

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6078



Introduced by **Rep. Winston "Winnie" Castelo**

EXPLANATORY NOTE

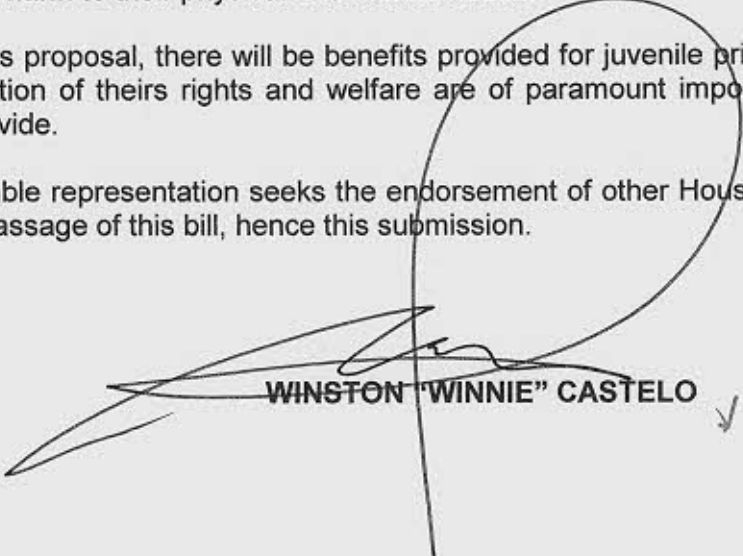
Isn't it precisely worded in Sec. 19 (2) of Article III of the Constitution that "the employment of physical, psychological, or degrading punishment against any prisoner or detainee or the use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law"?

It is what this proposed measure sought to address in the case of juvenile delinquents, children in conflict with the law, or youthful offenders that have been a growing concern if not an emerging social problem even by the agencies or authorities that are supposed to insure a decent disposition, custody, or treatment of an otherwise youthful offender, minor or juvenile delinquent.

Children have their rights, too. They deserve care and treatment from time of apprehension up to the termination of the case. Our penitentiaries, provincial, city or municipal jails, juvenile detention centers or facilities need not house offenders in more the ideal number necessary and ideal. As youthful offenders, in fact, they shall never be mixed but instead absolutely segregated from hardened criminals. Otherwise, some rights would have been infringed and precisely these inadequate health care, subhuman conditions in jails and prisons literally condemn a young inmate to an early death or will inflict irreparable harm to their physical and mental health.

Under this proposal, there will be benefits provided for juvenile prisoners instead since the protection of their rights and welfare are of paramount importance that the State should provide.

This humble representation seeks the endorsement of other House Members for the immediate passage of this bill, hence this submission.


WINSTON "WINNIE" CASTELO

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AN ACT
PROVIDING BENEFITS FOR JUVENILE PRISONERS THEREBY PROMOTING
CHILDREN'S RIGHTS AND HEALTH CARE AND APPROPRIATING FUNDS
THEREFOR

Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the 'Juvenile Prisoners Benefits Act of 2012'.

SEC. 2. Declaration of Policy. – It is a declared policy of the State to maintain peace and order, protect life, liberty and the promotion of the general welfare of every individual in society.

SEC. 3. Benefits of Juvenile Delinquents. – The benefits of juvenile delinquents, children in conflict with the law, or youthful offenders while in jails or detention centers or facilities shall be as those that will provide them with decent food, a comfortable detention or prison cell, an ample space or area, a very short time of stay in jail, a general condition of humane treatment, and such arrangement that shall never mixed them with hardened criminals.

SEC. 4. Appropriation. – In order to effectively implement the provision of this Act, the Department of Budget & Management shall cause the sufficient allocation of funds for the purpose of rehabilitation of juvenile delinquents, children in conflict with the law, or youthful offenders; the promotion of children rights and health care; and adequate legal protection toward their integration back into society.

SEC. 5. The Department of Social Welfare and Development in coordination with the Philippine National Police and the duly cognizant courts shall issue appropriate guidelines, rules and regulations to effectively implement the provisions of this Act.

SEC. 6. Repealing Clause. – All laws, decrees, executive orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. Effectivity. – This Act shall take effect upon publication in the Official Gazette and at least two (2) newspapers of general circulation.

Approved,