

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

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 11401



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

“Ang kabataan ang pag-asa ng bayan.” This has been a line that has been used repeatedly to the point of cliché. However, it rings true then and it still rings true today. The youth will be the next nation builders of the Philippines. It is then necessary to realize that policies we will make today will ultimately affect them significantly in the future.

Unfortunately, it is also a reality that their sector has been and is currently one of those marginalized and exploited. Their youth is sometimes seen as an instrument and opportunity for abuse. At least 17,600 cases of child abuse were reported in 2023 alone, with many such cases violating Republic Act No. 7610 or the Special Protection of Children Against Abuse, Exploitation, and Discrimination.¹

If we are going to believe in the potential that the youth has, it is equally important that they be protected from all kinds of abuse. The next generation is, and will still be, worth fighting for. It is for these reasons, and to strengthen the R.A. 7610, that further robust protection is given to children and the youth.

It is for the foregoing premises that the approval of this Bill is earnestly sought.


ALFRED C. DELOS SANTOS
Representative, Ang Probinsyano Partylist

¹ Jet Ines, “When the Guardian Becomes the Abuser,” Save the Children, available at:
<https://www.savethechildren.org/ph/our-work/our-stories/story/when-the-guardian-becomes-the-abuser/>

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**AN ACT PROVIDING FOR THE COMPREHENSIVE PROTECTION OF
CHILDREN FROM ABUSE, NEGLECT, AND EXPLOITATION AND
PROMOTION OF THEIR OVERALL HEALTH AND WELFARE**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Comprehensive
Child Protection and Welfare Act.”

SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote
and protect the youth’s physical, moral, intellectual, and social well-being. It is
also the policy of the State to protect children from abuse, neglect and
exploitation. Thus, the State shall endeavor to create programs that will ensure
that children are protected beginning in the barangay level to ensure that all
children in every household are included.

SECTION 3. *Barangay Children’s Welfare Worker; Minimum Qualifications.*
– There shall be at least one (1) Barangay Children’s Welfare Worker (BCWW) in
every barangay. The BCWW may be an existing Barangay Health Worker or a
social worker who underwent a rigorous training designed to equip him or her
with handling all concerns and all cases that specifically involve children’s
protection and welfare

The Department of Social Welfare and Development (DSWD) and
Department of Health (DOH) shall create the training course for BCWWs,
conduct the training and provide means for aspiring BCWWs to attending,
including but not limited to: transportation assistance, meals, and
accommodation. Every year thereafter, there shall be a skills and knowledge
update and refresher course for all current and new BCWWs.

DOH and DSWD shall formulate the necessary qualification standards for BCWWs in relation to the duties and responsibilities of BCWWs provided in the succeeding section.

SECTION 4. *Duties and Responsibilities of BCWW.* – A Barangay Children’s Welfare Worker (BCWW) shall:

- (a) Conduct home visits in every household with children between ages 0 to 18;
- (b) Observe the child’s home situation, behavior, and relationship with parents and other family members living in the house to see if there are indications of abuse, neglect, or exploitation;
- (c) Provide parents with child care guidance or advice if requested;
- (d) Refer to proper authorities if there are indications or evidence of abuse, neglect, or exploitation;
- (e) Ensure that the child is protected in any situation that may potentially affect the child’s well-being physically, mentally or emotionally;
- (f) Work together with the Barangay Health Workers to ensure that the health and nutritional needs of the child are met; and
- (g) Take temporary custody of a child who is in immediate danger from the abuse, neglect or exploitation that he or she experiences in the home or community, and ensure that while such child is in temporary custody, he or she gets the necessary medical attention and mental health intervention.

SECTION 5. *BCWW Intervention; Circumstances where BCWW Intervention is allowed.* – BCWW intervention includes taking immediate custody of a child found to be in actual or imminent danger from physical, sexual or verbal abuse, exploitation, and neglect by parents or guardians.

In case of resistance by parents or guardians, BCWWs shall seek the assistance of a social worker and police authorities to take temporary custody of the child.

In case the child is determined by the BCWW to be in potential or suspected danger, the BCWW shall file a police report and a report to the DSWD, and regularly monitor the situation of the child; provided, that if the situation escalates to actual or imminent danger, the BCWW can resort to the action provided in the preceding paragraphs.

BCWW intervention is also allowed in cases of child trafficking and child sexual exploitation. BCWWs shall closely work with the social worker and police officer in charge of the Women and Children’s Desk assigned to the case, and ensure the safety and mental wellness of children involved in child trafficking and child sexual exploitation.

SECTION 6. *Health and Nutrition for Children in Barangays.* – BHWs shall be given additional specialized training on children’s physical and mental health. Every year after their first training course, BHWs shall be given refresher courses to continuously update their knowledge and skills in handling health cases involving children.

SECTION 7. *House-to-House Nutrition and Health Checks by Barangay Health Workers.* – Every child between ages 0 to 18 shall be regularly monitored by BHWs through house-to-house visitation in terms of their physical growth, weight, nutrition, and mental well-being. Children ages 13 to 18 shall be regularly encouraged by BHWs to get involved in physical, emotional and mental exercises and activities.

A program to implement this paragraph shall be devised within six (6) months from the effectivity of this Act by the Department of Health (DOH), in coordination with other relevant government agencies, and in consultation with experts from the University of the Philippines.

SECTION 8. *Seminars for Parents on Child Health and Development.* – DOH, DSWD, and BHWs shall jointly conduct biannual seminars for parents covering topics on physical development, mental and intellectual stimulation, emotional support, proper nutrition, and others relevant topics as determined by the DOH and DSWD.

The DOH and DSWD shall formulate these seminars within six (6) months from the effectivity of this Act, and include its contents in the annual training for BHWs.

Expenses for the conduct of the seminars for parents shall be shouldered by the local government unit exercising jurisdiction over the barangay. Joint seminars between barangays within the same city or municipality is allowed.

SECTION 9. *Child Abuse, Child Neglect, and Child Endangerment.* – For purposes of this Act, the term “child abuse” shall collectively refer to abuse, neglect, and endangerment. Specifically, child abuse refers to the maltreatment, whether habitual or not, of the child which includes any of the following:

- (a) Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
- (b) Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
- (c) Unreasonable deprivation of his basic needs for survival, such as food and shelter; or
- (d) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his growth and development or in his permanent incapacity or death.

SECTION 10. *Authority of BHWs to Alert BCWW and DSWD on Actual or Possible Child Abuse Cases.* – If during a house-to-house visitation, or reported by a family member, neighbor, or the child himself, a BHW learns that there is actual or possible child abuse, he or she has the duty and authority to alert the BCWW and social worker. Failure to report immediately after learning about the abuse shall make the BHW administratively liable.

SECTION 11. *Establishment of Child Abuse, Exploitation and Trafficking Hotline in Every City and Municipality.* – Every city and municipality shall have a Sagip Bata hotline which will take calls regarding child abuse, exploitation and trafficking. Every call shall be verified through the BCWW in the barangay where the child resides. The BCWW shall take the necessary steps to know the real situation of the child and take the necessary steps to protect the child's welfare and safety.

SECTION 12. *Mental Health Assistance for Children who are Victims of Child Abuse, Exploitation and Trafficking.* – Abused, exploited, or trafficked children, once rescued, shall have a child-friendly and age-appropriate conversation with the BCWW to explain the situation and the process that he or she will have to go through after being rescued.

Thereafter, the BCWW shall bring, and assist the child if needed, to a child psychologist, or if none is available, to a psychologist for the appropriate mental health intervention.

SECTION 13. *Assistance by Infant Care and Lactation Specialists for Young Mothers.* – Young mothers are girls who became pregnant or gave birth while still below 18 years of age.

Young mothers shall be assisted by BHWs through teaching them the basics of infant care, balanced nutrition, lactation and proper breastfeeding.

SECTION 14. *Mental Health Programs for Young Mothers.* - BHWs shall also help young mothers in recovering mentally from the early pregnancy and birth, and adjusting to motherhood. BHWs shall also work with the young mothers' parents or guardians, partner or spouse in creating a healthy environment, and teaching them how to be more supportive of the mother and the infant.

SECTION 15. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 16. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and

regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 17. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,