



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

**TWENTIETH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 5307**



---

**Introduced by Representative DE CARLO "OYO" L. UY**

---

**EXPLANATORY NOTE**

Every child deserves the chance to dream and to turn those dreams into reality. At 19, Ms. Sophia Marie G. Conquilla dreamt of becoming a journalist committed to tell stories that mattered, amplify the voices of the voiceless, and advance truth in the service of the public. But those dreams were cut short as her life was taken away at the hands of children in conflict with the law within her own home in Tagum City, Davao del Norte.

This case underscores the urgent need to review and strengthen the country's juvenile justice system to balance compassion with accountability and to ensure that such tragedies do not recur. The foregoing case exposed the hidden shortcomings in the implementation of Republic Act No. 9344. The tragic case of Sophia highlights the systemic gaps that have long existed in the implementation of the Juvenile Justice and Welfare Act.

The case of Sophia reminds us that compassion for children must go hand in hand with accountability. While indeed efforts towards creating a system which shows compassion for delinquent juveniles, real-world occurrences are the best basis for creating avenues for meaningful review of our laws. A justice system that seeks to protect minors without counterbalancing such protection with genuine rehabilitation risks creates not only more victims, but also more broken futures, more grieving families, and more dreams left unfulfilled – all while promoting a culture of impunity.

For the First District of Davao del Norte and for the country, this bill is offered in her memory and in the hope that no Filipino child's dream will be silenced again.

In view of the foregoing, the immediate passage of this measure is earnestly sought to ensure accountability, strengthen the rehabilitation of juvenile delinquents, mitigate genuine rehabilitation risks, and restore the public trust in the juvenile justice system.

  
**DE CARLO "OYO" L. UY**  
*Representative*

First District, Davao del Norte



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

**TWENTIETH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 5307**

---

**Introduced by Representative DE CARLO "OYO" L. UY**

---

**AN ACT**  
**STRENGTHENING FURTHER THE JUVENILE JUSTICE AND WELFARE SYSTEM,**  
**AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9344, OTHERWISE KNOWN AS**  
**THE "JUVENILE JUSTICE AND WELFARE ACT OF 2006," AS AMENDED BY**  
**REPUBLIC ACT NO. 10630, AND FOR OTHER PURPOSES**

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

**SECTION 1.** Section 4 of Republic Act No. 9344, as amended, is hereby amended to read as follows:

"SEC. 4. Definition of Terms. - The following terms as used in this Act shall be defined as follows:

XXX

(s) 'Bahay Pag-asa' - refers to a 24-hour child-caring institution established, funded and managed by local government units (LGUs) and licensed and/or accredited non-government organizations (NGOs) providing short-term residential care for children in conflict with the law who are [~~above fifteen (15)~~] **TEN (10)** but below eighteen (18) years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction [-] **EXCEPT WHEN THE OFFENSE CHARGED IS A HEINOUS CRIME, AS PROVIDED IN THIS ACT.**"

**SECTION 2.** Section 6 of Republic Act No. 9344, as amended, is hereby further amended to read as follows:

"**SEC. 6. Minimum Age of Criminal Responsibility.** - A child fifteen (15) years of age or under at the time of the commission of the offense shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of this Act.

XXX

**NOTWITHSTANDING WITH THE FOREGOING, AN OFFENDER AT LEAST TEN (10) YEARS OF AGE BUT BELOW FIFTEEN (15) YEARS OF AGE WHO**

28 COMMITS ANY OF THE HEINOUS CRIMES AS DEFINED UNDER EXISTING  
29 LAWS SHALL BE DEEMED A CHILD IN CONFLICT WITH THE LAW AND  
30 SUBJECTED TO APPROPRIATE PROCEEDINGS UNDER THIS ACT. IN ALL  
31 CASES, DIVERSION AND REHABILITATIVE MEASURES SHALL REMAIN  
32 THE PRIMARY CONSIDERATION."  
33

34 SECTION 3. Section 20 of RA 9344, as amended, is hereby further strengthened as follows:  
35

36 "SEC. 20. Children Below the Age of Criminal Responsibility. - If it has been  
37 determined that the child taken into custody is fifteen (15) years old or below, the  
38 authority which will have an initial contact with the child, in consultation with the  
39 local social welfare and development officer, has the duty to immediately release the  
40 child to the custody of his/her parents or guardian, or in the absence thereof, the  
41 child's nearest relative. The child shall be subjected to a community-based intervention  
42 program supervised by the local social welfare and development officer, unless the  
43 best interest of the child requires the referral of the child to a youth care facility or  
44 'Bahay Pag-asa' managed by LCDs or licensed and/or accredited NGOs monitored by  
45 the DSWD.  
46

47 XXX

48 THIS PROVISION SHALL NOT APPLY WHEN THE OFFENSE CHARGE IS A  
49 HEINOUS CRIME, AS PROVIDED IN THIS ACT."  
50

51 SECTION 4. Section 20-D of RA 9344, as amended, is hereby amended to read as follows:  
52

53 "The parents or legal guardians of a child in conflict with the law shall be ~~liable for~~  
54 ~~damages~~ **LIABLE FOR DAMAGES AND ACCOUNTABLE FOR ENSURING THE**  
55 **PROPER GUIDANCE, SUPERVISION, AND REHABILITATION OF THEIR**  
56 **CHILD.** ~~unless they prove, to the satisfaction of the court, that they were exercising~~  
57 ~~reasonable supervision over the child at the time the child committed the offense and~~  
58 ~~exerted reasonable effort and utmost diligence to prevent or discourage the child from~~  
59 ~~committing another offense.~~  
60

61 IN ADDITION, THEY SHALL BE REQUIRED TO PARTICIPATE IN  
62 MANDATORY COUNSELING, PARENTING PROGRAMS, AND CAPACITY-  
63 BUILDING SESSIONS PROVIDED OR ACCREDITED BY THE RJJWC, DSWD,  
64 OR THE CONCERNED LGU. THE PARENTS SHALL LIKEWISE BE OBLIGATED  
65 TO COOPERATE WITH DIVERSION, REHABILITATION, AND AFTERCARE  
66 PROGRAMS, INCLUDING ATTENDANCE IN FAMILY CONFERENCES OR  
67 RESTORATIVE JUSTICE PROCESSES.  
68

69 THE COURT MAY, CONSIDERING THE FINANCIAL CAPACITY OF THE  
70 PARENTS OR GUARDIANS, IMPOSE RESTITUTION OR COMMUNITY  
71 SERVICE IN LIEU THEREOF, IN ADDITION TO, DAMAGES. THE COURT, IN  
72 MAKING THE FOREGOING CONSIDERATION, SHALL ALSO PRIMARILY  
73 CONSIDER WHETHER THE CHILD IN CONFLICT WITH THE LAW IS  
74 REASONABLY HELD ACCOUNTABLE, AND WHETHER THE IMPOSITION OF  
75 RESTITUTION OR COMMUNITY PROMOTES FAIRNESS AS REGARDS THE  
76 PRIVATE OFFENDED PARTY.  
77

78 HOWEVER, THE PARENTS OR GUARDIANS MAY BE EXEMPT FROM THESE  
79 LIABILITIES AND OBLIGATIONS ONLY UPON PROOF, TO THE

80 SATISFACTION OF THE COURT AND BY CLEAR, CONVINCING, AND  
81 SUBSTANTIAL EVIDENCE, THAT THEY HAVE EXERCISED REASONABLE  
82 SUPERVISION AND EMPLOYED ALL MEASUREABLE MEANS OF DILIGENCE  
83 TO PREVENT OR DISCOURAGE THE COMMISSION OF THE OFFENSE.  
84

85 PROVIDED, FURTHER, THAT, SHOULD IT BE ESTBALISHED THAT THE  
86 PARENTS OR LEGAL GUARDIANS FAILED TO EXERCISE PROPER  
87 GUIDANCE, SUPERVISION, OR REHABILITATION OF THEIR CHILD,  
88 DESPITE HAVING THE CAPACITY TO DO SO, THE COURT MAY, AFTER DUE  
89 NOTICE AND HEARING, HOLD SUCH PARENTS OR GUARDIANS LIABLE  
90 FOR CONTEMPT OR IMPOSE APPROPRIATE SANCTIONS AS MAY BE  
91 DEEMED JUST AND REASONABLE.  
92

93 XXX"  
94

95 SECTION 5. Section 38 of RA 9344, as amended, is hereby amended to read as follows:  
96

97 "SEC. 38. *Automatic Suspension of Sentence.* - Once the child who is under eighteen  
98 (18) years of age at the time of the commission of [the] A NON-HEINOUS offense is  
99 found guilty of the offense charged, the court shall determine and ascertain any civil  
100 liability which may have resulted from the offense committed. However, instead of  
101 pronouncing the judgment of conviction, the court shall place the child in conflict with  
102 the law under suspended sentence, without need of application: Provided, however,  
103 That suspension of sentence shall still be applied even if the juvenile is already  
104 eighteen years (18) of age or more at the time of the pronouncement of his/her guilt.  
105 Provided, further, that the court may, in exceptional circumstances, consider the  
106 suspension of sentence for heinous offenses when the benefits of rehabilitation  
107 outweigh the benefits of punitive measures, such as when the child found guilty of the  
108 offense is able to show genuine and meaningful receptivity to rehabilitation and other  
109 like circumstances.  
110

111 XXX"  
112

113 SECTION 6. Section 8 of RA 9344, as amended, is further amended to read as follows:  
114

115 "There shall be a Regional Juvenile Justice and Welfare Committee (RJJWC) in each  
116 region, WITH DEDICATED PLANTILLA PERSONNEL FUNDED UNDER THE  
117 GENERAL APPROPRIATIONS ACT. The RJJWCs will be under the administration  
118 and supervision of the JJWC. The RJJWC shall be chaired by the director of the regional  
119 office of the DSWD. ~~It shall ensure the effective implementation of this Act at the~~  
120 ~~regional and LGU levels and the coordination among its member agencies.~~ THE  
121 RJJWC SECRETARIAT SHALL PROVIDE FULL-TIME TECHNICAL,  
122 ADMINISTRATIVE, AND MONITORING SUPPORT TO THE RJJWC, ENSURE  
123 COORDINATION AMONG MEMBER AGENCIES, AND OVERSEE THE  
124 IMPLEMENTATION OF REGIONAL PROGRAMS AND PARENTAL TRAINING  
125 INITIATIVES.  
126

127 XXX"  
128

129 SECTION 7. *Separability Clause.* - If any provision or part hereof is held invalid or  
130 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
131 valid and subsisting.

132 **SECTION 8. *Repealing Clause.*** – Article 266 (l)(d) of Act No. 3815, otherwise known as "The  
133 Revised Penal Code," as amended, and all other laws, decrees, orders, rules and regulations  
134 or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or  
135 modified accordingly.

136  
137 **SECTION 9. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in  
138 the Official Gazette or in at least two (2) newspapers of general circulation.

139  
140  
141 *Approved,*