

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
2nd Regular Session

House Bill No. **10276**



**INTRODUCED BY REPRESENTATIVES ERWIN T. TULFO, JOCELYN P. TULFO
EDVIC G. YAP, ERIC GO YAP AND RALPH WENDEL P. TULFO**

**AN ACT
ESTABLISHING ADDITIONAL HOUSES OF HOPE FOR CHILDREN IN
CONFLICT WITH THE LAW AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article XV, Section 3 of the Constitution underscores the paramount importance of upholding and safeguarding the welfare of children. In line with this, Republic Act No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006, as amended by Republic Act No. 10630, reinforces the state's commitment to protect the rights of children, especially those in conflict with the law, by providing them with proper care, guidance, and rehabilitation instead of punishment. Accordingly, Republic Act No. 10630 mandated the establishment of Houses of Hope or 'Bahay Pag-Asa' for children in conflict with the law.

However, reports reveal the inadequacy of existing youth detention centers in catering to the needs of children in conflict with the law. While several Bahay Pag-Asa have been established nationwide, many remain overcrowded and fail to meet the standards set for the rehabilitation and reintegration of juvenile offenders. Out of the total number of Bahay Pag-Asa, only a fraction has been accredited, resulting in disproportionate placement and limited resources for rehabilitation programs. On average, each Bahay Pag-Asa houses a significant number of children, far exceeding capacity, thus compromising the quality of care and rehabilitation services provided.

It is imperative to establish additional Bahay Pag-Asa to ensure that the best interests of children in conflict with the law are met. By providing sufficient and properly equipped youth detention centers, we can create a conducive environment for the rehabilitation and reintegration of juvenile offenders into society. Investing in the expansion of Bahay Pag-Asa facilities will not only uphold the rights of children but also contribute to the promotion of a just and humane juvenile justice system.

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



ERWIN T. TULFO



EDVIC G. YAP



JOCELYN F. TULFO



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

SECTION 1. *Short Title.* - This Act shall be known as the “Bahay Pag-Asa Act.”

SECTION 2. *Declaration of Policy.* - It is the policy of the State to promote and protect the best interests of children in cognizance of their vital role in nation-building. In line with this, the State’s policies and programs for children in conflict with the law shall be guided by the principles of restorative justice providing among others dispositive measures for their care, guidance counseling, probation, institutional care, and education in preparation for their eventual re-integration into the community.

SECTION 3. *Creation of Additional Houses of Hope.* - In addition to currently existing Houses of Hope, or ‘Bahay Pag-Asa’ as defined in Republic Act No. 10630, the Department of Social Welfare and Development (DSWD), in coordination with Local Government Units (LGUs) and the Juvenile Justice and Welfare Council (JJWC), shall establish, operate, and maintain one (1) additional ‘Bahay Pag-Asa’ in each province and highly-urbanized city within their respective jurisdiction.

SECTION 4. *Operation and Maintenance.* - Each ‘Bahay Pag-Asa’ established pursuant under this Act, and all its facilities therein, shall be managed, operated and maintained jointly by the DSWD and the respective LGUs in accordance with the standards and related provisions set forth in the implementing rules and regulations of Republic Act No. 9344, as amended, and adopted by the JJWC.

SECTION 5. *Role and Functions of the DSWD.* - The DSWD, in coordination with the JJWC, is hereby mandated to:

(1) Create an Infrastructure and Multidisciplinary Plan for each 'Bahay Pag-Asa' addressing the limitations of currently existing youth detention centers which shall begin not later than six (6) months from the effectivity of this Act, to be completed not later than five (5) years from the effectivity of this Act;

(2) Carry out the decongestion and transfer of children in conflict with the law in other provincial and city youth detention centers to the 'Bahay Pag-Asa' to be established under this Act.

SECTION 6. *Periodic Review.* - The DSWD, JJWC and LGUs concerned shall submit an annual report to Congress detailing the number of 'Bahay Pag-Asa' established from the effectivity of this Act, the number of children in conflict with the law detained in each 'Bahay Pag-Asa', and any other relevant information Congress may require, to ensure that each province and highly-urbanized city have established a Bahay Pag-Asa in accordance with this Act.

SECTION 7. *Appropriations.* - The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the concerned departments. Thereafter, the amount needed for the continued implementation of the Program shall be included in the budget of the departments in the annual General Appropriations Act.

In addition, the departments concerned may accept donations, contributions, and grants from various sources for purposes of implementing this Act.

SECTION 8. *Implementing Rules and Regulations.* - Within ninety (90) days from the approval of this Act, the DSWD and JJWC, in coordination and consultation with non-government organizations providing short-term residential care for children in conflict with the law, shall formulate rules and guidelines as may be necessary for the proper implementation and enforcement of this Act. The implementing rules and regulations (IRR) provided for under this Act shall be reviewed periodically, and revised, if necessary.

SECTION. 9. *Separability Clause.* - If any provision of this Act shall be declared unconstitutional or invalid, such declaration shall not invalidate other parts thereof which shall remain in full force and effect.

SECTION 10. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules, and regulations or parts thereof which are inconsistent with or contrary to the provisions of this Act are hereby amended, repealed, or modified accordingly.

SECTION 11. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general application.

Approved,