

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5930



Introduced by Representative EDGAR R. ERICE

EXPLANATORY NOTE

The bill seeks to create a youth rehabilitation center (to be known as Bahay Pag-Asa or Bahay Kalinga) in every city or municipality for youth offenders under detention in accordance with the physical standards set by Republic Act 9344 as amended by Republic Act 10630.

The Philippines is one of the signatories to the Convention on the Rights of the Child which promotes the best interest of the child. One of the most important rights in the Convention on the Rights of the Child is enshrined in Article 3 which states that "[in] all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

Republic Act 9344, otherwise known as the Juvenile Justice and Welfare Act, which was amended by Republic Act 10630, mandates that each highly urbanized city and province is required to have a youth rehabilitation center called Bahay Pag-Asa which would spare children in conflict with the law from being put in prison.

Bahay Pag-Asa as defined by Republic Act No. 10630 refers to "a 24-hour child-caring institution established, funded and managed by local government units (LGUs) and licensed and/or accredited nongovernment organizations (NGOs) providing short-term residential care for children in conflict with the law who are above fifteen (15) but below eighteen (18) years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction."

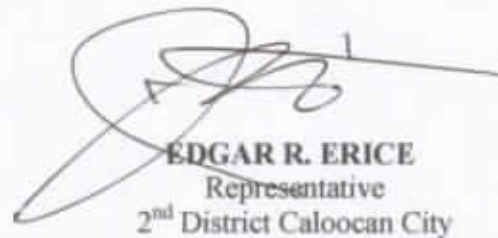
Republic Act 10630 mandates only highly urbanized cities and provinces to provide a youth rehabilitation center for children in conflict with the law. Children in conflict with the law in cities or municipalities which are not highly urbanized are arrested and detained like adults. Majority of children detained are locked up in dilapidated, unsanitary areas and deprived of basic needs like clothing and food.

Children in conflict with the law should be given outmost care and attention, and the government should protect their rights and welfare for the best interest of the child in accordance with provisions set by the Convention on the Rights of the Child and the Juvenile

Justice and Welfare Act.

Given the needs of the children in detention, it would be best for the interest of the child to be provided a youth rehabilitation center in every city or municipality in the country to spare children in conflict with the law from adult prisons and be given rehabilitation while their case is still pending in court.

In view of the foregoing, the passage of this bill is earnestly sought.



EDGAR R. ERICE
Representative
2nd District Caloocan City

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Introduced by Representative EDGAR R. ERICE

AN ACT
CREATING IN EVERY CITY OR MUNICIPALITY A YOUTH REHABILITATION
CENTER FOR YOUTH OFFENDERS WHILE IN DETENTION

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

SECTION 1. *State Policy.* It is the policy of the State to provide a youth rehabilitation center in every highly urbanized city and province as enshrined in Republic Act No. 9344, otherwise known as the "*Juvenile Justice and Welfare Act*" as amended by Republic Act No. 10630 and states that each highly urbanized city and province is required to have a youth rehabilitation center called Bahay Pag-Asa which would spare children in conflict with the law from being put in prison.

SECTION 2. *Youth Rehabilitation Center.* A Bahay Pag-Asa or Bahay Kalinga should be created in every city or municipality for children in conflict with the law while in detention. This will serve as their temporary detention center while their case is still pending. The national government through the Department of Social Welfare and Development (DSWD) with the assistance of the respective Local Government Units (LGUs) shall provide the basic necessities of children in conflict with the law and shall be given guidance and counseling.

SECTION 3. *Funding.* The budgetary allocation needed to carry out the provisions of this Act is hereby authorized to be appropriated in the General Appropriations Act of the year immediately following its enactment into law.

SECTION 4. *Repealing Clause.* All laws, decrees, executive orders, rules and regulations inconsistent with this Act are hereby repealed and/or modified accordingly.

SECTION 5. *Effectivity.* This Act shall take effect after fifteen (15) days following the completion of its publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation.

Approved,