

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8251



Introduced by **Representative RACHEL MARGUERITE "CUTIE" DEL MAR**

EXPLANATORY NOTE

Children are among the most vulnerable members of society. When they become victims of rape and aggravated sexual abuse, the harm inflicted is not only physical but lifelong — psychological, emotional, and developmental. The State, under Article XV, Section 3(2) of the 1987 Constitution, mandates the special protection of children from all forms of abuse, neglect, cruelty, exploitation, and other conditions prejudicial to their development.

Despite the enactment of progressive child-protection laws such as Republic Act No. 8353 and its recent strengthening under Republic Act No. 11648, sexual violence against children remains alarmingly prevalent.

Data from the Philippine National Police consistently show that rape remains one of the most reported crimes against women and children. In recent annual crime statistics, thousands of rape cases are recorded each year, with a significant proportion involving victims below eighteen (18) years of age. Historically, more than half of rape victims reported to authorities are minors.

The Department of Justice has likewise reported persistent case inflow involving child sexual abuse, contributing to court congestion and prolonged trauma for victims awaiting justice.

Studies by the UNICEF Philippines indicate that a substantial number of Filipino children experience sexual violence before reaching adulthood, and that many incidents go unreported due to fear, shame, coercion, or the involvement of a trusted adult.

Further, the Philippines has been identified as a global hotspot for online sexual abuse and exploitation of children (OSAEC), prompting the enactment of Republic Act No. 11930. However, while online exploitation has drawn increasing attention, physical child rape and aggravated sexual abuse continue to occur within homes, schools, communities, and institutions meant to provide protection.

Research in criminal justice and psychology demonstrates that sexual offenses against children are frequently characterized by abuse of trust, authority, or moral ascendancy. Offenders are often parents, relatives, guardians, teachers, religious figures, or individuals in positions of control over the child.

International studies have also noted that certain categories of sexual offenders exhibit patterns of repeat offending, particularly when intervention, incapacitation, and supervision mechanisms are inadequate. While rehabilitation remains a cornerstone of penology, crimes involving sexual violence against minors demand a calibrated balance between reformatory justice and societal protection.

Under current law, rape may be punished by *reclusion perpetua*, with eligibility for parole subject to existing statutes. However, given the gravity of child rape — especially when attended by aggravating circumstances such as the victim's tender age, abuse of authority, or infliction of serious psychological injury. This measure seeks to impose life imprisonment without eligibility for parole, good conduct time allowance, probation, or other forms of early release, except by express presidential pardon only.

This proposed legislation is consistent with the constitutional mandate to defend the rights of children and with existing statutory frameworks protecting minors from exploitation and abuse. It complements the reforms introduced by Republic Act No. 11648 and strengthens accountability mechanisms in cases involving aggravated circumstances.

While the criminal justice system must always be guided by fairness and due process, it must equally be guided by its paramount duty to protect the innocent. When the victim is a child and the offense constitutes rape or aggravated sexual abuse, the severest penalty permitted under law is both justified and necessary.

For these reasons, the immediate passage of this bill is earnestly sought.


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AN ACT
IMPOSING THE PENALTY OF LIFE IMPRISONMENT WITHOUT
ELIGIBILITY FOR PAROLE FOR CHILD RAPE AND OTHER FORMS OF
AGGRAVATED SEXUAL ABUSE AGAINST CHILDREN, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 8353, AS AMENDED BY REPUBLIC
ACT NO. 11648, AND FOR OTHER PURPOSES

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 ***“Lifetime Imprisonment for Child Sexual Offenders Act.”***

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to afford children special protection from all forms of sexual abuse and exploitation and to ensure that persons who commit sexual offenses against minors are punished with the severest penalties permitted under law.

SEC. 3. Definition of Terms. - As used in this Act, the following terms are defined as follows:

- (a) *Child* refers to any person below eighteen (18) years of age;
- (b) *Child Rape* refers to rape committed against a child as defined under existing laws;
- (c) *Aggravated Sexual Abuse* refers to sexual abuse committed when:

(1) The offender is a parent, ascendant, guardian, relative, teacher, coach, religious minister, or person exercising authority or moral ascendancy;

(2) The victim is below twelve (12) years old;

(3) The offense is committed by two or more persons;

(4) The victim suffers serious psychological or physical injury.

SEC. 4. Imposition of Lifetime Imprisonment Without Parole. - Notwithstanding existing provisions of law, any person found guilty of child rape, aggravated sexual abuse of a minor, and sexual assault involving abusive sexual contact against a child shall suffer the penalty of life imprisonment without eligibility for parole, good conduct of time allowance (GCAT) under Republic Act No. 10592, probation, executive clemency, or any form of early release, except by presidential pardon expressly granted only.

SEC. 5. Offenses Committed by Certain Persons. - When the offender is a parent or guardian, teacher or school personnel, law enforcement officer, government official, or a member of the Armed Forces of the Philippines or any uniformed men in service, the maximum penalty under this Act shall automatically be imposed together with perpetual disqualification from public office or military service.

SEC. 6. Non-Applicability of Plea Bargaining. - Plea bargaining shall not be allowed in prosecutions involving child rape or aggravated sexual abuse under this Act.

SEC. 7. Civil Liability. - Conviction under this Act shall carry mandatory payment of moral, exemplary, and psychological rehabilitation damages to the victim.

SEC. 8. Implementing Rules and Regulations. - The Department of Justice, in coordination with the Department of Social Welfare and Development and other concerned agencies, shall promulgate the necessary rules and regulations within ninety (90) days from the effectivity of this Act.

SEC. 9. Separability Clause. - If any provision of this Act is declared unconstitutional, the remaining provisions shall remain in full force and effect.

SEC. 10. Repealing Clause. - All laws, decrees, executive orders, rules, and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,