime Security and Law Enforcement Course. The revision includes additional teaching hours on theoretical part or classroom discussion of the topics on RA9993, Maritime Applicable Laws and Criminal Procedures. Additional topics were also included on the revision the course, these are Overview of United Nations Convention on the Law of the Sea (UNCLOS), Maritime Zones, Fundamental Concepts of Criminal Law (relevant provisions of Book 1 of the Revised Penal Code), Civil Code of the Philippines (RA 386) focusing Preliminary Title (Chapter 1, Effect and Application of Laws and Chapter 2, Human Relations) of the Civil Code, General Procedures on Maritime Security Administration focusing on topics on the Rules of Court/Criminal Procedure and Evidence should take precedence, focus on the legal aspects of arrest, search and seizure and evidence, Use of Force for Maritime Law Enforcement Operations that includes legal aspects of use of force (relevant provisions contained in the Revised Penal Code and Rules of Court, and the Use of Force in Law Enforcement Operations from Military Use of Force or Rules of Engagement.

Conclusion

The study found out that demographic profile of PCG personnel performing maritime law enforcement varies in terms of academic qualification, length of service, trainings and seminars and rank and designation. The respondents perform very satisfactorily on the theoretical examination in PCG-commonly enforced law across five key legal competencies and that the profile of respondents has significant relationship with their level of performance in PCG-commonly enforced law. The study also revealed that respondents' have unsatisfactory level of skills in performing criminal procedures in the conduct of law enforcement and this result has negative relationship on the profile of the respondents. In addition, the level of knowledge of personnel in performing the PCG-Commonly enforced law has significant relationship with the skill level in performing criminal procedures during the conduct of maritime law enforcement operations. PCG personnel needs professional development and training, legal foundations and expertise, operational competence and effectiveness and innovation and adaptation in law enforcement to enforce maritime law. The study proposed the revision

of the Program of Instruction of Maritime Security and Law Enforcement Course which will enhance the capabilities of PCG personnel in performing maritime security and law enforcement. This research has broader implications for governance and the rule of law in maritime domains. By committing to the advancement of its training programs, the PCG not only bolsters its own capabilities but also contributes to global efforts in protecting marine routes. The proactive stance on improving personnel competencies reflects a nuanced understanding of the PCG's pivotal role in national security and adherence to international maritime standards.

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