

# Local Interventions and Public Investments for Children in Conflict with the Law in the Philippines

Case Studies in Six (6) Local Government Units



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**LOCAL INTERVENTIONS AND PUBLIC INVESTMENTS FOR CHILDREN IN CONFLICT WITH THE LAW IN THE PHILIPPINES (CASE STUDIES IN SIX (6) LOCAL GOVERNMENT UNITS**

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**RESEARCH TEAM:**

*JJWC Secretariat*

**Office of the Executive Director:**

Atty. Tricia Clare A. Oco, Executive Director

Ms. Maricris E. Calipjo-Cabural, Deputy Executive Director

**Policy and Research Division:**

Ms. Jackielou S. Bagadiong, Project Development Officer IV

Ms. Mylene L. Paule, Project Development Officer IV

*Consultant*

Mr. Henry R. Ruiz, PhD

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UNICEF - Philippines

Google Maps

Ms. Jackielou S. Bagadiong

Ms. Mylene L. Paule

In support of the United Nations Children's Fund-Philippines





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Juvenile Justice and Welfare Council

United Nations Children's Fund



# ACRONYMS

BCPC	Barangay Council for the Protection of Children
BJMP	Bureau of Jail Management and Penology
CAR	Children at Risk
CFLGA	Child-Friendly Local Governance Audit
CICL	Child in Conflict with the Law
CLJIP	Comprehensive Local Juvenile Intervention Program
CNJIP	Comprehensive National Juvenile Intervention Program
CPTCSA	Center for the Prevention and Treatment of Child Sexual Abuse
CRC	Convention on the Rights of the Child
CWC	Council for the Welfare of Children
C4D	Communication for Development
DepEd	Department of Education
DR	Documents Review
DILG	Department of the Interior and Local Government
DOJ	Department of Justice
ERPAT	Empowerment and Reaffirmation of Paternal Abilities
FGD	Focus Group Discussions
IRA	Internal Revenue Allotment
JJWC	Juvenile Justice and Welfare Council
JJWA	Juvenile Justice and Welfare Act
KII	Key Informant Interview
LDIP	Local Development and Investment Plan
LCPC	Local Council for the Protection of Children
LGU	Local Government Unit
LSWDO	Local Social Welfare Development Office
MACR	Minimum Age of Criminal Responsibility
M/C SWDO	Municipal/City Social Welfare and Development Office
M/CHO	Municipal/City Health Office
MLGOO	Municipal Local Government Operations Officer
MPDC	Municipal Planning and Development Coordinator
NGO	Non-Government Organizations
NJJW-MIS	National Juvenile Justice and Welfare Management Information System
PAO	Public Attorney's Office
PES	Parents Effectiveness Service
PNP	Philippine National Police
PNP-WCPC	PNP - Women and Children Protection Center
PNP-WCPD	PNP - Women and Children Protection Desk
POPCEN	Census of Population
RA	Republic Act
RJJWC	Regional Juvenile Justice and Welfare Committee
RRCY	Regional Rehabilitation Center for Youth
UNICEF	United Nations Children's Fund



## FOREWORD

The Juvenile Justice and Welfare Act (Republic Act 9344) was enacted in 2006 and amended in 2013 (Republic Act 10630). Since then, the JJWC members, its coordinating agencies, and the local government units (LGUs) have developed and implemented programs, guidelines and protocols in handling Children in Conflict with the Law (CICL) and Children at Risk (CAR). Despite these developments, the country has yet to fully realize the provisions of the law. More than 18,000 LGUs still have to completely comply with the law's mandate to fund and implement the Comprehensive Local Juvenile Intervention Program (CLJIP). As of June 2018, more than half of the LGUs or 53% (13,251 out of 24,848) of the provinces, cities, municipalities and barangays with approved CLJIP have not yet integrated their CLJIP in the Local Development Plan.

Moreover, a Council for the Welfare (CWC) study on investments on children found that LGU financing on children's programs and services had decreased over time. There was also no specific information on the level of investment for programs for CICL, including the implementation of CLJIP by the LGUs.

Within this context, the Juvenile Justice and Welfare Council (JJWC) conducted the research/case studies in six selected LGUs of different socio-economic characteristics. The research will serve as an initial reference in the establishment of a monitoring and evaluation mechanism on the existing programs, services and investments for CICL and CAR in the chosen LGUs. The research will also help JJWC determine the appropriate program and intervention guide it could issue taking into account the different factors affecting the investments of LGUs for its children population. The research also hopes to contribute towards the achievement of the Philippines' National Plan of Action for Children (NPAC) 2017-2022, of the Philippine Plan to End Violence Against Children (PPAEVAC) and of the Sustainable Development Goals (SDGs) through its recommendations.

The research itself already guides the LGUs and the JJWC on addressing the issues on investments for CAR and CICL. For the LGUs with high incidence of CICL cases, a thorough and consistent implementation of the programs and services must be actively documented, monitored and evaluated in order to determine if they have achieved the effect they ought to attain. For LGUs that do not consider CICL as a major problem due to the low number of delinquency cases, programs to prevent children at risk of committing crimes due to factors such as poverty must be ensured to be put in place. Policy formulation and advocacy activities at the national level on the implementation of the Juvenile Justice and Welfare Act are imperative.

The JJWC hopes the research will be a useful reference and guide to all concerned government agencies as they seek to meaningfully implement the Juvenile Justice and Welfare Act as amended.

  
**Atty. Tricia Clare A. Oco**  
Executive Director  
Juvenile Justice and Welfare Council



## MESSAGE

Establishing a juvenile justice and welfare system entails development of policies and eventually, translation of these policies into programs and services. The Philippines already has the Juvenile Justice and Welfare Act or the JJWA (Republic Act 9344 as amended), which laid a comprehensive policy to ensure that the rights and well-being of country's Children in Conflict with the Law (CICL) and Children at Risk (CAR) are protected and ensured. As to how the JJWA provisions are implemented, particularly by our duty bearers, is a matter that is yet to be documented and assessed.

This was the goal of this study by the Juvenile Justice and Welfare Council (JJWC). By documenting six (6) local government units (LGUs), the government and the public are given a glimpse on how the JJWA fairs on the ground. All these years, we have the numbers on how many CICL and CAR we have per locality but have we actually measured how our localities are treating our CICL and CAR? This study showed a number of findings – that LGUs have programs for CICL and CAR contingent on the severity of cases of juvenile delinquency in the area; that the Local Councils for the Protection of Children are existing but with different levels of functionality; that duty bearers are yet to practice diversion, community-based interventions and aftercare programs, among others. Thus, this study is both a reflection on the current situation of and system for our CICL and CAR, as well as a to-do list in terms of the establishment of an effective and efficient Juvenile Justice and Welfare System in the Philippines.

This study by the JJWC should be a wake-up call to LGUs on the need to prioritize our CICL and CAR. It is not enough that we count our CICL and CAR. It is also important that our duty bearers are doing something for these children. Whatever their circumstance is, the fact remains that they are our children – Filipino children who will someday be nurturers of this country. That is why it is imperative that we lay the foundation to prepare them when the time comes that we are to pass on this nation.

  
Secretary Rolando Joselito Delizo Bautista  
Chairperson  
Juvenile Justice and Welfare Council



## MESSAGE

It has been more than ten years since the enactment of the Republic Act 9344 or the Juvenile Justice and Welfare Act of 2006, and more than five years since its amendment in Republic Act 10630. Through the years, the law and its mandated policies and practices have been tried and tested. There are many stories of its success, and many children and families' lives changed for the better because of committed child rights actors in communities. It is a true privilege for UNICEF to help tell the stories of upliftment and is grateful for this partnership with JJWC because this book is an aspirational platform for local government units to learn and be inspired. This document on local interventions and public investments for children in conflict with the law from Vincenzo Sagun, Zamboanga del Sur; Surigao City, Surigao del Norte; Naga City, Camarines Sur; Valenzuela City, Metro Manila; Talavera, Nueva Ecija; and Ayungon, Negros Oriental demonstrate that proper implementation of the law is dependent upon the commitment, support, and purposive programs of local government units.

The fulfillment of local programs in relation to juvenile justice requires great commitment. UNICEF extends our gratitude to the six local government units who have shared their programs, plans, stories, and challenges toward addressing the rights of children in conflict with the law and children at risk. They shared not only their successes, such as allocation of resources and primary interventions but also their limitations on community-based intervention and diversion programs, functionality of Barangay Council for the Protection of Children, and enabling ordinances.

We at UNICEF congratulate the Juvenile Justice and Welfare Council (JJWC) for this rich document to safeguard children's rights in juvenile justice in the local context. We hope that this provides inspiration to LGUs nationwide to commit to the fulfillment of the right of every child in their community.

  
**Ms. Oyunsaikhan Dendevnorov**  
Representative  
UNICEF Philippines

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- Talavera Municipality, Nueva Ecija
- Surigao City, Surigao del Norte
- Vincenzo Sagun Municipality, Zamboanga del Sur
- Naga City, Camarines Sur
- Valenzuela City, Metro Manila
- Ayungon Municipality, Negros Oriental

The final draft of this document benefitted from the inputs of:

United Nations Children’s Fund (UNICEF)

- Atty. Maria Margarita Ardivilla, Child Protection Specialist

Juvenile Justice and Welfare Council National Secretariat:

- Atty. Tricia Clare A. Oco, JJWC Executive Director
- Ms. Maricris E. Calipjo-Cabural, JJWC Deputy Executive Director
- Ms. Jackielou S. Bagadiong, Project Development Officer IV
- Ms. Mylene L. Paule, Project Development Officer III
- Henry R. Ruiz, PhD, Consultant

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## DEFINITION OF TERMS

**Advocacy** - is a strategy which aims to influence decisions within political, economic, and social systems and institutions of government at different levels or of any institution for that matter. Done usually by a group of “advocates”, it includes many activities such as conducting research, issuing press releases, organizing press conferences, media campaigns, and public speaking, or lobbying with legislators or policy makers.

**Awareness-raising** - is a process of providing information to individuals, groups or communities designed to increase the level of knowledge of the target on specific topics of interest usually associated with behavioural change or adoption of new desirable practices, such as breastfeeding, proper nutrition, hand washing, etc.

**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) but below eighteen (18) years of age, and who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction.

**Capacity Building** - is the process of equipping individuals or groups with the knowledge, information, skills, and attitudes that enable them to perform specific tasks effectively and efficiently towards the attainment of specific objectives or desired results. Much more than training, capacity building can be done through coaching, mentoring, on the job training, apprenticeship, field exposure, exchange visits, reading, on line studies, etc.

**Caregiver** - refers to a paid or unpaid person who provides care and protection to a child and is expected to pay attention to the needs of the child in the house. Caregiver may be the mother, father, older sibling, grandmother, nanny, housemaid, or any relative.

**Case Management** - a method of providing services whereby a professional social worker assesses the needs of the client and the client’s family, when appropriate, and arranges, coordinates, monitors, evaluates and advocates for a package of multiple services to meet the specific client’s complex needs.

**Child** - refers to a person under the age of eighteen (18) years.

**Child Abuse** - includes any threatening or violent interaction of physical, psychological or sexual nature that may cause physical or psychological harm to the child. This includes neglect and withholding essential aid, medical care and education. Sexual, mental and physical abuses are forms of physical violence. The other forms of child abuse other than physical violence include bullying or peer violence, cyber violence, dating violence, forced consummated sex, and collective violence.

Under Republic Act 7610 or the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, child abuse is defined as “the maltreatment, whether habitual or not, of the child which includes any of the following:

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

**Children at Risk** – refers to children who are vulnerable or at-risk to behave in a way that can harm themselves or others, or vulnerable and at-risk of being pushed and exploited to come into conflict with the law because of personal, family and social circumstances, such as, but not limited to the following:

- a. abused by any person through sexual, physical, psychological, mental, economic or any other means, and the parents or guardian refuse, are unwilling, or unable to provide protection for the child
- b. exploited sexually or economically;
- c. abandoned or neglected, and after diligent search and inquiry, the parents or guardians cannot be found;
- d. come from a dysfunctional or broken family or are without a parent or guardian;
- e. out of school;
- f. a street child;
- g. a member of a gang;
- h. live in a community with a high level of criminality or drug abuse; and/or
- i. live in situations of armed conflict.

**Child in Conflict with the Law** - refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under Philippine laws.

**Child Protection** - protection of children from abuse, exploitation and violence based mainly on the special protection provisions of the Convention on the Rights of the Child particularly Articles 19-23 and 32-40.

**Child Protection Policy** - is a statement of commitment to safeguard children from harm, and that which makes clear to all what is required in relation to the protection of children. It helps create a safe and positive environment for children, and show that the organization is taking its duty and responsibility of care seriously.

**Child Participation** - refers to children taking part in a process or playing a role in a process at their level in accordance to their evolving capacities, children thinking for themselves, children expressing their views effectively, and children acting in a positive way with other people, among others. It also refers to involving children in decision-making on matters which affect their lives, the lives of the community and the larger society in which they live.

**Diversion** - refers to an alternative, child-appropriate process of determining the responsibility and treatment of a child in conflict with the law on the basis of his/her social, cultural, economic, psychological and educational background without resorting to formal court proceedings.

**Enabling Environment** - is a set of interrelated conditions such as legal, organizational, fiscal, informational, political, and cultural that have impact on the capacity of development actors, such as civil society organizations, to engage in the development processes in a sustained and effective manner.

**Intervention** - refers to a series of activities which are designed to address issues that cause children to commit an offense. It may take the form of individualized treatment such as counselling, skills training, alternative learning, education, rehabilitation or reintegration to family.

**Juvenile Justice and Welfare System** - refers to a system of dealing with children in conflict with the law which provides child-appropriate proceedings, including programs and services for prevention, diversion, rehabilitation and reintegration to family and after care services to ensure their normal growth and development.

**Life Skills Education** - is a method used for children and young people to promote personal and social development, to build their capacity to make decisions in a day to day life, to prevent health or social problems from occurring, and to protect themselves from possible abuse, violence or injury.

**Legislation** - is law which has been passed and enacted by the congress. Laws in the Philippines take effect after 15 days following the completion of their publication either in the Official Gazette or in a newspaper of general circulation in the Philippines. Local legislations are city or municipal resolutions or ordinances adopted or enacted by the city or municipal councils.

**Local Council for the Protection of Children** - is an inter-agency and multi-sectoral institutional mechanism in all levels of LGUs that serve as child rights advocates and are in charge of planning, monitoring and implementing local development plans for children which are designed to ensure the protection and safety of the children in the locality.

**Local Development Plan** - is a document that contains the deliberate, rational and continuous effort of the local government unit, with active participation of the community, to accelerate its process of development and growth by optimizing use of local resources. It is directed towards making public services, public spaces, and infrastructures available to the constituency.

**Local Investment Program** - is a planning tool used in implementing the comprehensive local development plan. It is a multi-layer listing of programs and projects with cost estimates and sources of funds.

**Offense** - refers to any act or omission punishable under special laws or the Revised Penal Code, as amended.

**Parenting** - is the process of promoting and supporting the physical, emotional, social, financial, and intellectual development of a child from infancy to adulthood. Also referred to as child rearing, parenting refers to the aspects of raising a child, and all the responsibilities and activities involved in it.

**Partnership** - is the process of building coordination, cooperation or collaboration with other agencies, institutions, communities, groups of people, or certain individuals with the aim of working together and joining forces, or combining resources towards a common goal.

**Policy** - A course or principle of action on juvenile justice and welfare in the form of national and regional guidelines, protocols, manuals, standards, rules and regulations, and recommendations to government agencies that aims to ensure the full implementation of RA 9344 as amended and address gaps in its enactment. These policies are developed, adopted and approved by the Council, JJWC member and coordinating agencies and RJJWCs.

**Rehabilitation** - the process of rectifying or modifying a child's negative attitude and behaviour. It enables the child to change his negative behaviour into something positive and acceptable to the community.

**Reintegration** - the process that promotes or facilitates the acceptance of the child back to the community. It is the healing of the victim's and the community's wounds that were inflicted on them by the offense.

**Social Worker** - refers to a professional who is duly licensed/registered to practice social work in the Philippines in accordance with RA 4373.

# EXECUTIVE SUMMARY

## Background and Rationale

Prior to the passage of Republic Act (RA) 9344 or the Juvenile Justice and Welfare Act (JJWA) of 2006, there were a number of children documented to be detained along with adult criminals. Most of these children only committed petty crimes but had to wait for months in jails while awaiting the resolution of their cases. JJWA was enacted precisely to keep children in conflict with the law (CICL) out of jails and detention facilities, and to ensure the protection of children's rights and welfare. To oversee the full implementation of the law, the Juvenile Justice and Welfare Council (JJWC) was institutionalized.

RA 9344 (as amended by RA 10630) mandates JJWC to develop a three to five (3-5) year Comprehensive National Juvenile Intervention Programs (CNJIP). Said comprehensive program shall be integrated in the local development plans of the local government units (LGUs) to ensure the implementation of the projects and activities indicated in it. Since then, several national and local efforts have been initiated with a view to promoting holistic, center-based, and community-based interventions, and improving rehabilitation and reintegration of CICL.

After more than 10 years since the enactment of RA 9344, it appears that a lot of work still needs to be done. In a 2013 study on Financing for Children commissioned by the Council for the Welfare of Children, national government spending has been found to increase by 15% yearly on the average, beginning 2007 to 2012. Real spending per child on children-related or children-focused programs also rose by 9%. However, one of the study's critical findings also points to a stark differential in spending between the central and local governments - particularly on social welfare services for children. Central government spending rose from just 6% in 2007 to 67% in 2012; while a marked decline defined local government spending from 93.9% to 36.6% in the same years. Specific agency spending on child protection programs, such as that of the Department of Justice, has also been found to be erratic.

A UNICEF-assisted *Evaluation of the Intervention and Rehabilitation Programme in Residential Facilities and Diversion Programs for Children in Conflict with the Law (2015)* conducted by *Universalia* also noted that the implementation and sustainability of programs and investments stated in the provisions of the JJWA remain to be a challenge on the ground for certain reasons such as budget concerns and lack of manpower complement.

Thus, in order to document and analyze the efforts of selected LGUs in the Philippines along this concern, particularly the intervention programs being provided and investments allotted for the CICL and CAR, the JJWC and UNICEF conducted this research.

The research used case study method to generate a realistic picture of the happenings on the ground, particularly in LGUs which received technical assistance from JJWC and DILG; and in LGUs which did not receive technical support from national agencies on the implementation of

the JJWA and development of a Comprehensive Local Intervention Program (CLJIP). Insights from the case studies hope to inform the policy formulation, program and research development as well as advocacy strategies of JJWC in mobilizing meaningful actions at the LGU level, where the issues or concerns on CAR and CICL are happening. The research made use of qualitative and quantitative research methods and generated data from primary and secondary sources.

Six (6) LGUs with different socio-economic and urban-rural characteristics from different parts of the country were pre-selected by JJWC through purposive sampling procedure to serve as case profiles. These were: 1) Vincenzo Sagun Zamboanga del Sur; 2) Surigao City, Surigao del Norte; 3) Naga City, Camarines Sur; 4) Valenzuela, Metro Manila; 5) Talavera, Nueva Ecija; and 6) Ayungon, Negros Oriental.

### **Findings of the Research**

**On Local Investments for CICL/CAR.** In terms of JJWA's provision in Section 15 of RA 9344 requiring LGUs to allot 1% of its budget for LCPC programs, projects, and activities, five (5) LGUs appear to be compliant. However, LGUs needed to be reminded in using the 1% allocation of IRA for LCPC based on DILG MC 2012-120. Meanwhile, the existing reporting system by DILG does not seem to adequately capture the status of LGU's compliance with JJWA requirement. In cities where the problem of CICL is more concerning, there is specific budget for CICL such as for prevention, rehabilitation, diversion, and reintegration but such kind of budget is nonexistent in the municipalities where CICL is less pronounced.

**On Programs and Services for CICL and CAR.** All three (3) cities, Surigao City, Naga City and Valenzuela City, that received technical support from JJWC and DILG for the development of a CLJIP, have their respective programs on CICL and CAR. These three (3) cities, as well as Talavera, also have a local protocol on handling CICL cases. The other two (2) municipalities do not have such protocol because they claim that CICL is not a problem in their area. All Registered Social Workers in the six (6) LGUs have attended training on RA 9344 and on the Protocol on Handling CICL Cases.

All LGUs have primary interventions for children. All LGUs, except for Ayungon, have secondary level of interventions. Meanwhile, only the three (3) cities have tertiary level of interventions. Valenzuela and Surigao Cities have an operational Bahay Pag-asa for CICL. These cities happen to be the only LGUs with proper ratio of Registered Social Worker and CICL of 1 is to 15. The said ratio was based on the DSWD's Revised Standards on Residential Care Service (Administrative Order No. 015 series of 2012). All three (3) cities have residential facilities for CAR which is nonexistent in the three (3) other municipalities.

Among the research sites, only Valenzuela City explicitly noted to have fund support from an NGO, Consuelo Foundation, on the construction of its Child Protection Center. Interviewed LCPC members from Surigao City mentioned assistance from private individuals and groups through provision of school supplies to CICL and CAR and recreational activities in the BPA.

The general weaknesses in responding to CICL are in the implementation of diversion or

community-based interventions and after care program at all levels. Barangays tend to pass on the responsibility of implementing said programs to the M/CSWDO. In all the six (6) LGUs, there is a strong need to strengthen awareness-raising campaign targeting families and communities, particularly on practices and behavior that tend to push children to commit offenses, such as the use of physical violence as a means to discipline them, and poverty that cause them to steal. One of the major issues among all the six LGUs under study is the absence or lack of a constant monitoring and evaluation (M&E), recording, and reporting mechanism on the programs and services for CICL and CAR.

**On Local Structures for CICL.** RA 9344 reiterated the need for a functional BCPC while several laws prior to JJWA also mandated the creation of LCPCs at all levels. All the LGUs covered in this research, except Ayungon, have organized LCPCs but with different levels of functionality. LCPCs normally meet quarterly except for Naga City where the LCPC meets six (6) times a year. The usual agenda cover discussion and sharing on updates on the accomplishment of each member agency on their programs and services to children, and the emerging issues affecting children. All four (4) LGUs which received technical support from JJWC and DILG on the development of CLJIP have organized Project Management Teams (PMT) for CLJIP Implementation. The Municipalities of Ayungon and Talavera, however, do not have the PMT structure.

**On Local Ordinance on CICL.** Local ordinances relevant to CICL are contingent on the severity of the issue in the locality. The City Councils of Valenzuela, Surigao, and Naga have a local resolution adopting the JJWA. The Municipalities, on the other hand, do not have such resolution apparently because the issue/problem on the existence of CICL is not alarming. Common to all six (6) LGUs under case study is the enactment of a local resolution adopting a Children’s Welfare Code or a Children and Youth Welfare Code, where the four (4) fundamental rights of the children under the UN Convention on the Rights of the Child (survival and development, protection and participation) have been specified including programs and services for each.

## Recommendations

From the six (6) case studies, the following are the policy formulation, program and research development as well as advocacy opportunities and strategies that the JJWC, government agencies and stakeholders could consider in strengthening the preventive and responsive programs and services for CICL and CAR at the LGU level:

### Policy

- For DILG to develop and implement a national strategy to revitalize M/CPCs and BCPCs and re-issue DILG MCs 2002-121 and 2005-7 designating the same agency (DILG) to facilitate and provide technical assistance in the organization of LCPC and to spearhead the monitoring of their functionality at all levels.
- For DILG to review MC 2012-120 on “Allocation of One Per Cent IRA for the strengthening and implementation of the Programs, Projects, and activities of the LCPC per Section 15 of RA 9344.” For DILG to review the proposed activities and to add critical ones based on this

study. Part of DILG's strategy should include providing technical assistance and monitoring of LGOOs in the efficient and judicious use of budget for LCPC.

- For DILG, with the recent election of Barangay Councils and Sangguniang Kabataan, to work pro-actively for the integration of JJWA, CICL issues, and other relevant DILG MCs such as the DILG MC 2012-120 in the DILG's orientation manual for newly elected Barangay officials.
- For DILG to direct the creation of a committee in cities (where CICL are many) under the LCPC, composed of staff from CSWDO, PNP-CWPD, PAO, Prosecutors, ABC, and CHO whose function is to prevent juvenile delinquency as well as to work with CICL to assist them in their rehabilitation and to reintegrate them back into the community. The Unit should also work to increase utility of diversion and other alternatives to detention. The members of this Unit should be properly trained on the operationalization of the Integrated Care Management Protocol on Handling CICL Cases and in implementing diversion programs at different levels.
- For JJWC and DILG to consider the severity of CICL as a key criterion in the selection of areas that will be provided with technical support in the localization of CNJIP. Based on this research, the issue of CICL appears to be more pronounced in cities than municipalities.

## Programs

- For JJWC, together with different national councils and committees on various children's concerns, to consider linking up with existing efforts in working with the Union of Local Authorities in the Philippines (ULAP), League of Provinces (LPP), League of Municipalities (LMP), League of Cities (LCP), and the Association of Barangay Chairpersons in mobilizing Local Chief Executives to invest in children's rights and welfare and to support the development of local development plans for children, including CICL, covering three levels of interventions, and to allocate adequate budget for the implementation of such plans.
- For JJWC to consider the reactivation of the Juvenile Justice Network through the NGO members of JJW Council, Center for the Prevention and Treatment of Child Sexual Abuse (CPTCSA) and PREDA Foundation.
- For 1st and 2nd class municipalities with increasing incidents of CICL, consider applying the specific recommendations for cities. For 3rd to 5th class municipalities which are considered to be small and where CICL is not a concern, consider the promotion of positive parenting programs and positive social norms that prevent children from committing crimes. Similarly, their LCPCs and BCPCs must also be vigilant and technically able to deal with CICL.
- For the JJWC to continue and strengthen its collaborative projects with non-government agencies on promoting juvenile justice and welfare, such as UNICEF (i.e. conduct of researches related to juvenile justice and welfare and harmonization of the Supreme Court's Revised Rule on CICL with RA 9344 as amended) and the Humanitarian Legal Assistance Foundation, Inc. or HLAFA (i.e. Strengthening Implementers by Mentoring and Uplifting Local Actors or SIMULA Project).

## Research, Monitoring and Evaluation

- For DILG and JJWC to conduct a policy analysis of the children's codes and of ordinances activating the LCPCs with regard to their comprehensiveness, quality, and inclusion of provisions on Juvenile Justice and Welfare Act. This is to ensure that the programs stated therein are sustainable and to be implemented despite the change in local leadership.
- For JJWC to review the list of good practices from the six (6) case studies in Section 2 of this report for a possible documentation and dissemination to other LGUs.
- For JJWC to consider conducting an external results-based evaluation of JJWC's and DILG's technical support to LGUs on the localization of CNJIP to determine the effectiveness, efficiency, relevance, impact, and sustainability of the pilot approach and to draw out lessons learned for the succeeding similar efforts in the future.

## Advocacy

- For JJWC and DILG to advocate with LGUs to consider developing a strategy that will provide opportunities for children to actively participate in mobilizing local resources and actions for CICL from government, NGOs, and other potential sources of support; and in raising communities' awareness on children's rights and welfare, in general, and on CICL, in particular.
- For JJWC and DILG, in working with LGUs for the localization of CNJIP, to consider working with the whole members of the LCPC and not just with a technical management group to ensure collective ownership of the CLJIP and to ensure the implementation of the plan. To further galvanize ownership and to ensure sustainability, consider advocating for enactment of a local ordinance adopting and providing budgetary support for the CLJIP.
- For JJWC to implement advocacy campaigns and popularize and distribute related materials on implementing RA 9344 by duty bearers and LGUs, such as the PNP Manual in Handling CAR and CICL cases, Integrated Care Management Protocol for Handling of CICL and for CAR and diversion toolkit.
- For UNICEF to consider developing a comprehensive Communication for Development (C4D) strategy to increase awareness of the general public on RA 9344 and to strengthen the preventive aspect of programming for CICL at the LGU level through the promotion of positive parenting programs and positive social norms that prevent children from becoming CICL. This endeavor may be done in collaboration with other relevant national child protection councils and committees on children.

# INTRODUCTION

Prior to the passage of Republic Act (RA) 9344 or the Juvenile Justice and Welfare Act (JJWA) of 2006, there were a number of children documented to be detained along with adult criminals. Most of these children only committed petty crimes but had to wait for months in jails while awaiting the resolution of their cases. JJWA was enacted precisely to keep children in conflict with the law (CICL) out of jails and detention facilities, and to ensure the protection of children's rights and welfare. To oversee the full implementation of the law, the Juvenile Justice and Welfare Council (JJWC) was institutionalized.

RA 9344 mandates JJWC to develop a three to five (3-5) year Comprehensive National Juvenile Intervention Programs (CNJIP) and to facilitate its localization in cities and municipalities. Said comprehensive program shall be integrated in the local development plans of the local government units (LGUs) to ensure the implementation of the projects and activities indicated in it. Since then, several national and local efforts have been initiated with a view to promoting holistic, center-based, and community-based interventions, and improving rehabilitation and reintegration of CICL.

After more than 10 years since the enactment of RA 9344, it appears that a lot of work still need to be done. In a 2013 study on Financing for Children commissioned by the Council for the Welfare of Children, national government spending has been found to increase by 15% yearly on the average, beginning 2007 to 2012. Real spending per child on children-related or children-focused programs also rose by 9%. However, one of the study's critical findings also points to a stark differential in spending between the central and local governments - particularly on social welfare services for children. Central government spending rose from just 6% in 2007 to 67% in 2012; while a marked decline defined local government spending from 93.9% to 36.6% in the same years. Specific agency spending on child protection programs, such as that of the Department of Justice, has also been found to be erratic.

A UNICEF-assisted Evaluation of the Intervention and Rehabilitation Programme in Residential Facilities and Diversion Programs for Children in Conflict with the Law (2015), conducted by Universalia noted that the implementation and sustainability of programs and investments stated in the provisions of the JJWA remain to be a challenge on the ground for certain reasons such as budget concerns and lack of human resource complement.

Thus, in order to document and analyze the efforts of selected LGUs in the Philippines along this concern, particularly the intervention programs being provided and investments allotted for the CICL and CAR, the JJWC and UNICEF conducted this research.

In 2012, the JJWC localized the implementation of the CNJIP through seven (7) selected LGUs which were trained and provided with technical assistance in the conceptualization and implementation of their respective Comprehensive Local Juvenile Intervention Programs. In 2015,

the DILG expanded the pilot-testing of the CLJIP with 16 LGUs through the EU-Philippines Justice Support Programme's Capacity-Building for LGUs on Human Rights-Based Handling of CAR and CICL Project. Local project management teams from each of the pilot LGUs were organized and provided with assistance in the development of situation analysis on CICL and consequently in the crafting of the CLJIP. They also went through a series of capacity-building activities on RA 9344 as amended, on protocol on management of CICL, as well as on working with Local and Barangay Councils for the Protection of Children. To track the implementation progress of the CLJIP, JJWC relied on the periodic accomplishment reports of the pilot LGUs which have been submitted to the JJWC Regional Secretariats.

Based on these reports, the effectiveness and sustainability of local efforts have often been hampered generally by limited resources, competing local priorities, fragmented structures, and inadequate local capacities. In the last three (3) years, there has been no external evaluation conducted to substantiate these reports and to determine the relevance, effectiveness, efficiency, sustainability, and impact of the joint efforts of JJWC and DILG in localizing CNJIP.

In line with the CWC-commissioned study and to have an initial reference for the evaluation of the implementation of RA 9344 as amended at the local level, the JJWC initiated this research using case study as a methodology. The aim of this research is to generate a realistic picture of what is happening on the ground for the localization of CNJIP in terms of investments, programs and services for CICL and CAR, particularly in LGUs which received technical assistance from JJWC and DILG; and in LGUs which did not receive such support from national agencies. Whilst the case studies will not be able to provide a comprehensive and complete assessment of the localization of CNJIP, and whilst it cannot make a generalization on the level of local investments on CICL and CAR, they could, however, provide insights on the local conditions in selected pilot LGUs that can guide JJWC in making further decisions and actions in strongly pushing CNJIP further down the ground.

## 1.1 Background

By ratifying the Convention on the Rights of the Child (CRC), State Parties to this treaty willingly accept their legal and moral obligations to 'use the maximum of available resources' to ensure the progressive realization of the rights of children enshrined in the Convention. The Philippines ratified the CRC on 21 August 1990 and by doing so, agreed to set aside government resources to build an enabling environment that respects, protects and fulfills the rights of all children in the country.

A Council for the Welfare of Children's study on financing for children in 2013 found that national government spending on children in the Philippines increased by 15% yearly on the average from 2007 to 2012. However, the study found a stark difference in spending between the central and local governments particularly on social welfare services for children. Central government spending rose from a mere 6% in 2007 to 67% in 2012 while a marked decline on defined local government spending from 93.9% to 36.6% in the same years.

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<sup>1</sup> Convention on the Rights of the Child Article 4: "States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."

A related study on government investments and spending on children conducted by Urban Jonsson in 2010 revealed that spending on children is increasingly being recognized today as “investments with great prospects for high returns in the future.” The study emphasizes that without such investments, the costs become unacceptably high. It likewise underscored earlier findings of a study by Joseph Hunt in 2001, which showed the various range of deprivations experienced by children in Asia where only very little investments were made.

With the Philippines’ firm commitment as a State Party to the Convention on the Rights of the Child, the government remains bound to “undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention... to the maximum extent of their available resources (Article 4).” This means the country is under legal obligation to ensure allocation of fiscal resources that are responsive to the needs of Filipino children.

In November 2013, RA 10630 or *An Act Strengthening the Juvenile Justice System in the Philippines, Amending for the Purpose Republic Act 9344 or the Juvenile Justice and Welfare Act (JJWA) of 2006*, was enacted to enable the law’s full implementation. The amendment included the strengthening of community-based and centre-based interventions for children below the age of criminal liability and the provision of intensive intervention for children who committed serious crimes and those found to commit repeat offenses.

An additional 400 million pesos is likewise being allocated for the construction of *Bahay Pag-Asa* in priority provinces and highly urbanized cities. *Bahay Pag-Asa* is a temporary residential facility designed to exclusively serve and accommodate children in conflict with the law requiring center-based intervention and who have pending cases before the court.

To improve structural efficiency in the implementation of the law, the creation of Regional Juvenile Justice and Welfare Committees has also been provided in the amendment, ensuring that the law is effectively rolled out in the regional levels. Finally, with the Juvenile Justice and Welfare Council and LGUs being mandated to develop a Comprehensive National Juvenile Intervention Program and Comprehensive Local Juvenile Intervention Programs, respectively, higher and more effective investments in child protection and juvenile justice and welfare framed around restorative justice are expected to be generated in the coming years.

The JJWC, as supported by UNICEF, conducted this research following recommendations from related studies such as the 2015 *Universalis* research, to determine the extent to which LGUs were able to hurdle the biggest barriers to the realization of children’s rights, i.e., lack of sufficient, equitable and efficient public spending on these rights. It hoped to determine whether legal and policy frameworks at the national level were translated into local ordinances and policies at the ground level and whether these are matched with public budget to implement them.

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<sup>1</sup> Jonsson, Urban. “The Economic Significance of Investing in Children, 2010, as cited in the CWC Study, “Financing for Children,” 2013.  
Hunt, Joseph. “Chapter 16: Investing in Children: Child Protection and Economic Growth.” In *Social Protection in Asia and the Pacific*,  
<sup>2</sup> Asian Development Bank, 2001.

Public investment in children may be defined as public spending on specific areas that directly benefit children as set out in the UN Convention on the Rights of the Child (UNCRC) and its Optional Protocols, particularly on social protection, health, education, child protection, emergencies and the requisite child rights infrastructure and systems.

## 1.2 Purpose and Objectives of the Study

Using case study method, this research was designed to demonstrate the extent of public investments for CICL and CAR, as reflected on the implementation of the JJWA in selected LGUs. The research was also designed to identify local issues, barriers, and challenges, as well as good practices and lessons learned that can inform the development of specific guidelines for LGUs in developing, implementing, monitoring, and evaluating local preventive, responsive, and restorative initiatives for CAR and CICL.

Insights and highlights from the case studies are expected to inform the Council's policy, program, research development and advocacy programme strategy in strengthening its enforcement of the law at the local government level.

Specifically, the research aims to:

- Determine the level of LGU's investments on CAR and CICL interventions as indicated by their budget allocations in the Comprehensive Local Juvenile Intervention Programs;
- Determine the levels of programme interventions and specific services provided to children in conflict with the law and CAR;
- Identify gaps, challenges, and issues in responding to CICL and CAR in terms of budget, programs and services, structure, capacity, and local policies; and
- Identify advocacy opportunities and strategies for strengthening preventive and responsive programs for CICL and CAR at the LGU level.

## 1.3 Scope and Limitations of the Study

This research covers six (6) LGUs identified by the JJWC - three (3) LGUs which received technical assistance from JJWC on the drafting of the CLJIP, a DILG-assisted LGU on the drafting of the CLJIP, and two (2) LGUs which are yet to receive technical support on CLJIP-drafting.

The respondents were limited to the members of the Municipal or City Council for the Protection of Children. The BCPCs were represented by the President of the Association of Barangay Captains. The key informants who were interviewed were the heads of the LSWDOs and other respondents who were familiar with programmes on CICL. In case of Naga City, the Councilor assigned as Head of the Committee on Children in the City Council served as the key informant. The research team also relied on the M/CSWDO in identifying CICL and CAR who participated in the focus group discussions.

The variables of this research are limited to the LGUs categories hinged on the level of assistance from national agencies in the localization of the CNJIP. The descriptions in the individual case

studies, as well as the comparative analysis across them, are limited to the level of local budget allotted to children and to CICL, relevant programmes and services, quality of LCPC, and relevant local policies and ordinances.

#### 1.4 Methodology and Process

This research made use of the combination of qualitative and quantitative research methods and generated data from primary and secondary sources to build case studies on the levels of local investment and levels of local intervention for CICL and CAR. Six (6) LGUs with different socio-economic and urban-rural characteristics from different parts of the country were pre-selected by the JJWC Research Advisory Group (RAG) through purposive sampling procedure to serve as case profile.

This research was undertaken in a participative, interactive, and analytical fashion that significantly engaged the local participants in six (6) LGUs in searching for answers to the research questions. The aim was to have a comprehensive, practical, honest, and precise view of the local level of implementation of preventive, responsive, and restorative response for CICL and CAR.

The process also allowed the participants to reflect on the relevant work that they were doing at their level. All of them admitted to the value of the process, which provided them an opportunity to collectively realize and admit their weaknesses, gaps, and barriers that prevent them from fully addressing the needs and concerns of CICL and CAR. The focus group discussions with the members of the LCPCs, as well as with selected CICL and/or CAR, all ended up with expressed determinations to address the identified weakness, gaps, and barriers.

Towards this end, the following research approaches were used and observed:

**Stakeholders' Participation** – The participants, both adults and children, were all engaged in data gathering. The stakeholders' active involvement in the process is a key element in this exercise so that in the end, they could genuinely own the results of this review.

**Principles of Appreciative Inquiry** – This research was guided by the principles of appreciative inquiry which means that the participants did not only serve as sources of information but also pro-actively engaged in the search for answers to the research questions.

**Principles of Triangulation** – To ensure validity and integrity of data and information gathered, the research applied the principles of triangulation which means it utilized at least three (or more) fundamental means of obtaining information from three (or more) different sources. Triangulation is a process that allows for a comparison of findings across different approaches, types or sources of information, and methods of data collection. The results of the exercises were crosschecked for consistency and reliability.

The mix of the data collection methodologies used were: documents review (DR), key informants interview (KII) and focus group discussion (FGD).

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<sup>4</sup> Composed of representatives from JJWC-member and coordinating agencies, NGOs and academe.

*Documents Review (DR)* - This involved a review of relevant documents, reports and references made available by JJWC which included the JJWA as amended, JJWC's annual reports, Comprehensive National Juvenile Intervention Program, Comprehensive Local Juvenile Intervention Program, Budget reports, Local Development and Investment Plans, among others.

*Focus Group Discussion* – FGD is a structured group process used to obtain detailed information (mostly opinion, attitudes and feelings) about a particular issue unknown to the researcher. The FGDs conducted for this research involved the members of the LCPCs of the selected LGUs, and selected CICL and CAR. The FGDs allowed the participants to reflect on and share their experiences, feelings, and their reflections on focused questions.

*Key Informant Interview* – This is a standard anthropological method in social development investigation which involves an in-depth interview of anyone who can provide detailed information and opinion based on his/her experience. Some of the key informants in this exercise were the Local Social Welfare and Development Officer and Heads of Centers.

### **Data Processing and Analysis**

An iterative process that consolidates all data gathered from the desk reviews and field work was done. Summary and comparative matrices were developed in collating the data and identifying any emergent patterns or trends. This included cross-tabulation where data were grouped according to the intervention levels of the LGUs against the following four key variables: (1) budgetary allocation, (2) programs and services, (3) quality of LCPC, and (4) local policies and ordinances.

The variables originated from the consultation with JJWC-RAG in the identification of level of investments of the LGUs in terms for CAR and CICL. The following were the identified indicators for the variables:

- *Budget Allocation* - Non-compliant (below 1% IRA allocation), Compliant (1% IRA allocation), Advance (more than 1% IRA allocation and may use the other internal sources), and Agile (more than 1% IRA allocation and may use the internal and external sources);
- *Programs and Services* - Availability of Primary, Secondary and Tertiary Interventions as well as availability of social workers to handle CICL and CAR cases;
- *Quality of LCPC* - Per DILG Memorandum Circular 2008-126, LCPCs are rated based on indicators on 1) Organization-10%, 2) Meetings-10%; 3) Policies, Plans and Budget-30%, and 4) Accomplishments-50%. Based on the assessment using said indicators, and LCPC's level of functionality can be 1) Basic (The LCPC attained a rating of 20% and below), 2) Progressive (21%-50% rating), 3) Mature (51-79%) or 4) Ideal (80-100%);
- *Local Policies* - Available or Not Available.

Each case study followed the same presentation outline, as follows:

1. Brief Profile
2. Local Situation of CICL
3. Services for children in general and for CICL
4. The Local Council for the Protection of Children
5. Relevant municipal policies and ordinances

6. Local development plan for children
7. Local budget allocation for children
8. Summary of findings
9. Recommendations

## **Validation Workshop**

A validation workshop was conducted with two (2) selected respondents from each of the six (6) LGUs selected for this research on May 3, 2018 in Quezon City. The validation workshop allowed the participants to make comments on and substantiate the preliminary findings of the research, to validate the information generated and to fill up the data gaps.

### **1.5 Brief Profile of Research Areas**

JJWC pre-selected six (6) LGUs that participated in this research based on a set of criteria. Using purposive random sampling procedures, the LGUs selected were:

1. Vincenzo Sagun Municipality, Zamboanga del Sur
2. Surigao City, Surigao del Norte
3. Naga City, Camarines Sur
4. Valenzuela City, Metro manila
5. Talavera Municipality, Nueva Ecija
6. Ayungon Municipality, Negros Oriental

Of six (6) LGUs, three (3) are cities (Naga, Surigao, and Valenzuela) while three (3) are municipalities belonging to the 1st, 2nd, and 5th classifications (Talavera, Ayungon, and Vincenzo Sagun). Three (3) research sites are in Luzon, two (2) in Mindanao and one (1) in the Visayas.

Three (3) research sites, namely, Vincenzo Sagun, Naga City and Surigao City, are pilot areas of JJWC for the localization of CNJIP. Valenzuela City is a recipient of technical assistance from DILG on the drafting of CLJIP. The Municipalities of Talavera and Ayungon did not receive any form of support from JJWC or DILG on the matter.

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Jonsson, Urban. "The Economic Significance of Investing in Children, 2010, as cited in the CWC Study, "Financing for Children," 2013.  
Hunt, Joseph. "Chapter 16: Investing in Children: Child Protection and Economic Growth." In *Social Protection in Asia and the Pacific*, Asian Development Bank, 2001.

**TABLE 1**  
**Brief Profile of Research Areas in Terms of Assistance from JJWC or DILG**

City/Municipal	Types of Technical Support		
	With assistance from JJWC	With assistance from DILG	With no support
Vincenzo Sagun	/		
Surigao City	/		
Naga City	/		
Valenzuela City		/	
Talavera			/
Ayungon			/

**TABLE 2**  
**Profile of Respondents**

City/Municipal	FGD with LCPC		Key informants		FGD with CICL/ CAR	
	Male	Female	Male	Female	Boys	Girl
Vincenzo Sagun	6	8	0	1	0	0
Surigao City	4	5	0	1	4	0
Naga City	2	11	1	0	9	0
Valenzuela City	2	9	0	0	9	0
Talavera	2	7	0	2	4	0
Ayungon	3	3	0	1	6	0

## 1.6 Ethics in Research

JJWC seriously observed ethical standards in research from the outset and throughout the process, i.e., from conceptualization to post-dissemination stage. The conduct of this research was guided by the following research ethics:

*Transparency* – The stakeholders involved in this study, including the adult and children respondents in focus group discussions (FGD) and key informant interview (KII), were made aware of the purpose and objectives of the study and the data collection exercises from the outset. They were given an opportunity to ask questions for clarification.

*Confidentiality* – The respondents were assured that the information would be used solely for the purpose of the study and that no self-incriminating statements would be put in the final

report. The team requested the respondents' permission to use the tape recorder during the interviews and secured the children's concurrence to be photographed.

*Voluntary participation* – It was made clear to those responsible for inviting the adult and child respondents that participation in the FGDs and interviews were voluntary. No adult or child was forced to attend the meetings. Respondents were reminded that they were free to leave the discussions if they were not comfortable with it or for any other reason.

*Child protection* – The research team made sure that children involved in the FGD were not harmed physically or psychologically, as a consequence of their participation in this study. The principle of nonmaleficence, or doing no harm, requires researchers to avoid harm or injury to children, both through acts of commission or omission.

## **1.7 Structure of the Report**

Section 1 – provides the introduction to the report which includes the background or context of the research, the purpose and objectives of the research, the conceptual and analytical framework that guides the research and the methodology, and process for the selection of research sites, data collection, and analysis. This section also discusses the ethics observed in the research process.

Section 2 – is the presentation of the individual case studies for the following LGUs: Surigao City, Surigao del Norte; Naga City, Camarines Sur; Ayungon, Negros Oriental; Vincenzo Sagun, Zamboanga del Sur; Valenzuela, Metro Manila; Talavera, Nueva Ecija.

Section 3 – presents the findings and analysis of the research based on the four (4) focused themes: LGUs' investments for CICL and CAR, Local programs and services for CICL and CAR, Local ordinances relevant to CICL and CAR, and Local Structures relevant to CICL and CAR.

Section 4 – describes some of the good practices from the experiences of LGUs in addressing the CICL and CAR.

Section 5 – provides the advocacy opportunities and strategies that could be considered in strengthening the programs and services for CICL and CAR at the LGU level.

Section 6 – enumerates the relevant lessons learned from the six (6) LGUs.

# CASE STUDIES

## Case Study No. 1 VINCENZO SAGUN, ZAMBOANGA DEL SUR

### 1. Brief Municipal Profile

Vincenzo Sagun is a fifth class municipality in the southern portion of the province of Zamboanga del Sur. It has a total land area of 63 square kilometers and is composed of 14 barangays. As of 2015, its population is 23,759, of whom around 30% are Indigenous Peoples from the Subanen Tribe. About 7,820 are under 14 years of age while 2,536 are children between 15-18 years.

Vincenzo Sagun is 60 kilometers away from Pagadian, the capital city of Zamboanga del Sur. It is bounded in the north by the Margosatubig Municipality, Maligay Bay on the Southeast, Damanquillas Bay on the Southwest and Dimataling Municipality in the East. Vincenzo Sagun is considered the biodiversity hub of the province due to its rich marine resources and tourist aquatic spots. Among its 14 barangays, 11 are coastal, where fishing is the most common form of livelihood. Its tourist attractions are water-based, including Ambulon Wetland Park, Triton Island, and Liangan Cove Deep Sea Garden.



Figure 1. Map of Vincenzo Sagun, Google Map

Vincenzo Sagun, though considered a small town, boasts of being a peace-loving municipality. It has been a recipient of various awards on governance throughout the years, such as the Seal of Good Housekeeping, Child-Friendly Municipality, and the Seal of Child-Friendly Governance. The Municipality was awarded the Seal of Child-Friendly Governance by the Council for the Welfare of Children in 2016, and the Child-Friendly Municipality from 2006 to 2008. More so, it has been recognized as one of the best implementers of Child Protection Policy, and has consistently maintained its zero-child abuse case over the years.

### 2. Local Situation of CICL

Based on the reports of the MSWDO, there was only one (1) case of CICL and it involved a boy caught stealing in 2016. However, from 2016 to 2017, 44 boys voluntarily surrendered as drug users in connection with the nationwide drug war of the PNP called “Oplan Tokhang”. Technically, the boys were in violation of RA 9165 or the “Comprehensive Dangerous Drugs Act of 2002”. While no case was filed and no child was brought to jail, the children are now considered CAR. The children’s names were recorded and forwarded to the MSWDO where they received counselling. No other follow through of the status of the boys was conducted after the counselling.



The LCPC of Vincenzo Sagun Municipality

Even if there was only one (1) recorded case of a child violating the law, the city reported a high number of CAR due to the high poverty incidence. Many of them were boys who were forced by their poor conditions in life to work to help provide for their family's needs. There were also children considered to be at risk due to the absence of parental care from their fathers and/or mothers who had to work abroad or outside the city.

No CICL/CAR was interviewed in Vincenzo Sagun as there was no recent case of CICL. On the other hand, no CAR was referred for the FGD.

### 3. Services for Children in General and for CICL

The MSWDO reported that the services they provide to children in general and the children's activities they organize are meant to prevent children from making wrong decisions in life and from getting wayward. These activities are:

#### *Primary Interventions*

- Establishment of Day Care Centers or Child Development Centers with regular operations;
- Educational Assistance Program for 181 Pupils at Risk of Dropping Out (PARDOs) and 158 Students at Risk of Dropping Out (SARDOs) as of May 2018;
- Advocacy on Reproductive Health (i.e. symposiums, seminars and distribution of IEC materials).

#### *Secondary interventions*

- Drug Symposium with around 175 children and youth beneficiaries. The speakers were from the Municipal Health Office and Population Commission;
- Annual Children's Congress (2015-2017) conducted with the aim of providing inspiration to children. The Congress showcased the talents of children in singing, dancing, and draw-and-tell. This was participated by 280 children.
- Establishment of Kaagakay sa Kabataan Center, a temporary shelter for abused children. The Center is maintained by the LGU under the supervision of the MSWDO, and with the assistance of house parents.
- Other services to CAR include educational assistance/scholarships, alternative learning system, sports activities, counseling, scouting, and extension classes in far-flung areas.

<sup>5</sup> Oplan Tokhang is the flagship program of the PNP under the Duterte Administration in combatting the problem of illegal drugs in the country. It is one of the two approaches under Project Double Barrel, which aims to solve the problem of illegal drugs in affected barangays. It involves the conduct of house to house visits to encourage illegal drug personalities to end their drug-related activities. It shall be done in coordination with LGUs, particularly their respective Anti-Drug Abuse Councils (ADACs) from the provincial to barangay level, Non-Government Organizations (NGOs), stakeholders, and other law enforcement agencies

<sup>6</sup> The law provides that the government will "pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs, and projects. It further sets the policy of the State to provide effective mechanisms or measures to re-integrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation

Cases of CICAL in the Municipality of V. Sagun are not high or alarming as compared with the other LGUs in the study. Since the enactment of the law, the Municipality has only one (1) CICAL case and had been settled at the community-level through the Katarungang Pambarangay.

### **Local Programs and Services for CICAL**

The Municipality does not have specific services for CICAL. The MSWDO has no staff specifically assigned to handle cases of CICAL, and has only one (1) registered social worker who also serves as the Department Head of MSWDO. The head also performs the regular social welfare tasks of the office, which include relating to persons with disabilities, women, and senior citizens. The other members of the staff are graduates of Community Development and Commerce. Most of them work with contractual status.

In terms of training, the school heads and teachers in the Municipality of Vincenzo Sagun are reported to be well-informed of DepEd’s “Guidelines and Procedures on the Management of CAR and CICAL”. A number of officers from PNP have attended a seminar conducted by the RJJWC in August 2017 on the development of CLJIP. The MSWDO and some members of the LCPC have already attended trainings on RA 9344. They consider these trainings useful in the organization and functionality of the LCPC and in the development of the CLJIP.

Although some of the members of the LCPC received technical assistance from JJWC on handling CICAL and CAR cases and on the determination of discernment and conduct of diversion proceedings, “CICAL is not a known problem in the locality” according to local government representatives. Nonetheless, it should be noted that there is lack of a defined system of handling CICAL and a data management system for recording CICAL and CAR.

### **Local Data Collection and Recording System of CICAL**

As observed by the researchers, the recordings of CICAL/CAR in the LGU were only written on paper or in Microsoft Word. The MSWDO explained that they were still awaiting advise from the JJWC on activating the registry of CICAL and CAR.

## **4. The Local Council for the Protection of Children**

The LCPC in Vincenzo Sagun was organized in 2001 and launched in 2002 when the Municipality became a pilot LGU of the UNICEF’s Fourth Country Programme for Children. Despite being recognized with having an “ideal” level of LCPC Functionality, the MSWDO, however, lamented that the LCPC has not been meeting regularly, or quarterly as expected. The MSWDO, however, said that in case of emergency or when urgently needed, it was easy for her to convene the LCPC members. The IP community in Vincenzo Sagun has a representative in the LCPC. The MSWDO shared that there was no problem on coordination within the LCPC members and between the

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<sup>7</sup> The establishment and operation of Katarungang Pambarangay or Barangay Justice System is mandated by RA 7160 or Local Government Code. Under this system, both parties are provided a venue to settle disputes by searching a solution that is mutually acceptable.

LCPC as well as with the government agencies and BCPCs. In meetings, the usual agenda are the status of CICL/CAR, children in need of special protection, and the functionality of the BCPCs. During the FGD with LCPC, it was reported that most BCPCs were well organized and functional. According to the MSWDO, this may perhaps have contributed to the reasons why the cases of CICL were very low.

## 5. Relevant Municipal Policies and Ordinances

Since 2002 to 2012, Municipal Local Council of Vincenzo Sagun passed six (6) policies and ordinances relevant to children. Most of these were revised in July 2017. These relevant policies and ordinances are as follows:

**TABLE 3**  
**Local Policies on Children Passed by the Local Council**

City/Municipal	City/Municipal	City/Municipal
Ordinance No. 86-2002	Municipal Child Welfare Code	Revised July 2017
Resolution No. 50-2006	Resolution adopting RA 9344, 9262, 8504 and 8980	
Ordinance No. 32-2007	An ordinance providing general policies and regulation on child labor and providing penalties for its violations	Revised July 2017
Ordinance No. 33-2007	An ordinance prohibiting below 18 years of age from staying or roaming more or less permanently in the streets	Revised July 2017
Ordinance No. 4-2010	Municipal Child and Youth Welfare Code	Revised July 2017
Resolution No. 79-2012	Authorizing the municipal mayor to enter into MOA on the pilot implementation of the CLJIP.	Revised July 2017

Source: LSWDO- Vincenzo Sagun, 2017

## 6. Local Development Plan for Children

The Municipality of Vincenzo Sagun developed a Local Development Investment Plan (LDIP) for 2017-2022 in 2017 through the Municipal Development Council. The programs and services related to children are:

- Establishment of school annexes and construction of school buildings
- Hiring of additional teachers

- Home visitation program in pupils' homes
- Counseling programs to both parents and problematic pupils
- Provision of medicines and health services to children
- Daycare services programs – provisions of supplies and equipment
- Other programs for the environment, livelihood, and infrastructure which form part of majority of the Plan

The activities identified in the LDIP were designed to benefit children in general, and were regularly included in local development plans as provided by law. Looking closely at the Plan, there was no specific intervention for CICL. The MSWDO usually presented the accomplishments of the LGU on programs for children to the Municipal Council during its regular meetings. However, there was no specific monitoring and evaluation tool used periodically to track the progress of these programs.

The MSWDO said that the Municipality had a Local Development Investment Plan for Children but no such document was presented during the research team's field visit. Based on other documents reviewed, the services that can possibly benefit CICL were counselling, special program for employment, and sports activities which were subsumed under the Gender and Development Budget.

As a pilot area of JJWC, Vincenzo Sagun has been able to develop a CLJIP, which aims to prevent CAR and CICL incidences. It also has a Project Management Team for CLJIP Implementation composed of MLGOO, MPDC, MSWDO, MHO, DepEd, WCPD, and NGO.

The activities conducted towards the achievement of the goal were:

- Awareness raising of parents in positive child rearing/positive discipline.
- Raising children's knowledge of their rights and responsibilities as members of society and of values education.
- Skills training for CAR, particularly the drug surrenderers.
- Establishment and Maintenance of Kaagakay an Kabataan Center
- Strengthening of inter-agency coordination and collaboration
- Increasing support of the LGU on the implementation of the plan for children.

## **7. Local Budget Allocation for Children**

The Internal Revenue Allotment of Vincenzo Sagun was observed to be progressively increasing in the last three (3) years as shown in the table below:

**TABLE 4**  
**Total IRA of Vincenzo Sagun and Allotment for LCPC in the Last Three (3) Years**

Allotment/Year	2015	2016	2017
■ Total IRA	P54,908,674.00	P60,044,023.00	P70,170,336.00
■ Percentage of IRA allotted to LCPC	1.59%	1.76%	1.89%
■ Absolute amount allotted to LCPC	P875,036.74	P1,060,090.33	P1,328,185.46

*Source: Annual Investment Plan, Municipality of Vincenzo Sagun*

As seen from the Table above, the budget for LCPC was also noted to be gradually increasing not only in terms of absolute amount in reference to IRA but also in terms of percentage. The LGU is considered to be compliant with the relevant provision of the law.

In 2016, the Municipal Mayor approved the MSWDO's project proposal for the allotment of 1% funding for LCPC Child and Youth Welfare Program for 2016-2017 implementation. This was integrated in the Annual Investment Plans. Among the project's funded activities as indicated in the Plan were:

- Birth registration
- Financial assistance to abused children
- Advocacy on Juvenile Justice System
- Family Drug Abuse Prevention Program
- Special Services to Drug Surrenderers
- Financial Assistance to CAR
- Upgrading of Kaagakay sa Kabataan Center
- BCPC Monitoring
- Awarding of functional BCPC
- Educational Assistance
- Children's Congress
- Junior Scouting

There are religious groups in Vincenzo Sagun that conduct counselling and promote positive values to children. There is also a Women's Organization and a UCCP Church implementing supplementary feeding program for children.

## **8. Summary of Findings**

Vincenzo Sagun is a 5th class municipality in Zamboanga del Sur and a pilot area of JJWC for the localization of the CNJIP. CICL does not appear to be a major problem as there is only one (1) reported CICL case from the record of the Police or the LSWDO. The interviewed personnel from the LGU claimed that child offenses are normally settled at the community level. As a small town, residents know each other, and are strongly bound by a common traditional culture. Relevant interventions are only along primary and secondary interventions.



The LCPC of Vincenzo Sagun Municipality and the researchers

The Municipality complies annually with the required 1% allotment for LCPC programs and activities. Some of the funded activities are: advocacy on juvenile justice system, special services to drug surrenderers, birth registration, financial assistance to abused children, family drug abuse prevention program, financial assistance to CAR, upgrading of Kaagapay sa Kabataan Center, and educational assistance.

The Municipality does not have specific services for CICL. The MSWDO has one (1) registered social worker who also serves as the Department Head and performs the regular social welfare tasks of the office, which include concerns relating to persons with disabilities, women, and senior citizens. The office has no staff specifically assigned to handle cases of CICL. The other members of the office are graduates of Community Development and Commerce and most of them work under contractual status.

In terms of training, the school heads and teachers in the Municipality of Vincenzo Sagun are reported to be well-informed of the DepEd Guidelines and Procedures on the Management of CAR and CICL. A number of PNP officers have attended a seminar conducted by the RJJWC in August 2017 on the development of CLJIP. The MSWDO and some members of the LCPC have already attended trainings on RA 9344.

The LCPC has smooth working relationship and coordination on matters concerning children. The Department of Education, the MSWDO, and the PNP appear to be the most active LCPC members because of the regular direct services they provide to children.

## 9. Recommendations

Based on the findings of this case study, the following are the recommended actions that V. Sagun can take on to maintain its current status and to prevent children from becoming CICL:

- For the MSWDO, in coordination with LGOO, to reactivate the LCPC and to continue its regular quarterly meeting to get regular updates on the situation of children in general and of CAR and CICL (if any) in particular; and on the status of implementation of programs and activities of the LCPC's 1% budget from IRA.
- For MSWDO to coordinate with RJJWC in conducting an orientation session for the LCPC members on JJWC, as amended, and related protocols and guidelines.
- For MSWDO, MHO, DepEd and PNP to continue the implementation of their preventive programs for CAR in schools, specifically for PARDOs and SARDOs, to maintain its zero-CICL status.

- For the LCPC to develop and implement an advocacy plan to strengthen the parents' and caregivers' capacity to care for and protect their children from becoming CICL. Discussion on preventive actions may be integrated in the Parents Effective Service (PES) and Empowerment and Reaffirmation of Paternal Abilities Training (ERPAT) of MSWDO.
- For the MSWDO to take the lead in developing a system of handling CICL and in organizing diversion committee (and training the members) to get the municipality ready in case the number of CICL increases in the community. The LCPC can seek the support of JJWC in developing the system of handling CICL, in training the members of the diversion committee, and for other related concerns.
- For the LCPC to fully utilize the CAR and CICL registry for programming and policy adjustment.
- For the LCPC to seek the support of NGOs in the community in the work for CAR and CICL.

## Case Study No. 2

### SURIGAO CITY, SURIGAO DEL NORTE

#### 1. Brief City Profile

Surigao City is a third-class component city and the capital of Surigao del Norte located at northeastern part of Mindanao. It has a total land area of 245.34 square meters with 54 barangays. The primary industrial activities of the City are mining, fisheries and tourism.

The 2015 Census of Population (POPCEN 2015) showed that Surigao City is inhabited by 154, 137 persons. Based on the submitted accomplished questionnaires of the LSWDO, there were about 58,734 children and youth in Surigao City broken down by age group, as follows:

- 0 – 14 years old: 46,454
- 15 – 18 years old: 12,280
- 19 – 21 years old: 8,168



Figure 2. Map of Surigao City, Google Map

The City was awarded the Seal of Child-Friendly City by the Council for the Welfare of Children in 2015 and 2016. In 2016, Surigao City had a good record on the reduction of deaths among under five years old children. There was also an increased number of children enrolled in formal education, as well as increased completion rate for elementary school level. On the other hand, it scored low in terms of the percentage of children under six years with weight below normal. It also recorded an increased number of child labor and child abuse cases.

Surigao City is the center of trade and commerce in the entire Surigao provinces. Higher educational institution can be found in this beautiful and peaceful city. New hotels have recently opened offering world class amenities for guests. Surigao City is known as the Nickel City of the Philippines for having the country's biggest nickel deposit. It was Mindanao's Most Business Friendly LGU in 2007 to 2012.

Through the years, Surigao City's economy has been progressively improving due to establishment of infrastructures, increasing commercial investments, and rising tourism industry. The City government has initiated and is continually improving the streamlining of its frontline services. Surigao City aims for greater socio-economic development with improvements on its infrastructures such as roads and ports.

<sup>8</sup> Surigao City Government (2015). Surigao City Ecological Profile 2015. Retrieved from <http://www.surigao.gov.ph/content/2015-surigao-city-ecological-profile-formerly-socio-economic-profile>; Results of the validation workshop on the initial findings of this study conducted on May 2-4, 2018 at The Oracle Hotel and Residences, Katipunan Avenue, Quezon City

## 2. Local Situation of CICL

A report from the CSWDO revealed that there was a total of 103 CICL for 2015 to 2017 in Surigao City, where 69 were boys and 34 were girls. The same report showed a total of 60 CAR, 28 of them were boys while 32 were girls. Of the 103 CICL, 12 children were reported to have committed non-serious offenses such as grave threat, slight physical injury and reckless imprudence resulting to physical injury. Two (2) girls were responsible for causing slight physical injury.

**TABLE 5**  
**Number of CICL and Non-Serious Offenses Committed**

Offenses Committed by CICL	2015		2016		2017 (as of June)		Total	
	Male	Female	Male	Female	Boys	Girl	Boys	Girl
Non-serious offenses								
Grave Threat	0	0	0	0	2	0	2	0
Slight Physical Injury	1	2	4	0	2	0	7	2
Reckless imprudence resulting to physical injury	0	0	1	0	0	0	1	0
<b>TOTAL</b>	<b>1</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>10</b>	<b>2</b>

Source: Surigao City Social Welfare and Development Office

The table below shows that 91 children were involved in serious offenses. Majority of the cases were in violation of RA 9165 otherwise known as the Comprehensive Dangerous Drugs Act of 2002. Majority of the 28 children engaged in drug abuse as user or trader were girls (22) while only 2 were boys. In 2015, 10 boys were involved in frustrated murder while nine (9) were charged with rape.

**TABLE 6**  
**Number of CICL and Non-Serious Offenses Committed**

Offenses Committed by CICL	2015		2016		2017 (as of June)		Total	
	Boys	Girl	Boys	Girl	Boys	Girl	Boys	Girl
Serious offenses								
Violation of RA 9165	0	6	4	8	2	6	6	20
Theft	8	3	2	1	1	7	11	11
Murder	1	0	0	0	0	0	1	0
Frustrated Murder	10	0	0	0	1	0	11	0
Rape in relation to RA 7610	4	0	2	0	9	0	15	0
Carnapping	4	0	7	1	0	0	11	1
Robbery	0	0	0	0	3	0	3	0
Illegal possession of fire arms	1	0	0	0	0	0	1	0
<b>TOTAL</b>	<b>28</b>	<b>9</b>	<b>15</b>	<b>10</b>	<b>16</b>	<b>13</b>	<b>59</b>	<b>32</b>

Source: Surigao City Social Welfare and Development Office

### 3. Services for Children in General and for CICL

In 2016, the City Government disbursed a total of P101.80 million for the implementation of the social welfare programs and services and the bulk of which were for children such as child-minding day care services, supplemental feeding, special social services for CICL, social services for street children, social services for commercial-sexual exploited children, crises center for women and children, and services for abused children. To note, P1,396,372.27 (1.4%) were disbursed for the special social services for CICL.

There are six (6) existing hospitals in the City, two (2) of which are government-owned while four (4) are privately-run. There are 49 barangay health centers, 84 public elementary and secondary schools, and two (2) state-owned colleges with technical vocation and education programs.

#### Relevant Services for CICL

Surigao City implements programmes that are considered preventive as they keep children from committing offenses at an early stage of their lives. These so-called primary interventions for children are: Implementation of ECCD which has been a regular government service since 1972 to present; Operation of Youth Resource Center since 2006; Implementation of adolescent health and youth development program; and Maintenance of Surigao Youth Center. The City has been conducting youth and children's congresses, camps, summits, and forums since 2008 to present. The City Population Commission regularly organizes Summer Youth Camps, Training of Trainers for schools and Barangays, and supports Child Youth Organizations since 2015. CSWDO periodically conducts symposia on Teenage Pregnancy and on Dangerous Drugs. The Local Civil registration, together with Barangay Secretaries takes the lead in conducting Community-based birth registration for unregistered children particularly for indigenous children. Likewise, the City Government through its Sports Development Council implements sports development program for children and youth that includes basketball tournament among barangays and schools, open chess tournament, and summer camp. The LGU also provides Livelihood Skills and Productivity Program to capacitate youth on practical skills and livelihood that they can use to generate income for themselves and their families.

Some of the secondary interventions available in Surigao City for CAR are educational assistance and livelihood trainings for out-of-school children and youth, and organization or reactivation of the Pag-Asa Youth Association of the Philippines. The latter is a national government project since 1974 that seeks to develop or strengthen the capacities of the youth for nation building. The City also provides psychosocial interventions and center-based services to street children for their eventual reintegration to their biological families or placement for adoption. Further, the CSWDO regularly conducts parent effectiveness seminar (PES) and Empowerment and Reaffirmation of Paternal Abilities (ERPAT) to parents of CAR.

The Surigao City Crisis Center takes the lead in implementing programmes and services considered by CSWDO as tertiary interventions. Since 2010, the Crisis Center Staff have been providing paralegal services for CICL under detention/custody of the Regional Rehabilitation Center for Youth/Bahay Pag-Asa (BPA). Since 2005, the Crisis Center Staff have been on top of the

establishment and operation of temporary shelter such as the Bahay Pag-Asa and the Residential Center for Street Children. The operations of Bahay Pag-Asa are fully funded by the LGU. It is the only BPA existing within the CARAGA Region.

Since 2010, the Crisis Center Staff have been managing diversion programs for CICL, 15-18 years old. CICL at the center receive monthly check up from the City Health Office while those have been released are provided with after care services which include parent effectiveness seminars and ALS.

Children interviewed at the BPA affirmed that services provided by the LGU were enough and appropriate to their needs. Through the counselling and life skills activities, their potentials have been developed, their behavior and positive outlook in life have improved, and they have become more appreciative to the support and love of their family.

Other tertiary interventions available in Surigao City for CICL who need immediate and direct assistance are psychosocial interventions/activities: counselling, stress debriefing, and casework/total case management on CICL and CAR.

At the barangay level, the CICL are provided with school supplies and school allowances while the City government established an agreement with public schools to exempt those qualified CICL from paying miscellaneous fees.

Surigao City also implements community-based monitoring system that the community social workers use during their monitoring on the status of CICL under the after-care programs.

#### **Local Data Collection and Recording System of CICL**

Data and information on CAR and CICL are gathered through the reports submitted by the BCPC or barangays to the LCPC. The LCPC member agencies, on the other hand, update each other on the status of the programs and services to children every Council meeting. There is consistent sharing of agency-specific information relative to their programs on children. However, there is no harmonized result-based monitoring system to track the statuses of CICL and CAR cases, the interventions provided and progress or compliance on the implementation of the amended law.

#### **4. The Local Council for the Protection of Children**

Surigao City has an organized LCPC which meets every quarter to present and discuss updates on the accomplishment of each member agency on their programs and services to children. The Council was also provided with Mature Level of Functionality by DILG in 2016.

There seems to be a strong working relationship and coordination between the LCPC and BCPC as shown by the decreasing number of CICL cases referred to the CSWDO particularly of those that could be handled at the Barangay level. In the previous years, the BCPCs refer almost all offense cases involving children to CSWDO. The CSWDO also works closely and hand on hand with the PNP during the latter's operations. Likewise, the LCPC members said they have received orientation on RA 9344,



as amended. They all appear to be familiar with the current situation of CICL and CAR in the city.

The LCPC initiated a revision of the Protocol on Case Management and Handling of CICL that streamlines interventions at the barangay level. The revision simplified the functions of the member agencies of the Council and streamlined the process particularly in releasing the CICL with their parents/family members. It

also clarified that during night time, weekends, and holidays or as the need arises, reported CICL shall be brought to CARAGA Regional Hospital while City Health Office services may be availed during daytime and on weekdays.

The revised Gender and Development and Violence Against Women and Children protocol provides that when the medical doctor of the public hospital is not available for the conduct of medico legal, the hospital personnel are requested to sign a waiver indicating that no doctor is available to conduct the medical activity. Then, upon signing, the child is released to parents who are also asked to sign a waiver indicating that they received the child with no injuries and in good condition. Said signing of waiver is informed and voluntary. However, this strategy still needs to be further assessed by JJWC to determine if the practice is compliant with the requirements of the law and manuals provided by the JJWC.

## 5. Relevant Municipal Policies and Ordinances

The City Government localized through its City Ordinance No. 219, series of 2004, the Child Welfare Code. Said ordinance provides mechanisms for child survival, development, participation and protection and for other purposes. It aims to effectively promote and institutionalize the rights of the children, to hone the children's potentials and participate in the community life and nation building, optimize the utilization of resources to promote and provide opportunities that shall best address the needs and concerns of children, and adhere to the international and local standards on child welfare and development. The Code still serves as basis of the City Government in the development and implementation of local programs and policies on children, although, per the key informants, it will be subjected for review at the latter part of year 2018 to include some provisions on the use and access of children to internet technology.

Another policy adopted by the City Government is the Resolution 142-2017 that authorizes the City Mayor to enter into Memorandum of Agreement (MOA) with the non-government organizations (NGO) and Barangay Nutrition Council relative to the implementation of the Adopt a Malnourished Program of the City Government thru the City Health Office.

Resolution No. 148-2017 on the other hand, authorized the City Mayor to enter cost-sharing with the United Nations Development Program (UNDP) for the implementation of different programs under DSWD.

The City also enacted a comprehensive curfew ordinance for minors (City Ordinance No. 310, s. 2010) and protocols on handling CICL and VAWC cases.

## **6. Local Development Plan for Children**

Programs and services for children are lodged in the individual development plans of different offices. These are the regular programmes for maternal and child health care, basic emergency maternal and prenatal care, early childhood care and development and basic education, registration of unregistered children, support to LCPC, construction and/or operations of local facilities catering to children, and other child and youth welfare programs and services.

The City Government adopted its CLJIP 2015-2017 through the City Resolution 221-2015. The CLJIP aims to reduce CAR and CICL by 60 percent in three (3) years, and has three (3) outcomes to attain the same, as follows:

- enhanced parenting skills of parents of CAR and CICL giving emphasis on the holistic development of their children,
- BCPCs attained mature or ideal level of functionality, and
- strengthened linkages and partnerships among duty bearers.

The City's CLJIP allocated four (4) million pesos on the implementation of the activities to accomplish the abovementioned objectives. Some of these activities are parent effectiveness seminars, life skill trainings, advocacy campaigns, meetings and workshops. According to the interviewed members of LCPC, 80-90 percent of the interventions specified in the Plan were implemented as there were local policies enacted and continuous implementation of regular programs was realized.

In said CLJIP, the LCPC members also identified the services and program that needs external source, from JJWC in particular, such as improvement of facilities for CAR and CICL and capacity building activities to duty bearers. However, these were not implemented by the City because funds for the same were generated from its local fund and DSWD Field Office VIII.

The city has no regular monitoring and evaluation system that tracks the progress of the implementation of the Local Development Plan for Children and the CLJIP. Nevertheless, its concerned staff ensure that they frequently conduct monitoring on the status of their cases.

## **7. Local Budgetary Allocation for Children**

The City showed consistent increase in budget allocated for protective services for children from 2015 to 2017. The 2.3 per cent (PhP 10,913,244.00) IRA allotment in 2015 increased to 10 per cent (PhP 53,395,061.75) in 2016 and then 10.5 per cent (PhP 60,418,480.00) in 2017.

On the LCPC budget alone, the City was not able to comply with the 1 percent requirement of RA 9344 as amended. Further, the budget in 2016 for the strengthening and implementation of LCPC activities (i.e. conduct of awareness raising on child protection laws and strengthening of BCPCs)

was reduced from 0.12% in 2015 to 0.10% in 2016. This budget reduction was based on the recommendation by the provincial government to maximize available budget. Further, participants from the JJWC validation workshop mentioned that attribution to LCPC activities is also being implemented to programs and services for children.

Nevertheless, Surigao City is at par in providing budget for the protective and developmental services for children sector as compared with other provinces in CARAGA Region.

**TABLE 7**  
**Total IRA of Surigao City and allotment for LCPC in the last 3 years**

Allotment/Year	2015 (PhP)	2016 (PhP)	2017 (PhP)
■ Total IRA	462,300,545.00	508,741,643	574,670,374
■ Percentage of IRA Allotted to LCPC	0.10%	0.10%	0.23%
■ Absolute Amount Allotted to LCPC	P875,036.74	P1,060,090.33	P1,328,185.46

The City allotted an average of 0.14% per cent from its IRA budget to the activities of LCPC for the period 2015-2017. Records show that allotment for LCPC was 100 percent utilized and was specifically disbursed on meetings and advocacy and information dissemination activities of the Council.

### **Staff Assigned for CICL**

The City Government has 7 registered social workers, 4 social welfare assistants, 2 social welfare aides, 19 house parents, 92 day care workers, 5 district health officers, 4 personnel assigned at PNP-WCPD and 1 school superintendent. There are 4 social workers assigned to work with CICL concerns where 1 is in-charge of managing cases at the Bahay Pag-Asa, 1 social worker is handling CAR (Residential Center for Street Children) and 2 are handling children at the crisis center.

All the City’s social workers have been trained on RA 9344 as amended. Further, the survey results showed that 6 of the house parents of residential facilities and 5 law enforcement officers from PNP-WCPD have been trained on the amended law.

## **8. Summary of Findings**

Surigao City is a 3rd class component city in Surigao del Norte and a pilot area for the localization of the Comprehensive National Juvenile Intervention Program of JJWC. There is an increasing number of CICL in the city believed to be caused by urbanization. The study noted that majority of the 28 children engaged in drug abuse as user or trader were girls (22) while only 2 were boys.

The city allots a considerably high budget for programs and services for children. However, the budget for LCPC programs and activities is below the standard allocation of 1% of IRA. It has a Comprehensive Local Juvenile Intervention Program integrated in its Local Development Plan.

The city supports primary intervention programmes such as ECCD, alternative learning systems, adolescent health and development programs, sports, skills development, etc. The secondary intervention programs include educational assistance and livelihood trainings for OSC, support to Youth Association, center-based services to street children, and etc. The Surigao City Crisis Center takes the lead in implementing tertiary-level interventions. The city supports the operations of the Bahay Pag-asa for CICL and residential facility for CAR. It must be mentioned that children interviewed at the BPA affirmed that services provided by the LGU were enough and appropriate to their needs.

Surigao City has four (4) registered social workers who manage CICL cases and two (2) registered social workers who manage community-based interventions or center-based interventions for CAR. All social workers have been trained in managing CICL and CAR cases. Only 6 out of 18 house parents have attended training on RA 9344, as amended, and on handling of CICL cases. Police personnel from PNP-WCPD underwent training on RA 9344.

The Local Council for the Protection of Children is organized and functional. It meets quarterly to discuss accomplishments, issues concerning children, and future actions. They all appear familiar with the current situation of CAR and CICL. There are six local ordinances relevant to the protection and promotion of the welfare and rights of children.

## **9. Recommendations**

Based on the findings of this case study, the following are the recommended actions that Surigao City can take on to further strengthen its programs and services for CICL.

- For the LCPC to further strengthen its preventive and secondary programs to prevent the increase of children committing offenses.
- For the City Council to require barangays to provide intervention programs and services for CAR; and for CSWDO to conduct strict monitoring of Barangays' compliance.
- For the budget officer to allocate 1% of the total IRA exclusively for LCPC programs and activities as mandated by law apart from regular budget for children in standard programs and services to children.
- For the LCPC, with the leadership of CSWDO, to maximize the utilization of CAR and CICL registry for targeting, budgeting, and programming.
- For the LCPC to develop and implement an advocacy plan to create a wider public awareness on RA 9344, as amended, and on positive parenting that will prevent the increase of CICL.
- For the LCPC to maximize the utilization of CAR and CICL Registry for targeting, budgeting and programming for CICL.

## Case Study No. 3

### NAGA CITY, CAMARINES SUR

#### 1. Brief City Profile

Naga City is a second-class independent component city in the Bicol Region. Located in the center of the Bicol Peninsula, it earned the moniker “Heart of Bicolandia”. Due to its strategic location, it is considered as the trade, commerce, education, culture and religion hub of the region. Naga City houses numerous business and commercial establishments, elementary and high schools and universities. It is also recognized as a Pilgrim City, being the home to the largest Marian pilgrimage in Asia, the Our Lady of Peñafrancia, and is the seat of the Archdiocese of Caceres which oversees all suffragan diocese in Bicol.



Figure 3. Map of Camarines Sur, Google Map

The city is mostly industrial as seen through the various business establishments in the area, which includes banks, restaurants and shopping malls that are spread throughout the two (2) central business districts of the city. Natural tourism and biodiversity sites can also be found in the mountain borders with other municipalities in Camarines Sur, the Mount Isarog. Naga City is composed of 27 barangays.

Based on 2015 Census of Population, Naga City has a total of 196,003 people of which 59,719 are 0 – 14 years old while 17,512 are children 15 – 18 years old.

Naga City is considered a model local government unit on good governance both nationally and internationally as evidenced by the numerous distinctions it has received such as the "Most Competitive Component City in the Philippines", one of the “Most Child-Friendly Cities”, and one of the “Top Philippine Model Cities”.

It was also awarded the Seal of Child-Friendly Governance by the Council for the Welfare of Children (CWC) in 2015 and 2016. The other recognitions received by Naga City were:

- Communities of Practice on Child-friendly Local Governance
- Learning Hub on Children’s Programs
- Pilot LGU of JJWC on CLJIP

#### 2. Local Situation of CICL

Reports from the CSWDO in the Table below show that there were 143 children who committed non-serious offenses in 2017. The count increased to 143 from 78 cases in 2015 and 103 cases in 2016. Majority of the cases of CICL in the last three years were theft which could be poverty-

driven. The other cases were physical injury (5), malicious mischief (4), public scandal (4), and others. The cases of CICL committing non-serious offenses in 2017 involved boys (57) which is significantly higher than girls (2 cases).

**TABLE 8**  
**Number of CICL and Non-Serious Offenses Committed**

Offenses Committed by CICL	2015		2016		2017		Total	
	Boys	Girl	Boys	Girl	Boys	Girl	Boys	Girl
Non-serious offenses								
Theft	56	2	77	3	106	2	239	7
Alarm and Scandal	3	0	11	0	20	0	34	0
Physical Injury	5	0	0	0	9	0	14	0
Trespass to Dwelling	0	0	6	0	3	0	9	0
Illegal Gambling	0	0	2	0	3	0	5	0
Curfew	2	0	0	0	0	0	2	0
Malicious Mischief	4	0	0	0	0	0	4	0
Trespassing	1	0	0	0	0	0	1	0
Public Scandal	4	0	0	0	0	0	4	0
Trespass to Dwelling and Direct Assault	1	0	0	0	0	0	1	0
Qualified Theft	0	0	1	0	0	0	1	0
Unjust Vexation	0	0	0	0	0	0	0	0
Source: Naga City LGU Direct Assault	0	0	0	0	3	0	0	0
Act of Lasciviousness	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>76</b>	<b>2</b>	<b>97</b>	<b>3</b>	<b>141</b>	<b>2</b>	<b>314</b>	<b>7</b>

Table 9 shows that in 2017 there were 36 children who were caught violating state laws which are considered serious offenses, and all of which are boys. This count decreased from year 2016 with a total of 89 cases, and increased from year 2015 with 30 cases of serious offenses. Most of the violations were robbery, an offense which may again be related to poverty.

In 2016 and 2017, the same table appears to show that there was a considerable decrease in the cases of robbery but a sizable increase in the violation of RA 9165 or the “Comprehensive Dangerous Drugs Act” of 2002. The surge in the number of drugs-related cases among children was due to the present government’s drug war or “Oplan Tokhang” which started in 2016, continued on to 2017 and re-launched in 2018 under new guidelines. There were 46 boys identified in the “drugs list” in 2017 and 77 in 2016. Drugs lists show the names and addresses of people identified by the Barangays to be using or trading dangerous drugs. Most of those in the drugs list prefer to surrender to the police than be “visited upon” by the police investigation team which, in many instances, has led to killing for supposedly engaging the arresting team.

**TABLE 9**  
**Number of CICL and Serious Offenses Committed**

Offenses Committed by CICL	2015		2016		2017		Total	
	M	F	M	F	M	F	M	F
Serious offenses								
Violation of RA 9165	0	1	77	0	9	0	86	1
Violation of RA 1602	0	0	3	0	7	0	10	0
Violation of RA 1612	0	0	1	0	3	0	4	0
Violation of RA 10593	1	0	0	0	1	0	2	0
Car-napping	2	0	0	0	5	0	7	0
Abduction	0	0	0	0	1	0	1	0
Robbery	20	0	3	0	5	0	28	0
Homicide	0	0	0	0	1	0	1	0
Frustrated Homicide	1	0	1	0	1	0	3	0
Rape	0	0	1	0	2	0	3	0
Child Abuse	0	0	1	0	1	0	2	0
Frustrated Murder	0	0	1	0	0	0	1	0
Serious Physical Injury	4	0	0	0	0	0	4	0
Violation of Forestry Law	1	0	0	0	0	0	1	0
Sexual Abuse	0	0	1	0	0	0	1	0
<b>TOTAL</b>	<b>29</b>	<b>1</b>	<b>89</b>	<b>0</b>	<b>36</b>	<b>0</b>	<b>154</b>	<b>1</b>

Source: Naga City LGU

In 2017, the CSWDO identified 144 CAR. There were more boys (138) than girls (6) on the list. There were 178 children identified as CAR in 2016 while 183 were listed in 2015. It was not clear whether the CAR identified on year to year basis were the same boys and girls or that they were newly-identified CAR.

Most of the children identified to be at risk were children in street situation, those who were considered neglected, “stow-away”, “lost children” or those who were separated from families, and children “rescued” or picked up by police and DSWD for violating curfew hours ordinance.

**Table 10**  
**Number of CAR**

CAR and their specific situation	2015		2016		2017	
	M	F	M	F	M	F
Street Children	89	10	41	7	89	3
Curfew	15	3	15	0	38	0
Lost	6	2	11	3	3	1
Stow away	17	3	17	4	6	0
Neglected	62	2	74	3	8	2
<b>TOTAL</b>	<b>183</b>	<b>20</b>	<b>178</b>	<b>17</b>	<b>144</b>	<b>6</b>

Source: Naga City LGU

The Naga City's "State of the Children Report 2017" reported that the CICL cases for 2017 was 102 and all were given appropriate counselling. About 57 were returned to their families while three (3) were housed in Naga City Children's Home. However, there was no report on the status of these children since there is no existing monitoring mechanism to track the progress of individual children in Naga.

### **3. Local Services for Children in General and for CICL**

Naga City has a comprehensive programme for children that combines primary, secondary, and tertiary levels of interventions. Some of the relevant primary interventions of the City are Early Childhood Care and Development; operations of the Youth Resource Center; conduct of children's congress, camps, summit, forums; health services/education; and accreditation of Child Youth Organizations.

Some of the secondary interventions for children are: support for Pag-Asa Youth Organization, psychosocial interventions, advocacy activities, family therapy, organization of Family Watch Groups, development of foster families, Family Drug Abuse Prevention Program, establishment of Special Drug Education Center, and birth registration in barangays.

Tertiary PPAs/interventions for children include the release on recognizance, operation of temporary shelter, psychosocial and therapeutic programs, financial assistance and support services, organization of peer support groups, alternative learning systems, and diversion programs as indicated in RA 9344.

The other relevant programs and services are: conduct of Annual Children's Congress, City Youth Officials' Program, and the planned construction of Naga City Children's Center that will house Naga City Children's Affairs Office.

In 2017, the city government allotted P17.4 million for QUEEN Program to support 22,000 school children and 15,200 families. QUEEN stands for Quality Universal Elementary Education in Naga. In the same year, a total of P800,000 was allocated for Alternative Learning System benefitting 1,349 enrollees.

SANGGAWADAN is a programme that provides indigent families with rice subsidies in exchange for sending their students to school. The amount saved for rice may be expended for their children's transportation and daily allowance. Moreover, the city provides the students with free school supplies and even school bags. In 2017, P14.68 million was allotted for the program with 2,200 beneficiaries.

#### **Naga City Children's Home for CAR**

The Naga City Children's Home is a residential service for children at risk of becoming CICL. Child-residents interviewed said they would prefer to stay in the Center because they could go to school regularly and study well because everything they needed is provided for. They eat good food on time, have school supplies, have organized sports and recreational activities, and are able to receive health check-ups. There are well-trained staff they call *Kuya* and *Mommy* who take

care of their psychosocial needs. Relatives can visit them and they can go home during vacation from school. However, the center cannot be used as a temporary shelter for CICL because it does not have a separate room for CICL yet.

Former CICL and CAR interviewed said that they received full support from the social worker in the City. They received counselling, support to case management, medical check-up, and livelihood support.



The Naga City Children's Home

The CSWDO admitted it was a bit expensive to maintain the Center. Despite external donations and free services provided by some Religious Group, budget allotted for the center are not always adequate to provide for the various needs of the children, maintenance of the facilities, and payment for the staff and other services.

### **Local Programmes and Services for CICL**

Naga City has a CLJIP 2015-2017. Its goal is stated as “Children are capacitated by child-focused and values-driven family and community interventions and are aware of their rights and roles in nation-building”. Its expected outcomes were the following:

- Outcome 1: Zero (0) CAR/CICL
- Outcome 2: Parents are supportive of their children’s membership in organizations
  - Outcome 2.1: Database of children is available
  - Outcome 2.2: Programs and services are responsive to the needs of the CAR/CICL
  - Outcome 2.3: Community structures are functional
  - Outcome 2.4: All barangays and subdivisions have playground space for the children
- Outcome 3: Children are rehabilitated and reintegrated to their respective communities.

In order to realize said outcomes, Naga City’s CLJIP, as indicated in its Results Matrix, planned and allocated budget for the conduct of the following programs and activities, among others:

- Educare Program
- QUEEN Program
- Iskolar kan Ciudad Program
- Sports development program
- Continuous education/reorientation on BCPC functionality
- Hiring of additional manpower for CSWDO
- Establishment of one stop shop center for CICL

According to the CLJIP, the monitoring and evaluation of the program will be conducted by the following:

**TABLE 11**  
**Responsible Offices for CLJIP Monitoring and Evaluation**

Activity	Frequency	Office Responsible
Conduct Review of CLJIP	Quarterly	Sanggunian Panlungsod Office
Program Assessment	Quarterly	Local Project Monitoring Committee
Program Facilitation and Problem-Solving Sessions	Quarterly	Naga City Council for the Welfare and Protection of Children
Generation and Preparation of Reports	Quarterly	Children's Affairs Office

As of December 2017, the Naga City LGU through its CSWDO has drafted its CLJIP for 2018-2022.

The CSWDO has two (2) registered social workers handling CICAL cases, and both have attended training on case management of CICAL through the Regional Juvenile Justice and Welfare Committee-Region V.

The President of the Association of Barangay Captains reported that the Barangay Development Councils in Naga City are actively involved in the implementation of community-based diversion program, referral to ALS, counselling, monitoring of the child through home visits, values formation and enrolment in youth camp. Meanwhile the Barangay Health Workers look after the health of the CICAL (e.g. cleansing wound of CICAL). There was no record to show the results of monitoring of CICAL.

Despite the efforts of the City to address children’s concerns in general, there are still some weaknesses and challenges in terms of intervention specifically for CICAL. The representative from the Bureau of Jail and Management Penology (BJMP) noted the absence of a separate center for offending children that compels them to detain them together with adults. The Naga City Children’s Home cannot accommodate CICAL as it was not designed to serve CICAL. The representative from the PNP added that there was no separate facility for girl CICAL. The existing Bantay Familia Center only admits girl-child victims of abuse and violence and not girl-CICAL.

The members of the LCPC all agreed that the Council enjoys a lot of support from multi-agencies and stakeholders from the government sector, NGOs, FBOs, the Barangays, Law enforcement officers, prosecutors, PAO, and judges. However, this support needs to be translated into budget.

Aftercare program is an issue brought by the CSWDO as a weakness of the city’s program for CICAL. The cause of this is the lack of local budget specifically for CICAL particularly for the aftercare interventions. This is compounded by lack of support from families of CICAL. Budget is also needed to pay for additional social workers and training of relevant staff on the provisions

of the Juvenile Justice Welfare Act and on the Integrated Care Management Protocol for CAR and CICL. There is also a need to spend for communication for development materials that will continue to raise community awareness on CICL cases. Naga City has a data collection system on CICL which is consolidated by the CSWDO.

#### 4. The Local Council for the Protection of Children

Through an Executive Order in 2014, the Naga City Council for the Welfare and Protection of Children (NCCWPC) was organized to coordinate programmes and services for children within the city. The City Mayor sits as the Chairperson with one of the Councilors as Co-Chairperson. The said Councilor also serves as the Chair of the Committee on Children of the City Council. The Council is comprised of 40 members including NGOs and barangays, and the Barangay Children Organization federation president, who acts as the representative of children. The Council meets six times a year where the members discuss the progress of programs for children and issues affecting children in the city.

The FGD participants from the NCCWPC collectively agreed that the active involvement of all duty bearers and stakeholders, particularly all government agencies was the main ingredient for an effective and sustainable LCPC. Another ingredient was the good leadership from the City Mayor's Office and the City Council. Naga City has also expanded the Council membership to include the NGOs, academe, faith-based groups, media, and children's organizations.



Other members of the Council noted that the NCCWPC continues to be a viable council because it is ordinance-based; there is political will to pursue the plans; it has short term and long-term activities focused on children; children are engaged; and, there is a wide community awareness of the existence of the Council. The Council is likewise awarded with Ideal Level of LCPC Functionality by DILG in 2017.

Some of the issues and challenges faced by the Council were: inadequate budget to support the Children's Homes; need for additional manpower for the two centers; need for additional social workers; need for additional trainings for personnel, particularly on handling children and provision of services; and weak case recording system.

The perennial problem encountered by the NCCWPC was the inconsistent attendance of some members of the council in some meetings. To address this issue, they have decided to require each agency member to designate a permanent and a permanent-alternate representative to the NCCWPC.

## 5. Relevant Local Policies and Ordinances

Since 1990, the City Local Council of Naga City has enacted a number of local policies and ordinances relevant to children.

These relevant policies and ordinances are as follows:

**TABLE 12**  
**Policies and Ordinances Relevant to Children**

Title of Policy Issuance and Year Signed/Promulgated	Brief Description
Ordinance No. 90-063	An ordinance prohibiting any person below 18 years old from drinking liquor or any alcoholic beverages containing no less than 4% of its total values in public places or establishment within the city of Naga, Prohibiting any person or persons from selling, dispensing said alcoholic drinks to person below 18 years and providing penalties thereof
Ordinance No. 91-020	Prohibiting the roaming, loitering or sleeping of unchaperoned children below 18 years of age at late hours of the evening outside their domicile
Ordinance No. 91-021	(Re-enacting) Prohibiting the roaming, loitering or sleeping of unchaperoned children below 18 years of age at late hours of the evening outside their domicile
Ordinance No. 93-062	An ordinance regulating the operation at the same time penalizing the commission of vexations, acts of vandalism, administration of prohibited or regulated drugs and other beverages. All treatment and infliction of physical injuries as requirements for admission to or as part of hazing of any group, gang, society organization, association, fraternity, sorority and other forms of aggrupation of individuals
Ordinance No. 94-095	Exempting children of indigent families in the city of Naga from birth registration fee
Ordinance No. 96-012	Institutionalizing the Naga City Early Education and Development (NEED) Program
Ordinance No. 2001-039	Children’s Code – An ordinance providing for a comprehensive code for the welfare of children in Naga City and support system thereof and other purposes to protect the right of children
Ordinance No. 2002-055	Declaring all day care center and Schools for Early Education and Development (SEED) as schools inclusive of children with special needs
Ordinance No. 2003-047	An ordinance instituting certain measures for the enjoyment of children’s rights to wholesome development through appropriate physical, mental, psycho-social stimulation by mandating the compulsory allocation of certain portions of all residential, subdivisions and other areas in the barangays of Naga City as children’s parks and playgrounds, defining the implementing mechanism therefor, providing penalties for violation thereof and for other purposes

Title of Policy Issuance and Year Signed/Promulgated	Brief Description
Ordinance No. 2004-096	The anti-truancy ordinance for elementary pupils and high School in the City of Naga
Ordinance No. 2004-095	An ordinance prohibiting vagrants in the City of Naga and providing penalties thereof and providing stiffer penalties for violations thereof
Ordinance No. 2007-045	Institutionalizing the Quality Universal and High School Education in Naga to be known as Queen Program
Ordinance No. 2009-086	An ordinance adopting and implementing the provisions of Juvenile Justice and Welfare Act of 2006 (RA 9344) specifically on the prescribed local juvenile interventions and diversion programs providing funds thereof and tor other purposes
Ordinance No. 2011-053	Ordinance revising the “Ordinance Institutionalizing the Quality Universal and High School Education in Naga to be known as Queen Program, providing mechanism for its regular funding and support, and for other purposes
Ordinance No. 2012-035	Youth Code-An ordinance providing for a comprehensive code for the youth in Naga City and other purposes and providing funds thereof
Ordinance No. 2012-062	An ordinance Institutionalizing and Integrated Youth and Sports Development Project for the City of Naga the granting of Mayoral Scholarship for Youth Excellence in Sports (YES) and the giving of maintenance to winners in regional, national and international youth sports events creating the Naga City sports development council and providing funds thereof
Ordinance No. 2013-026	An ordinance promoting positive and non-violent forms of discipline of children prohibiting corporal punishment and all forms of degrading and humiliating punishment of children and providing penalties thereof.

There were also other relevant Executive Orders and Council Resolutions, as follows:

- Ordinance 2014-068 – Naga City Council for the Protection of Children, Naga City Children’s Affairs Office
- EO 2011-034 - Naga City Center for Health and Nutrition; Barangay Nutrition Centers
- EO 2015-030 – Educare Program; Community-based Rehabilitation Specialists; Pre-school on foot; 3,274 Educare students
- EO 2016-010 - Children’s Playground and other facilities in public schools
- EO 2016-048 – One Sports One Child Program

## 6. Local Development Plan for Children

Naga City has a City Development Plan 2011-2020. The programs for children are spread throughout the sections on education and children, such as:

- Feeding Program
- Expand/Strengthen SANGGAWADAN Program/QUEEN
- Additional Instructional Materials
- CommuniTEACH
- Summer Enrichment Program
- Community Dunong Centers
- Additional Scholarship Fund
- Scholarship Program
- Tertiary Public Institution operated by the city
- Construction of additional classrooms, comfort rooms for male and female
- Construction of additional school buildings with provision for vertical expansion
- BRIDGE Program
- Naga City Training Center Academy
- Construction of additional pre-school centers and hiring of additional teachers
- Seminars on parenting
- Seminars for OSY's
- Improvement of Alternative Learning System
- Provision of children's center and additional manpower

## 7. Local Budget Allocation for Children

The local allocation of Naga City LGU for the programs for children, except for CAR programs, was observed to be progressively increasing in the last three (3) years as shown in Table 13.

**TABLE 13**  
**Local Budget Allocation for Children**

Local Allocation for Children in General (MCH, ECCD, Basic Education, ALS)	Local Allocation for Programs and Services of LCPC as per RA 9344 based on records of Local Budget Office	Local Allocation Specific for CICL and CAR (Bahay Pag-asa, Transportation, legal support, livelihood support, counselling, after care)
2015 – 57,834,992.86	2015 – 19,809,882.28	CAR
2016 – 59,986,872.46	2016 – 22,609,845.52	2015 – 806,579.95
2017 – 114,321,554.20	2017 – 23,669,849.82	2016 – 1,712,704.47
		2017 – 969,669.72
		CICL
		2015 – 14,560
		2016 – 46,880
		2017 – 209,120

Source: Naga City LGU

Over the last three (3) years, the city government has increased its budgetary allocation and spending levels on children by 195%. As reported in the Naga State of the Children Report 2014, 87% of allocated funds for children were spent for children's programs, projects and services. Based on the classification of LGUs according to budget support for LCPC, the city is considered advance.

## **8. Summary of Findings**

Naga City is a 2nd class independent component city in Bicol Region and a pilot area of JJWC in the localization of CNJIP. There has been an increasing number of recorded CICL in the city due to the influx of migrant families seeking employment opportunities.

The city government's allocation for children and for CICL has been progressively increasing and is considered advance considering the use of other resources of the government. It has a CLJIP which is integrated in its Local Development Plan. Its programs and services for CAR and CICL include the operation of Naga City Children's Home; support to Youth Organizations; psychosocial interventions, organization of Family Watch Groups; support to foster families; Family Drug Abuse Prevention Program; establishment of Special Drug Education Center; diversion programs in barangay; Alternative Learning System; counselling; and values formation.

LCPC is well organized and conduct meetings 6 times a year. Its 40 members are coming from government agencies, non-government organizations, Civil Society Organizations, faith-based groups, and the Barangays.

There are two (2) registered social workers in the CSWDO handling CICL cases. Both of them have attended training on case management of CICL through the Regional Juvenile Justice and Welfare Committee-Region V. The other CSWDO staff have attended trainings on the UN CRC, RA 7610, RA 9344 as amended, Case Management Protocol, Diversion Handling, and Psychosocial Support. The Naga City Children's Home has a total of 16 staff with two registered social workers, a social work aide and support staff that include house parents, a cook, a guard, and a utility worker.

The City Council of Naga City have enacted relevant local ordinances for children in general and for CICL in particular. These include a local ordinance adopting and implementing the provisions of JJWA specifically on the Prescribed Local Juvenile Interventions and Diversion Programs.

## **9. Recommendations**

Based on the findings of this case study, the following are the recommended actions that Naga City can take on to further strengthen its programs and services for CICL/CAR:

- For the LCPC to continue its existing programs and services for children and CICL, the active operation of the LCPC, the good coordination among agency members, and the considerably high budget allocation for children.

- For the City Government to utilize the CAR and CICL Registry and to develop a comprehensive M&E system that will keep track of the status of CICL and the progress of the implementation of programs and services for CICL.
- For LCPC, in coordination with the RJJWC, to organize a training for barangay officials in the conduct of community-based diversion programs.
- For relevant government members of the LCPC, including NGOs and CSOs, to expand its awareness raising sessions with parents and caregivers on positive parenting. The PES and ERPATS are suggested entry points. A wider community awareness campaign is also needed to address the social stigma attached to being a CICL.
- For the city authorities to consider constructing or designating a center exclusively for CICL so that they are not mixed with CAR. The designated center for CICL should have separate facilities for boys and girls.
- As some CICL and CAR are coming from neighboring municipalities, the city may consider establishing partnerships with these LGUs in cost-sharing the maintenance of the center and in providing programs or services for CICL and CAR originating in their jurisdictions.
- As a city that has been implementing programs for children and for CICL, the LCPC can commission an honest to goodness external evaluation of its programs and services to determine their relevance, effectiveness, efficiency, impact, and sustainability.
- For the City to establish and institutionalize a comprehensive after care programs for CICL and CAR.
- For the City to increase human resource complement in its residential facilities for children to ensure holistic and well monitored case management.

## Case Study No. 4

### VALENZUELA CITY, METRO MANILA

#### 1. Brief City Profile

Named after Dr. Pio Valenzuela, a revolutionary leader during the Spanish colonization period, the City of Valenzuela was a former town in the province of Bulacan. But due to the expansion of Greater Manila Area (GMA) in terms of population and social and economic activities/production, Valenzuela became part of Metro Manila through the virtue of Presidential Decree No. 824.

The rapid growth of the economic industries in Valenzuela paved the way for the signing of RA No. 8256 on February 14, 1988 converting the municipality into highly urbanized city and making it the 12th City of Metro Manila and 83rd in the Philippines.



Figure 4. Map of Valenzuela City, Google Map

According to Philippine Statistics Authority 2015 Census Population, the total registered population of the City of Valenzuela is 620,422 with an increase annual population growth rate of 1.45 percent lower than the 1.75 percent population growth rate in 2000-2010.

Valenzuela City or fondly coined as gateway to the north is one of the country's premier business and industry centers. It has two districts covering 33 barangays. Valenzuelanos proudly claim that Valenzuela City is a city of innovative practices anchored on its Five Pillars of Local Governance, namely education, health, housing, livability, and economy. With the welfare and well-being of the Valenzuelanos in mind, the city government commits itself in developing more projects and programs that boosts the morale and enhances the capability of every citizen in the City (City Government of Valenzuela, 2019).

#### 2. Local Situation of CICL

Records from CSWDO shows that CICL and CAR cases in Valenzuela City is increasing despite existence of programs and services for said sector. Interviewed members of LCPC associated this increase with the economic expansion of the City. It is also worthy to look at the 400% increase of CICL cases from 2016 to 2017. Focal person for CICL concerns of the City Government associated this increase with the poor and/or unsynchronized recording of cases in the past years by the community-based and center-based workers.

Table 14 shows the statistical data of CICL and CAR in Valenzuela City.

**TABLE 14**  
**Number of CICL and Serious Offenses Committed**

Offenses Committed by CICL	2015		2016		2017 (to date)		Total	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
<i>Serious offenses</i>								
Violation of RA 9165	4	0	26	4	27	3	57	7
Violation of RA 6539 (Anti-carnapping)	2	0	0	0	3	0	5	0
Rape/Attempted Rape/ Statutory Rape	4	0	10	0	20	0	34	0
Acts of Lasciviousness	2	0	3	0	2	0	7	0
Murder/Frustrated Murder/Attempted Murder	0	0	4	1	26	1	30	2
Homicide	8	0	4	0	0	0	12	0
Robbery/Theft/Qualified Theft	25	2	1	9	88	9	114	20
Violation of RA 7610	1	0	0	0	0	0	1	0
Physical Injuries	1	0	6	1	42	1	49	2
<b>TOTAL</b>	<b>47</b>	<b>2</b>	<b>54</b>	<b>15</b>	<b>208</b>	<b>14</b>	<b>309</b>	<b>31</b>

Source: Child Protection Center, City Government of Valenzuela

Based on the table above, the top most committed offenses by the children in Valenzuela City are crime against properties, followed by crime against persons and involvement with illegal substances. There are more boys committing offenses than girls. Nevertheless, girl CICL are either provided interventions at the center or community.

**TABLE 15**  
**Number of CAR**

CAR and their specific situation	2015		2016	
	M	F	M	F
CAR	3	4	31	8
<b>TOTAL</b>	<b>3</b>	<b>4</b>	<b>31</b>	<b>8</b>

Source: Child Protection Center, City Government of Valenzuela

Similar with CICL cases, CAR seem increasing in Valenzuela City. Records do not show status of cases as well as the interventions provided to CAR.

### 3. Services for Children in General and for CICL

The local government of Valenzuela City has launched several programs that can improve the lives of its citizens especially the children. One of its claimed “best practices” is the Education 360 Investment Program which they also considered as a primary and developmental intervention to children. The program is a holistic approach to uplifting the quality of local basic education. The city

government adopts the “cover all fronts strategy” and invests on vital aspect of education: school supplies, curriculum, nutrition, teacher competency, parental involvement and infrastructure.

The City Government also provides secondary interventions to prevent the CAR in committing offenses. One of these interventions is the existence of Bahay Kalinga, a temporary care facility for abused, neglected and street children. The facility provides center-based interventions like counseling, therapeutic activities and educational services to enable the children be prepared on their reintegration to their families or placement to other facility offering long-term care to children. There is also available Child Protection Unit (CPU), a one-stop child friendly center that is equipped with facilities and capacitated multi-disciplinary team (MDT) managing child abuse and CAR cases in Valenzuela City. CPU also provides 24-hour protective services to CAR that include but not limited to counselling, medical/transportation/food assistance and stress debriefing.

The center-based interventions provided in the Bahay Pag-asa are considered as the rehabilitative or tertiary services to CICL. The services in the facility include but are not limited to spiritual and values formation activities (bible study), ALS, home life activities, livelihood and skills training, life skills sessions and counselling. In terms of community-based interventions for CICL, Valenzuela City through its CSWDO facilitates needs-based diversion program and after care services to CICL.

#### **4. The Local Council for the Protection of Children**

Valenzuela City’s Local Council for the Protection of Children was already organized since 2005 but only became 100% functional in 2017 after the reconstitution of its member agencies. Executive Order No. 2013-063 reorganized the City’s LCPC with the following member agencies: City Prosecutor, DILG, PNP-Valenzuela City, CPDO, CHO, Budget, DepEd, representative from religious sector, Bahay Kalinga officer and CSWDO.

In compliance with DILG MC. No. 2005-07, the City Government created its Inter-agency Monitoring Task Force (IMTF) for the LCPC to ensure efficient monitoring and coordination on the implementation of programs and services for children in line with the local plans of action for children.

In 2017, the LCPC Technical Working Group (TWG) was also established to assist the Council in its activities particularly on producing the reportorial requirements to DILG and to conduct LCPC meetings. Since the LCPC is relatively new due to reconstitution of its members, the council

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<sup>9</sup> Education Investment Program has the following project components:

- Free school supplies from kindergarten to high school students under Balik Eskwela Program
- Valenzuela summer reading camp where students help the other children to overcome reading challenges
- Curriculum Build Up- continuous development of city-owned work texts in Mathematics and English for all elementary students
- Parenting Camp- locally known as nanay teacher program, aims to bring back the nurturing guidance of the parents in the educational progress of their children. Parents are continually reoriented in the importance of being engaged in the learning life of their children. The Schools divisions shall govern this program
- Teaching Camp- enhance and further develop the teaching skills and competencies of teachers.
- Day care to K-6 Feeding Program- CSWDO with the support of volunteer parents and schools' division implements the feeding program to all day care children and identified malnourished K to 6 students
- Infrastructure program: thru the City Engineering office, the City Government will continuously construct educational facilities and renovate outdated and dilapidated facilities to ensure that the students will have a safe, comfortable and child-friendly learning environment.

Source: City Government of Valenzuela. Retrieved from [http://www.valenzuela.gov.ph/the\\_city/best\\_practices](http://www.valenzuela.gov.ph/the_city/best_practices) on March 22, 2017.

members appear not familiar with RA 9344 as amended as well as to the current situation of CAR and CICL. CSWDO still seems to be the crucial and only organization that caters to the needs and concerns of CICL. Further, CICL are seemed to be least priority in the Council as their concerns are not yet discussed during LCPC meeting and are not part of the advocacy and information dissemination activities of the City.

## 5. Relevant City Policies and Ordinances

The table below shows the CICL and CAR-related local ordinances of Valenzuela City that have been documented in the study.

**TABLE 16**  
**List of Child Welfare Related Local Ordinances Passed by Valenzuela City Government**

Local Ordinances	Description
<p>Ordinance No. 13, series of 2008</p> <p>An ordinance enacting the city-wide and standardized night time ban policy for minors aged seventeen years old and below from the streets and providing the corresponding penalties for offenders and/or violators thereof</p>	<p>The policy is imposed within the jurisdiction of Valenzuela City to minors aged 17 years old and below from 11:00 PM to 4:00 AM of the following day. The policy requires parents to strictly observe the time ban and if found grossly negligent in the performance of duty, they will be subjected to following:</p> <ul style="list-style-type: none"> <li>• First offense: counseling to child and parents</li> <li>• Second offense: counseling to child and parents and fine amounting to Php 200,000</li> <li>• Third offense: counseling to child and parents and fine amounting to Php 300,000 with community or socio-cultural services in the barangay for the period of five days</li> </ul> <p>It is stated in the policy that the CICL should be released within eight hours to the custody of parents or nearest relatives.</p>
<p>Ordinance No. 5 series of 2010</p> <p>An ordinance prohibiting the sale of rugby and other types of solvent to minors and regulating the selling of rugby in hardware stores, sari-sari stores and other business establishments in the city of Valenzuela, providing corresponding penalties thereof</p>	<p>In line with RA 9165 which mandates the city to safeguard the wellbeing of its citizenry especially the youth from the harmful effects of dangerous drugs and to pursue an intensive and unrelenting campaign against trafficking and use of dangerous drugs and as response to the proliferation of “rugby boys”, this ordinance was enacted.</p> <p>The business establishments are required to avoid selling rugby and other types of solvents to minors. When in doubt, they must ask for production of adequate identification of the customer in question. The BPLO, BADAC and PNP Valenzuela City Anti-Illegal Drug Special Protection Unit will lead the monitoring and apprehension of the violators within the area subject to due process.</p>
<p>Ordinance No. 13, series of 2011</p> <p>An ordinance regulating the establishment and operation of internet cafes, computer rental shops/computer gaming shops in Valenzuela and providing penalties for violation thereof</p>	<p>This is to regulate the entry of minors and students to internet cafes and other similar establishments to prevent them from excessively playing computer games, access to internet pornography and the likes especially during school hours as this can adversely affect their academic performance and moral values.</p>

<p>Ordinance No. 51, series of 2003</p> <p>An ordinance prohibiting the begging activities of children from private and public vehicles passing all major and minor thoroughfares</p>	<p>This is to protect the children from the dangers that befall in staying in the streets or public places to beg. Children found in the streets/public places begging or perform other similar activities will be subjected to moral counseling for three (3) hours by LSWDO social worker/pastors/priests (first offense), community service of five hours (second offense) and PhP 500.00 (third offense).</p>
<p>Ordinance No. 25, series of 2011</p> <p>An ordinance for the city registration of all out of school youth residing within the Valenzuela City</p>	<p>This is a response initiative of the City Government to the lack of concrete information on out of school youth that hinders the local government from reaching them and creating programs for their welfare.</p> <p>The City Registration of OSY will be done in each barangay to be administered by a barangay coordinator. Result of the registration will be collated in a statistical report and submitted to the City Coordinator and Barangay Captain. The registered youth shall then be referred to the CSWDO, PESO and other agencies concerned for the availment of appropriate program or project. Said registration will be held every year.</p>
<p>Ordinance No. 21, series of 2011</p> <p>An ordinance creating Valenzuela City Government Internship Program (GIP) for OSY of Valenzuela City and appropriating the sum of One Million Pesos as fund thereof and for the years thereafter</p>	<p>Through this resolution, the City Government thru its City Council is providing the OSY the chance to earn for themselves for a better living through rendering their services to the program partners and receive a corresponding remuneration after their terms of services.</p>
<p>VADAC Resolution No. 2014-001</p> <p>A resolution proposing the adoption by all secondary schools in the city of Valenzuela of the standard procedure in handling cases of students violating dangerous drug act (RA 9165) in a school premises and other immediate vicinity</p>	<p>This is to provide school authorities a standard procedure when they encounter students violating RA 9165 or Comprehensive Dangerous Drug Act of 2002.</p>
<p>Ordinance No. 21 Series of 2008</p> <p>An ordinance providing for a comprehensive child support system and for other purposes</p>	<p>The ordinance aims to ensure the protection of the children's rights and institute programs for the development of potentials of every child. The City endeavor to provide basic services, allocate funds, institutionalize local child structures, through the formulation, enforcement, monitoring and assessment of laws and policies and give priority to a Comprehensive Child Support System with NGOs and private sectors as partners.</p>
<p>Ordinance No. 382 series of 2017</p> <p>Amending ordinance No. 21 Series of 2008 entitled "An Ordinance Providing for a Comprehensive Child Support System and for Other Purposes"</p>	<p>This is to further strengthen the protection of the rights and interests of the children in the City as stated on the Ordinance No. 21 Series of 2008.</p>

<p>Ordinance No. 001 series of 2011</p> <p>An Ordinance Enacting the Children's Code of the City of Valenzuela</p>	<p>The ordinance codifies the laws relating to children's rights to apply particularly in the City of Valenzuela and protect the children from practices violating their rights. The ordinance recognizes that children are important assets to society and it is only when the children are able to exercise their rights that they will be able to develop their full potentials.</p>
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Source: Valenzuela City Social Welfare and Development Office (2017)

## 6. Local Development Plan for Children

The City has a CLJIP which aims to reduce cases of CAR and CICL in Valenzuela City at least by 70% based on the current data (2014) by the year 2017. To achieve this goal, the following outcomes/outputs have been identified:

- a. Appreciation of the community on UNCRC and RA 9344 as amended and other child protection laws
- b. Functional LCPC
- c. Capacitated BCPC in handling CAR and CICL cases
- d. Capacitated direct implementers in handling CAR and CICL cases
- e. Enhanced referral system
- f. Enhanced Local Juvenile Information System
- g. Local Juvenile Prevention, Intervention and Reintegration Program
- h. Prevention of repeat offenders and given support and coach CAR and CICL in the community
- i. Establishment of Valenzuela Children and Youth Center

Said CLJIP is integrated with the Local Development Plan (LDP) of the LGU. However, implementation and monitoring of identified strategies to achieve the aforementioned outcomes/outputs were not certain as there are no documentation or evidences reported for the same.

## 7. Local Budget Allocation for Children

Table 17 shows the Internal Revenue Allotment of Valenzuela City from 2015 to 2017 and the corresponding budgetary allotment for LCPC activities in percentage and absolute amount.

The allotment for LCPC appears to be much higher than what RA 9344 requires of LGUs. This high percentage could be associated with the LCPC activities indicated in the three-year CLJIP of Valenzuela City. Some of these activities are the conduct of monthly meetings, orientation cum planning workshop for LCPC, review and monitoring of CLJIP, and reorganization of LCPC. Except for regular monthly meetings, all above stated LCPC activities were implemented as noted by the CSWDO. Valenzuela City is considered to be advance in terms of budget support for CICL and for the LCPC.

**TABLE 17**  
**Total IRA of Valenzuela City and Allotment for LCPC in the Last Three (3) years**

Allotment/Year	2015 (PhP)	2016 (PhP)	2017 (PhP)
IRA	885,374,191.00	972,988,337.00	1,079,980,638.00
Percentage of IRA Allotted to LCPC	11.35%	10.98%	12.41%
Percentage of IRA Allotted to LCPC	100,453,411.65	106,802,801.55	134,016,557.97

Sources: Valenzuela City Government Budget Office (2018)

Valenzuela City provides separate fund for the programs and services of children. The table below show the City’s total income (local, business and others sources of income) and percentage from the total income and absolute amount of budget provided to children and CICL, in particular.

**TABLE 18**  
**Total Allotment of Valenzuela City for Children’s Programs and Services and CICL in the Last Three (3) Years**

Allotment/Year	2015 (PhP)	2016 (PhP)	2017 (PhP)
Total Income	3,331,942,540.00	3,600,000,000.00	3,950,000,000.00
Percentage of budget Allotted to programs and services to children from the total income	28.39%	21.92%	22.40%
Absolute Amount Allotted to programs and services to children	946, 029, 397.21	789,071,659.10	884,800,679.70
Absolute Amount Allotted to CICL	6,792,568.61	7,288,086.25	15,477,163.75

Sources: Valenzuela City Government Budget Office (2018)

Based from the table, it appears that the City Government of Valenzuela, despite increased income from 2015 to 2016, reduced budget allocation for children’s sector for the latter year.

Nevertheless, it appears that the Valenzuela City prioritizes children’s welfare since there is high percentage of fund allocation for the programs, projects and services for said sector. Further, based from the CFLGA audit report both in 2015 and 2016, the City Government assigned most of its children’s funds to education-related services in line with the implementation of its flagship program “Education 360 Investment Program”.

On the other hand, budget allocated for CICL went to the operations of Bahay Pag-asa and Bahay Kalinga, counseling sessions to CICL and their parents, and cost-sharing of the City Government to DSWD National Training and School for Boys (NTSB) for its referred suspended CICL cases.

The LCPC members noted that the City Government has sustained partnership with the Consuelo Foundation. The latter even donated a total amount of Php700,000.00 for the construction of Child Protection Unit. Other child-focused NGOs and religious sectors provide donations, recreation and/or spiritual activities to children at Bahay Kalinga and Bahay Pag-asa.

With this information, it can be claimed that Valenzuela City is agile in terms of its budget investment to children's programs and services including those with CICL. It allocates more than the 1% requirement and mobilizes other local government funds and support from NGO/CSO.

## **8. Summary of Findings**

Valenzuela City is a highly urbanized city and a pilot area of the Department of Interior and Local Government in the localization of the CNJIP. There is increasing number of CICL cases in the city presumably caused by the growing number of migrants from other provinces.

The City apportions more than 1% of its Internal Revenue Allotment for LCPC programs and activities which is higher than the requirement of the law. The budget covers the regular and special programs and services for children including the CICL and CAR. The City supports the operations of a DSWD-accredited Bahay Pag-asa for CICL and a residential facility for CAR. They have trained registered social workers.

Recently the city established a Child Protection Center designed to receive and process reports involving children such child abuse, CAR, and CICL. There are also community-based interventions for CICL but need strengthening.

It was only in 2017 that the LCPC became functional after being inactive for a number of years. The newly installed members need to be oriented on relevant national laws and policies and programs and services on children. Incidentally, Valenzuela City has the most number of local ordinances for children compared with the other five research sites.

## **9. Recommendations**

Based on the findings of this case study, the following are the recommended actions that Valenzuela City can take on to maintain its current status and to prevent children from becoming CICL:

- For the CSWDO to request RJJWC to conduct a series of orientation sessions with LCPC members on child protection laws including RA 9344 as amended and its protocol.
- For CSWDO to orient the LCPC members on the local situation of CICL and CAR in Valenzuela City and the existing programs and services of the city for them.
- For the LCPC to conduct regular meetings to keep track on the local situation of children as well as on the status of programs and services.

- For the LCPC to develop and vigorously implement an Advocacy Plan for a wider dissemination of awareness on RA 9344, as amended, through various communication for development strategies.
- For the PNP and CSWDO to adopt a system of preventing physical and psychological abuse of CICL during arrest and recording in the police station and a system providing appropriate legal and social action in cases of abuse.
- For the CSWDO to discuss with the LCPC members how to improve the attendance of agency members in the LCPC meetings.

## Case Study No. 5

### MUNICIPALITY OF TALAVERA, NUEVA ECIJA

#### 1. Brief Municipal Profile

Municipality of Talavera is a first-class municipality in the province of Nueva Ecija. It is strategically situated for transportation and economic development as it has links to three (3) key cities of the province, namely, City of Muñoz, Cabanatuan City, and San Jose City. It is also a crossroad for some provinces of Cordillera Autonomous Region and Regions 1, 2 and 3.

It has a total lot area of 14,255.54 hectares that is suited for agricultural production, making agriculture (farming) a second major occupation in the Municipality. The primary source of income of the people are in line with service-oriented occupation.



Figure 5. Map of Talavera, Google Map

The 2015 Census of Population (POPCEN 2015), showed that Talavera has a population of 117,722 persons. Based on the submitted accomplished questionnaires of the LSWDO, there were about 54, 034 children in Talavera broken down by age group, as follows:

- 0 – 14 years old: 34,718
- 15 – 18 years old: 19, 316

Today, the development of Talavera can be observed through the progressive physical and economic development in its surroundings. There are commercial buildings that are emerging and productive activities are increasing. There are plans and projects by the present administration designed to boost Talavera's potentials to become a city in the near future.

#### 2. Local Situation of CICL

Records from the PNP in the Municipality of Talavera show that from 2015 to 2017 there were a total of 48 children who committed non-serious offenses where 42 were boys and 6 were girls.

Table 19 shows that 48 CICL committed non-serious offenses in the last three years, 34 of them were caught in incidence of theft which is oftentimes related to poverty. Of these, five (5) CICL were girls. The other cases were: slight physical injury (8), trespassing (4), emotional abuse (1), and verbal abuse (1).

**TABLE 19**  
**Number of CICL and Non-Serious Offenses Committed**

Non- Serious Offenses Committed by CICL	2015		2016		2017		Total	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Theft	9	3	11	1	9	1	29	5
Slight Physical Injury	3	1	1	0	3	0	7	1
Trespassing	4	0	0	0	0	0	4	0
Emotional Abuse	1	0	0	0	0	0	1	0
Verbal Abuse	1	0	0	0	0	0	1	0
<b>TOTAL</b>	<b>18</b>	<b>4</b>	<b>12</b>	<b>1</b>	<b>12</b>	<b>1</b>	<b>42</b>	<b>6</b>

Source: MSWDO-Talavera accomplished questionnaire

About 19 children got entangled in serious offenses from 2015 to 2017 as shown in the table below. Many of the serious cases were in violation of RA 9165 otherwise known as the Comprehensive Dangerous Drugs Act of 2002. All the 5 CICL involved were boys. Rape offenses committed by 3 boys were recorded in 2017. The other offenses in the last three years were: robbery (3 cases), serious physical injury (3 cases), sexual harassment (1), drug abuse (1), carnapping (1), and attempted rape (1).

**TABLE 20**  
**Number of CICL and Serious Offenses Committed**

Serious Offenses Committed by CICL	2015		2016		2017(to date)		Total	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Robbery	1	0	0	0	2	0	3	0
Serious Physical Injury	0	0	2	1	1	0	3	1
Sexual Harassment	0	0	0	0	1	0	1	0
Drug Abuse/Addiction	0	0	0	0	1	0	1	0
Possession of Illegal Drugs	2	1	0	0	2	0	5	0
Carnapping	1	0	1	0	0	0	1	1
Rape	0	0	0	0	3	0	3	0
Attempted Rape	1	0	0	0	0	0	1	0
<b>TOTAL</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>10</b>	<b>0</b>	<b>19</b>	<b>1</b>

Source: MSWDO-Talavera accomplished questionnaire

During the focus group discussion with the members of the Local Council for the Welfare of Children, they enumerated the factors that cause children to commit offenses. These were: peer influence/pressure, dysfunctionality of their families, lack of parental guidance, and lack of orientation on development of their value system. The LSWDO Head explained that some CICL were also used by the adults to commit theft due to misinformed understanding that they could not be criminally liable for breaking the state laws. Most of the CICL recorded in the Municipality of Talavera are out of school. LSWDO recorded a total of 1,306 out of school children in 2016.

The number of CICL in the Municipality appears to be increasing due to economic progression and rapid urbanization. The increasing commercial activities in the center of the municipality tend to attract children to misbehave and eventually violate state laws. This observation was affirmed by the members of the LCPC during the FGD. It was observed further that the CICL in Talavera are generally nice and respectful compared with children in the cities. LCPC members theorized that the children may have been forced by circumstances and environmental factors to become delinquent.

### **3. Services for Children in General and for CICL**

The municipality has two (2) existing hospitals, 5 rural health units/birthing stations, 20 private medical clinics, 55 day care centers, 35 government-run primary schools, and 5 secondary public schools and privately-run colleges/universities. These may be considered part of the primary interventions as they are developmental in nature and designed to address the circumstances of children in general.

The LGU's existing Bahay Pag-asa may be considered secondary intervention as the facility is used for other purposes because there is no CICL requiring temporary shelter and the fact that it is not yet accredited by DSWD. Nevertheless, the government continues to provide budgetary support for its regular maintenance. The facility is now being used as "drug rehabilitation center" for child surrenderers under the government's drug war called "Oplan Tokhang".

In terms of tertiary interventions, the Municipality of Talavera provides cash assistance for the transportation of CICL during court hearings, conduct of diversion program, spiritual formation activities, sports activity, counseling for them and their parents, livelihood trainings, and attendance to parent effectiveness seminars. The Municipality offers scholarship to qualified CICL who would like to pursue college education through the Balik-Eskwela Program.

The LCPC members claimed that their programs and services for CICL were effective because majority of them did not repeat their offenses or that they did not get entangled in any other offense. The CICL interviewed echoed the same satisfaction with the services of the Municipality to CICL. They added that the support they received did not only address their needs but also made them improve their behavior and performance in school. Due to close monitoring of school principals, as part of their diversion program, the former CICL no longer skipped classes. They also admitted that through the close supervision of their parents, they went home earlier and refrained from staying outside the house at night.

In previous cases of CICL, the assigned social workers conducted monitoring of the progress of children toward their diversion or rehabilitation. This was done by requesting them to report once a month to the LSWDO. Results of the visits were recorded in the progress report of the CICL's case folder. Advocacy and communication activities on the amended law were done through the conduct of symposia in schools, orientation sessions with the youth association, and discussion with barangay officials where their roles and responsibilities in handling CICL and CAR cases were thoroughly discussed.

The Municipality has a total of 54 employees working with children. There are 3 registered social workers in the MSWDO including the head of office. There are 46 day care workers assigned in different Barangays to manage the operations of the day care centers. The other staff working with children are the police personnel and health workers at the Municipal Health Office. It is worthy to note that half of the staff are regular employees.

Only the MSWDO has completed trainings on relevant laws such as the RA 7610, RA 9344/10630, RA 9262; Gender Sensitivity Training; Protocol on Case Management of CICL; Managing Diversion Programme; and providing Psychosocial Support. The other social workers have attended at least 3 of the trainings listed above. The other staff never had the chance to participate in any of these training activities except for the Police Officer assigned in the Women and Children's Protection Desk who participated in trainings on RA 7610 and RA 9262.

The MSWDO reported that the municipality follows the process flowchart provided by JJWC in handling CICL and CAR cases.

#### **4. The Local Council for the Protection of Children**

The Municipal Government of Talavera has an organized LCPC which is considered “progressive” in terms of functionality as per DILG standards. Progressive functionality means a rating of 21–50 percent for satisfying the requirements for organization and meeting and some of the sub-indicators of the DILG's Child Friendly Local Governance Audit (CFLGA).

The Council meets every quarter or at least twice a year to update each member agency on the status and accomplishments in the implementation of programs and services to children. The LCPC members are also consistent in submitting quarterly accomplishment report to DILG on their child protection programs and services.

The LSWDO Head was designated as the focal person for LCPC while her office serves as the secretariat. Aside from organizing and documenting the LCPC meeting, the LSWDO is also tasked to ensure that the activities of the Council are properly monitored and coordinated.

During the FGD, the LCPC members claimed that all of them have received orientation on RA 9344 as amended and that they have the technical capacity to manage child protection programs and services. They admitted, however, that they needed some refresher course on their roles, functions, and responsibilities as members of the LCPC.

The LSWDO, in her key informant interview, disclosed that the members of the LCPC actually needed further orientation on RA 9344 as amended to fully appreciate the provisions of the law. They also have conflicting interpretations on the protocol on handling CICL and CAR cases. In her observation, the LSWDO said that the LCPC activities do not appear to be in the priority list of the members of the Council.

From stories gathered during the FGD, the LCPC seems to have a good coordination with the barangays in terms of handling cases of CICL particularly those with “manageable and understanding

complainants”, which means that complainants do not demand that the incidence be elevated to the courts. However, the barangay officials still choose to refer these cases to the MSWDO for fear of being accused of violating child’s rights as experienced by other Barangays. There are barangay officials who have been filed with child abuse cases during the time they handled CICL cases. Also, some barangay officials think social workers in the LSWDO are more in a position to handle cases involving children as they are more familiar with the rights of children.

## **5. Relevant Municipal Policies and Ordinances**

The LSWDO noted only two (2) municipal ordinances passed by the municipality’s Sangguniang Bayan to promote and protect the welfare and rights of the children including CICL. These were the (1) localized version of “Children’s Welfare Code” and (2) Municipality of Talavera Resolution No. 370-2015 "Prohibiting the Sale and Distribution of Firecrackers to Minors". Municipal Ordinance No. 29-2014, otherwise known as “Resolution Approving the Enactment of the Child and Youth Welfare Code in the Municipality of Talavera” reiterated the rights and responsibilities of children. Also included in the Children’s Code were the terms of reference, responsibilities, and key functions of key agencies and the Protocol on Handling CICL and CAR cases.

## **6. Local Development Plan for Children**

The Municipality of Talavera has a Local Development Plan for Children (LDPC) integrated in the annual investment plan of the local government. It was developed by the Municipal Planning and Development Office (MPDO) and department heads where they were asked to prepare their individual plans based on their mandates. It was the MPDO’s task to physically consolidate the individual agency plans together to form the LDPC.

From 2014-2016, the Local Development Plan was mostly composed of primary or developmental interventions for children such as immunization activities, day care program, supplemental feeding activities, and repair of school facilities.

There were also secondary or preventive interventions to inhibit children from committing offenses. These were parent effectiveness seminars, scholarships, information dissemination, and special assistance to out of school youth’s employment.

Tertiary or rehabilitative interventions indicated in the Annual Investment Plan (AIP) from 2014-2016 were counselling, livelihood assistance to CICL’s family, and referral services to institutions.

In 2014, the LDP allocated PhP 16, 997, 293.92 for the aforementioned programs and services. For 2015, the total amount of fund allocated was PhP 17, 721, 499.94 and 18, 899, 656. 46 for 2016. The increasing allotment for social development services which garnered the second highest allocation demonstrated the present administration’s priorities for the people of the Municipality.

Based on the accomplished questionnaire and results of FGD and interview, Talavera has been maintaining a monitoring system as evidenced by the agency members’ periodic submission of quarterly reports and presentation of accomplishments during LCPC meetings.

The MSWDO, however, needs to develop a monitoring and reporting system that will track the progress of the CICL as they go through legal processes and as they undergo diversion till they are integrated into their family and community.

The Municipality is still in the process of developing its CLJIP for CICL. The draft includes culling out the programs and services from the existing Local Development Plan and relevant proposals of concerned offices.

## 7. Local Budget Allocation for Children

The table below shows the Internal Revenue Allotment of the Municipality of Talavera from 2015 to 2017 and the corresponding budgetary allotment for LCPC in percentage and absolute amount. The percentage share for LCPC appears to be incrementally increasing as the total IRA of the municipality soared up annually in the last three years.

The allotment for LCPC appears to be much higher than what RA 9344 requires of LGUs. The research team gathered from interview that the amount was not solely for LCPC activities but also covers all the regular programs and services of different offices intended for children. The LGU may be considered advance in terms of allotting budget for children and for LCPC.

**TABLE 21**  
**Total IRA of Talavera and Allotment for LCPC in the Last Three (3) years**

Allotment/Year	2015 (PhP)	2016 (PhP)	2017 (PhP)
IRA	175,342,529	193,216,228	222,577,365
Percentage of IRA Allotted to LCPC	5.99 per cent	8.8 per cent	9.33 per cent
Absolute Amount Allotted to LCPC	10,503,017.50	17,060,992.90	20,766,468.20

Sources: Valenzuela City Government Budget Office (2018)

During the FGD with the members of the LCPC, they shared that the planned programs and activities against the allotted amount were fully implemented within the time frame. They claimed that the budget allotted for CICL was adequate enough to address their needs which they thought were not too huge. They added that the CICL cases were not too serious that they did not require intensive interventions. Moreover, most of the cases were referred to other agencies such as RRCY and barangays for needed intervention.

The MSWDO reported that there is no accredited child-focused NGO operating in the municipality. The LGU has, however, established partnership with the local hospital on the provision of psychosocial services for CICL.

## 8. Summary of Findings

Talavera is a first class municipality in Nueva Ecija. It did not receive technical assistance for CICL planning from DILG or JJWC. The number of CICL in the municipality appears to be increasing due to urbanization and migration.

The Municipal Council earmarked more than 1% of its IRA for LCPC programs and activities. Budget specifically for CICL and CAR include cash assistance, livelihood support, counseling, and spiritual formation activities. Advocacy and communication activities on RA 9344, as amended, were undertaken through symposia in schools, orientation sessions with youth association, and discussion with barangay officials on their roles and responsibilities in handling CICL and CAR cases. There is an existing residential facility for CICL but currently not functional because there has been no referrals or placements lately. At present, it is used as a rehabilitation facility for drug surrenderers.

There are three (3) registered social workers in the MSWDO including the head of office. Only the MSWDO has completed trainings on relevant laws such as the RA 7610, RA 9344/10630, RA 9262; Gender Sensitivity Training; Protocol on Case Management of CICL; Managing Diversion Programme; and providing Psychosocial Support. The other social workers have attended at least 3 of the trainings listed above. The Police Officer assigned in the Women and Children's Protection Desk has attended the trainings in RA 7610 and RA 9262. Other staff working with children have not had a chance to participate in any of these training activities.

The LCPC regularly meets quarterly to discuss the status of the implementation of programs and activities for children and emerging issues affecting children. The LCPC members have not agreed on a local protocol in handling CICL cases. There is a Local Development Plan for Children but not all LCPC members were involved in drafting the plan. To date, only one local ordinance for children has been enacted by the Municipal Council.

## 9. Recommendations

Based on the findings of this case study, the following are the recommended actions that the Municipality of Talavera can take on to strengthen its LCPC and its interventions for CICL:

- For LCPC to continue its regular meeting to discuss updates on the situation of children in general and of CAR and of CICL (if any) in particular; and on the status of implementation of programs and activities of the LCPC's 1% budget from IRA. The LCPC also needs to agree on the Local Protocol on Handling CICL.
- For the MSWDO to coordinate with and request RJJWC to conduct trainings of LCPC members on RA 9344, as amended, and the role of LCPC in drafting a plan for its 1% allocation from IRA.

- For MSWDO to involve the LCPC members in drafting and implementing the Local Development Plan for Children and the Comprehensive Local Juvenile Intervention Program to establish collective ownership of these plans and to ensure transparency. For the LCPC to also prioritize the passage of the LDPC and the CLJIP.
- For the LCPC to revisit the only existing ordinance on children which is the children's code and determine if it needs updating or supplementing with other ordinances.
- For the LCPC to address the issue of using Bahay Pag-asa as a rehabilitation center for drug child-surrenderers and to initiate efforts to strengthen community-based interventions.
- For the LCPC to develop a monitoring and recording mechanism to regularly report the status of CAR in the municipality and to track the progress of programs and services for them. For the council to maximize the use of CAR and CIGL Registry for planning, targeting, budgeting and programming.

## Case Study No. 6 MUNICIPALITY OF AYUNGON, NEGROS ORIENTAL

### 1. Brief Municipal Profile

Ayungon is a second class municipality in the northern part of the province of Negros Oriental, Philippines. Dubbed as the Rice Bowl of Central Negros, it is approximately a two-hour drive from the capital city of Dumaguete. It has a population of 46,303 people according to the 2015 National Census of Population. About 26,635 of them are children ages 15 to 18.

Ayungon became a municipality in 1924 under Governor General Leonard Wood. Since then, Ayungon had been firing up its economic dynamos to catch up with the provincial developments while still retaining its charm and beauty through vast and scenic rice fields, dense coconut groves, and expansive plantations of sugar cane, bananas, and mangoes.



Figure 6. Map of Ayungon, Google Map

Ayungon is rich in abundant natural resources from its forest to its shorelines. Its highlands have one of the only three virgin forests said to be still thriving on Negros Island. The province prides itself with a number of tourist attractions such as the Nabingka Caves, Maaslum Falls, and the Ayungon Peoples Park, vast areas of mangrove forests.

### 2. Local Situation of CICL



The LCPC of Ayungon Municipality

The Municipality of Ayungon does not have an existing database or any record on CICL or of CAR. Officially, there is no offending child in the locality.

However, based on the oral report of the Women and Children's Police Desk of the PNP in the Municipality of Ayungon, there were two children recorded as having violated a law in the last two years. These incidents were no longer referred to the MSWDO as there was no complainant, no case was filed, and no arrest was made. The complainants only wanted the incidents involving theft to be recorded in the police blotter for recording purposes. The children who committed the violation were not followed up by either the police or the Barangay for possible intervention or counselling.

In the interview of five (5) CAR during the focus group discussion, a child admitted to have stolen

on several occasions. This was confirmed by the grandmother who chaperoned him. She said stealing has become habitual for him. He never went back to school due to embarrassment after his classmates learned about his actions. The incidents were neither reported to the Barangay nor to the Police station. There was another older child who had to go through a series of suspended hearings for slapping his girlfriend. This was also not recorded. The boy, together with his mother, was assisted by a social worker from MSWDO all throughout the scheduled hearings that never materialized due to the non-appearance of the complainant until the case was dropped eventually. The boy and his mother gathered that the filing was done to scare him.

The municipality reported that there were about 369 out of school youth in the municipality. JJWC considers these youth as children at risk of becoming CICL. The ages and gender of these youth were not clear, as well as the year this number was recorded. A number of them attended Alternative Learning System (ALS), however, there was no report on its results.

### **3. Services for Children in General and for CICL**

The Ayungon Municipality's program and services for children are usually integrated in the individual development plans of different local government offices which are consolidated into the Local Development and Investment Plan. Most of these are considered primary level interventions.

The secondary interventions for CAR in this LGU apparently need strengthening. The MSWDO explained that the CAR and their families are normally enrolled in the national government's Conditional Cash Transfer Programme (CCT) or the Pantawid Pamilyang Pilipino Program where families of CAR receive regular allowances for the education of their eligible children. The families of the five (5) CAR interviewed in the FGD were Pantawid beneficiaries but all of them were drop outs.

The MSWDO reported that the Office provides livelihood support to families of CAR such as goat-raising through the Regional Office of the Department of Social Welfare and Development. During the interview, the family who was supposed to receive livelihood support had yet to receive the goats due to delays in processing the request for support from the regional DSWD Office. The incident that caused the family to be eligible for this support happened in March 2017.

The families of CAR usually receive counselling from the MSWDO however, the Office does not have a module for the conduct of counselling. CICL charged in court are usually assisted by the social worker throughout the court hearings. The Office also provide a vehicle to transport the child and his mother to and from the court.

The five (5) CAR who participated in the focus group discussion have all dropped out of school. From the interviews, there seemed to be no effort to bring these children back to school. In general, there was no apparent plan for managing the CICL, as well as the CAR in Ayungon.

The municipality has a social worker assigned to handle cases of CICL in the Municipality of Ayungon. The MSWDO and the Social Worker assigned to handle CICL both have received training on the Convention on the Rights of the Child (CRC), RA 7610, and Gender Sensitivity.

Among the staff of the Municipality, only the MSWDO and the Police Officer assigned in WCPD have received training on RA 9344 as amended. Table 22 shows the relevant training that relevant local staff have received.

**TABLE 22**  
**List of Trainings Attended by Relevant Local Staff**

Local Staff	CRC	RA 7610	RA 9344 /RA 10630	RA 9262	GST
(1)	(2)	(3)	(4)	(5)	(6)
MSWDO	/	/	/	/	/
SWO III	/	/		/	/
All Day Care Worker	/	/			/
City Health Officer	/	/			
PNP/WCPD	/	/	/	/	/

*Source: MSWDO, Ayungon*

**Legend:**

**CRC** - Convention on the Rights of the Child

**RA 7610** – Special Protection of Children Against Abuse, Exploitation and Discrimination Act.

**RA 9344** – Juvenile Justice and Welfare Act of 2006

**RA 10630** - An Act Strengthening the Juvenile Justice System in the Philippines

**RA 9262** - Anti-Violence Against Women and Their Children Act of 2004

**GST** – Gender Sensitivity Training

**4. The Local Council for the Protection of Children**

The LCPC of the Municipality was organized as provided by the law and as per the guidelines of DILG. Municipal Mayor sits as the Chairperson of the Council with the MSWDO, Municipal Planning and Development Coordinator, Budget Officer, Municipal Health Officer, Treasurer, Municipal Accountant, Local Government Operations Officer, and the PNP.

However, judging from the interview of the MSWDO and the members of the LCPC, the Council has not been meeting regularly in the last three (3) years. The LCPC of Ayungon, therefore, may be considered non-functional. The MSWDO said that if there were issues relevant to children, these were normally integrated in the other meetings of the local government’s various committees and councils. These committees and councils have almost the same membership.

There is an apparent coordination between the LSWDO and the local PNP regarding CICL cases in the municipality but it appears that this coordination is only for the purpose of apprising each other regarding cases involving minors. There seems to be no official guideline or protocol being followed by the two offices in handling CICL and CAR cases.

## 5. Relevant Municipal Policies and Ordinances

There was only one (1) relevant ordinance that the Municipality of Ayungon has adopted in the last ten years or so and that was the adoption of Provincial Children’s Code. However, based on interviews, this was never seriously observed.

## 6. Local Development Plan for Children

The Municipality of Ayungon does not have a separate local development plan for children and Comprehensive Local Juvenile Intervention Program (CLJIP). The Municipality sets aside 1 per cent of its internal revenue allotment for LCPC but the items were more of the regular activities of other local government offices. The bulk of the budget for example was apportioned for the honoraria of day care workers and for supplementary feeding. The MSWDO usually submits a plan for the 1 per cent budget from IRA for relevant activities for CAR and CICL. However, during budget deliberations of the Municipal Council, the plan is superseded by the other priorities of the Council such as those that relate to salaries, honoraria, and infrastructure. The budget for CAR and CICL are therefore said to be “mainstreamed” in the regular local government programs.

## 7. Local Budgetary Allocation for Children

The table below shows the Internal Revenue Allotment of the Municipality of Ayungon from 2015 to 2017 and the corresponding budgetary allotment for LCPC in percentage and absolute amount. The percentage share for LCPC appears to be incrementally increasing as the total IRA of the municipality was rising annually in the last three years.

The allotment for LCPC is pegged at 1 per cent as the RA 9344 requires of LGUs. The research team gathered from interview that there was really no budget for LCPC activities but for the regular programs and services of different offices intended for children.

**TABLE 23**  
**Total IRA of Ayungon and Allotment for LCPC in the Last Three (3) Years**

Allotment/Year	2015 (PhP)	2016 (PhP)	2017 (PhP)
IRA	112,617,426	126,277,550	136,341,284
Percentage of IRA Allotted to LCPC	1 per cent	1 per cent	1 per cent
Absolute Amount Allotted to LCPC	112,617	126,277	136,341
Amount Allotted for CICL/CAR programs	0	0	0

## 8. Summary of Findings

Ayungon is a second class municipality in Negros Oriental. It is not a recipient of technical assistance from JJWC or DILG on the localization of the of CNJIP. In the recent past, there has been no recorded cases of CICL although two incidences of theft by minors were in entered in the police blotter in 2018. CICL is not a recognized issue in the municipality. However, children interviewed in the FGD appeared to be CICL but were not recorded due to the absence of M&E and reporting system.

The municipality complies with the allocation of 1% of its IRA for LCPC programs and services but the budget is expended on other items such as salaries of day care workers. Since CICL is not recognized as a social problem, the municipal has no budget allocation and therefore no program for CICL.

There are two registered social workers in the municipality including the head of the MSWDO. The other social welfare officer is assigned to handle cases of CICL on top of her other assignments. The MSWDO and the Social Worker have received training on the Convention on the Rights of the Child (CRC), RA 7610, and Gender Sensitivity Training. Only them and the Police Officer assigned in the PNP-WCPD have received training on RA 9344, as amended.

The LCPC has not really been meeting for a long time. And therefore, there has been no orientation on the functions of LCPC, RA 9344, and other children's concerns. There is no functional coordination between MSWDO in terms of recording and handling CICL cases.

The Municipality has only recorded two relevant local resolutions, namely, the resolution adopting the Children's Code of Negros Oriental, and one on curfew hours for minors.

## 9. Recommendations

Based on the findings of this case study, the following are the recommended actions that Ayungon can take on to strengthen its LCPC and develop a local development plan for children which should include CICL.

- For the LGOO, in close coordination with the MSWDO, to lead in the reorganization and revitalization of the Municipal and Barangay Councils for the Protection of Children. This should include re-orientation of the LCPC and BCPCs on their roles and functions, provisions of the CRC, and relevant laws such as the RA 7610 and RA 9344.
- For the LGOO, MSWDO, ABC, and PNP to lead in the development of a Monitoring, Evaluation, Recording and Coordination system with technical support from the RJJWC. Meanwhile, RJJWC should take advantage of this opportunity to promote the utilization of CAR and CICL Registry for different programming purposes.
- For the whole LCPC, with the leadership of the MSWDO, to develop a workable referral and coordination system between and among relevant agencies.

- For the LCPC, with support from the LGOO, to lobby with the budget officer to seriously allot the mandatory 1% of IRA for LCPC programs and services for children and for CLJIP.
- For the LCPC, with support from RJJWC and LGOO, to develop an LDPC and a CLJIP based on the situation of CICL and CAR in the municipality using the LCPC's 1% share of IRA.
- For the LCPC to develop and implement an advocacy plan to strengthen the parents' and caregivers' capacity to care for and protect their children from becoming CICL. Discussion on preventive actions may be integrated in the Parents Effective Service (PES) and Empowerment and Reaffirmation of Paternal Abilities Training (ERPAT) of MSWDO.
- For the LCPC to revisit the Children's Code, to cause its revival, and to possibly update it with a specific mention of a program for CICL integrating other recommendations such as the development of monitoring, evaluation and reporting system, referral and coordination system, and others.

# Synthesis and Analysis of Issues and Challenges

Of six (6) case studies in this research, three (3) are cities (Naga, Surigao, and Valenzuela) while three (3) are municipalities belonging to the 1st, 2nd, and 5th classifications (Talavera, Ayungon, and Vincenzo Sagun). Three research sites are in Luzon, two (2) in Mindanao and one (1) in the Visayas.

Three research sites, namely, Vincenzo Sagun, Naga City and Surigao City, are pilot areas of JJWC for the localization of CNJIP. Valenzuela City is a recipient of technical assistance from DILG. The Municipalities of Talavera and Ayungon did not receive any form of support from JJWC or DILG.

Data shows that the number of CICL is increasing in the three cities of Naga, Surigao, and Valenzuela while there were few recorded CICL in the Municipalities of Talavera, Ayungon, and Vincenzo Sagun. The increasing trend in cities was attributed to the influx of migrant families from other LGUs. This seems to show that CICL is more an urban than a rural concern.

## 3.1. On Local Investments for CICL/CAR

In terms of JJWA's provision in Section 15 of RA 9344 requiring LGUs to allot 1% of its budget for LCPC programs, projects, and activities, five (5) LGUs appear to be compliant. Surigao City's allocation is less than its obligation but earmarked 10% of its IRA for children in general. Ayungon is compliant only on paper but expended its budget on items other than the prescribed activities.

In cities where the problem of CICL is more concerning, there is specific budget for CICL but nonexistent in the municipalities where CICL is less pronounced. Cities are compelled to allot additional budget to support the operations of Bahay Pag-asa for CICL, a required facility for provinces and highly urbanized cities

## 3.2. On Programs and Services for CICL and CAR

All three (3) cities that received technical support from JJWC and DILG on the localization of the CNJIP as well as Talavera and Valenzuela City have CLJIP. Although a pilot area of JJWC, Vincenzo Sagun does not have a CLJIP because there is no CICL. Conversely, Talavera, which is not receiving technical support is reportedly finishing its CLJIP. The CLJIP provides guidance to the LCPCs in implementing specific services and activities for CAR and CICL.

The three (3) cities, including Talavera, have a local protocol on handling of CICL cases. The other two (2) municipalities do not have it because CICL cases are not rampant and alarming in their jurisdiction. All Registered Social Workers in the six LGUs have attended training on RA 9344 and on the Protocol on Handling CICL Cases.

All LGUs have primary interventions for children. All five (5) LGUs have secondary level of interventions except for Ayungon. All the three (3) cities have tertiary level of interventions. As highly urbanized cities, Valenzuela and Surigao Cities have an operational Bahay Pag-asa for CICL. They happen to be the only LGUs with proper ratio of Registered Social Worker and CICL. All three cities have residential facilities for CAR which is nonexistent in the three (3) municipalities.

The general weaknesses in responding to CICL are in the implementation of community-based interventions, diversion and after care program at all levels. Barangays tend to pass on the responsibility during implementation to the M/CWDO. In all the six (6) LGUs, there is a strong need to strengthen awareness-raising campaign targeting families and communities particularly on practices and behavior that tend to push children to commit offences, such as physical violence as a means to discipline children and poverty that cause them to steal. Information campaign against drugs and substance abuse in the community especially among children shall be provided by the LGUs. This is to lessen the chances of minors engaging to substance abuse and activities related to its use.

One of the major issues among all the six (6) LGUs under study is the development and implementation of a mechanism for monitoring, evaluation, recording, and reporting. This includes operating a registry of CICL and a recording system of the status of CICL and CAR.

### **3.3. On Local Structures for CICL**

Republic Act 4881 provides for the creation of a Local Council for the Protection of Children in every province, city, municipality, and barangay of the Philippines. The Council serves as the umbrella organization for all children's concerns within the Barangay, City or Municipality.

All the LGUs covered in this research, except Ayungon, have functional LCPCs in accordance with the above law and as specified in DILG MC No. 2005-07 "Guideline in Monitoring the Functionality of the Local Council for the Protection of Children (LCPC) at All Levels and Other Purposes" but with different levels of functionality. The LCPC of Valenzuela turned functional only in 2017 after the reconstitution of its membership. NGOs are more active in the cities of Valenzuela, Naga and Surigao. Valenzuela City and Naga City's experience of institutionalizing the LCPC through an ordinance is worthy to be replicated by other LGUs.

LCPCs normally meet quarterly except for Naga City where the LCPC meets six (6) times a year and Ayungon which has not convened for years. The usual agenda cover discussion and sharing on updates on the accomplishment of each member agency on their programs and services to children and emerging issues affecting children.

All four (4) LGUs receiving technical support from JJWC and DILG have organized Project Management Teams for CLJIP Implementation with M/CSWDO serving as Secretariat. The Municipalities of Ayungon and Talavera do not have the same structures.

### **3.4. On Local Ordinance on CICL**

Local ordinances relevant to CICL are contingent on the severity of the issue in the locality. The City Councils of Valenzuela, Surigao, and Naga have a local resolution adopting JJWA (RA 9344 as amended). The Municipalities do not have such resolution because the issue of CICL is not concerning. Naga City adopted a more pronounced resolution by saying that the city will specifically abide by the prescribed local juvenile interventions and diversion programs. In Valenzuela, there were a number of child-related local ordinances apparently geared towards prevention of children from becoming CICL.

Common to all six LGUs under case study is the enactment of a local resolution adopting a Children’s Welfare Code or a Children and Youth Welfare Code. This happens to be the only child-relevant resolution gathered from the Municipalities of Talavera and Ayungon.

# SUMMARY OF GOOD PRACTICES

From among the six (6) case studies, there were some good practices noted in terms of addressing the issue of juvenile delinquency at the LGU level. These were drawn out particularly from the four (4) LGUs supported by JJWC and DILG.

## On Governance

- Local Chief Executive's support to the programs and services to children as shown in the establishment of a separate Child Protection Processing Center (Valenzuela City).
- Local Chief Executive's support to allocation of public funds for LCPC more than the required 1% of IRA (Valenzuela City and Naga City).
- Flexibility of the LGU to adjust the LGU's annual plan based on the needs of the offices. For example, the Budget Officer requested the heads of the residential facilities to submit supplemental budget proposal for the unanticipated expenditures due to the increasing number of child drug surrenderers referred to their facilities (Surigao City).

## On Inter-Agency Coordination

- Strong coordination of LCPC and CSWDO with barangay officials (BCPC) and DepEd on the implementation of diversion program, monitoring and provision of after care services to CICL (Surigao City).
- Coordination of the LCPC with Civil Society Organizations, Faith-Based Groups, and other stakeholders (Naga City).

## On the Local Council for the Protection of Children

- Active LCPC that regularly meets with expanded membership that goes beyond the provisions of the DILG Resolution on LCPC (Naga City).
- Involvement of all sectors in the society, including the IP community, in the LCPC planning and implementation of programs for children in (Vincenzo Sagun).
- Active participation of LCPC members on the activities of the Council and implementation of child protective programs and services of the LGU (Surigao City).
- The Project Management Team for the localization of CLJIP should be operating as a sub-committee of the LCPC and not as a separate entity (Valenzuela City).

## On Primary, Secondary, and Tertiary Interventions for CICL and CAR

### *Primary Intervention*

- Strong preventive programs that inhibit CAR from committing crimes (Vincenzo Sagun).
- Investment on education as preventive measure for CAR to become CICL (Naga City).
- Availability of a team of physician, psychologist, and social workers who provide services for children on a daily basis (Valenzuela City).

### *Secondary Intervention*

- Existence of a Child Protection Center (CPC) where referred CICL go through initial assessment to determine appropriate interventions and not immediately sent to Bahay Pagasa (Valenzuela City).

### *Tertiary Intervention*

- Existence of child-friendly family court judges where disposition of court cases involving CICL is hastened (Valenzuela City).
- Peaceful settlement of juvenile offense at community level using Katarungang Pambarangay (Vincenzo Sagun).
- Diversion program for CICL conducted at the barangay level (Naga City).
- Existence of accredited BPA and other residential facilities for children with social workers, security guards, house parents and psychologists in the centers trained in handling CAR and CICL (Valenzuela City).
- Existence of temporary shelter for CICL girls (Valenzuela City).
- Coordination of agencies in the implementation of diversion program, monitoring, and provision of after care services to CICL (Surigao City).

# RECOMMENDATIONS

From the six (6) case studies, the following are the advocacy opportunities and strategies that could be considered in strengthening the preventive, responsive, rehabilitative, and reintegrative programs and services for CICL and CAR at the LGU level:

## Policy

- For DILG to develop and implement a national strategy to revitalize M/CPCs and BCPCs and re-issue DILG MCs 2002-121 and 2005-7 designating the same agency (DILG) to facilitate and provide technical assistance in the organization of LCPC and to spearhead the monitoring of their functionality at all levels.
- For DILG to review MC 2012-120 on “Allocation of One Per Cent IRA for the strengthening and implementation of the Programs, Projects, and activities of the LCPC per Section 15 of RA 9344.” For DILG to review the proposed activities and to add critical ones based on this study. Part of DILG’s strategy should include providing technical assistance and monitoring of LGOOs in the efficient and judicious use of budget for LCPC.
- For DILG, with the recent election of Barangay Councils and Sangguniang Kabataan, to work pro-actively for the integration of JJWA, CICL issues, and other relevant DILG MCs such as the DILG MC 2012-120 in the DILG’s orientation manual for newly elected Barangay officials.
- For DILG to direct the creation of a committee in cities (where CICL are many) under the LCPC, composed of staff from CSWDO, PNP-CWPD, PAO, Prosecutors, ABC, and CHO whose function is to prevent juvenile delinquency as well as to work with CICL to assist them in their rehabilitation and to reintegrate them back into the community. The Unit should also work to provide CICL alternative options without resorting to judicial proceedings. The members of this Unit should be properly trained on the operationalization of the Integrated Care Management Protocol on Handling CICL Cases and in implementing diversion programs at different levels.
- For JJWC and DILG to consider the severity of CICL as a key criterion in the selection of areas that will be provided with technical support in the localization of CNJIP. Based on this research, the issue of CICL appears to be more pronounced in cities than municipalities.

## Programs

- For JJWC, together with different national councils and committees on various children’s concerns, to consider linking up with existing efforts in working with the Union of Local Authorities in the Philippines, League of Provinces, League of Municipalities, League of Cities, and the association of Barangay Chairpersons in mobilizing Local Chief Executives to invest in children’s rights and welfare and to support the development of local development plans

for children, including CICL, covering three levels of interventions, and to allocate adequate budget for the implementation of such plans.

- For JJWC to consider the reactivation of the Juvenile Justice Network through the NGO members of JJW Council, Center for the Prevention and Treatment of Child Sexual Abuse (CPTCSA) and PREDA Foundation.
- For first and second class municipalities with increasing incidents of CICL, consider applying the specific recommendations for cities in this section. For third to fifth class municipalities which are considered to be small and where CICL is not a concern, consider the promotion of positive parenting programs and positive social norms that prevent children from committing crimes. Similarly, their LCPCs and BCPCs must also be vigilant and technically able to deal with CICL.
- For the JJWC to continue and strengthen its collaborative projects with non-government agencies on promoting juvenile justice and welfare, such as UNICEF (i.e. conduct of researches related to juvenile justice and welfare and harmonization of the Supreme Court's Revised Rule on CICL with RA 9344 as amended) and the Humanitarian Legal Assistance Foundation, Inc. or HLAFA (i.e. Strengthening Implementers by Mentoring and Uplifting Local Actors or SIMULA Project).

### **Research, Technical Assistance, Monitoring and Evaluation**

- For DILG and JJWC to conduct a policy analysis of the children's codes and of ordinances activating the LCPCs with regard to their comprehensiveness, quality, and inclusion of provisions on Juvenile Justice and Welfare Act. This is to ensure that the programs stated therein are sustainable and to be implemented despite the change in local leadership.
- For JJWC to review the list of good practices from the six (6) case studies in Section 2 of this report for a possible documentation and dissemination to other LGUs.
- For JJWC to consider conducting an external results-based evaluation of JJWC's and DILG's technical support to LGUs on the localization of CNJIP to determine the effectiveness, efficiency, relevance, impact, and sustainability of the pilot approach and to draw out lessons learned for the succeeding similar efforts in the future.
- For LGUs, establish a communication and coordination system among its LCPC members and duty bearers at the local level to ensure proper handling of CICL and CAR cases.
- For national government agencies at the regional level such as DSWD and DILG, to provide technical assistance of DSWD and provincial government that addresses the limitations of the LGU in terms of technical capacities and resources to perform their functions effectively and efficiently.

## Advocacy

- For LGUs, intensify advocacy on RA 9344 as amended and projects that are not indicated in the Local Development Plan or Annual Investment Plan but appear to be necessary in the regular operations of the offices.
- For JJWC and DILG to advocate with LGUs to consider developing a strategy that will provide opportunities for children to actively participate in mobilizing local resources and actions for CICL from government, NGOs, and other potential sources of support; and in raising communities' awareness on children's rights and welfare, in general, and on CICL, in particular.
- For JJWC and DILG, in working with LGUs for the localization of CNJIP, to consider working with the whole members of the LCPC and not just with a technical management group to ensure collective ownership of the CLJIP and to ensure the implementation of the plan. To further galvanize ownership and to ensure sustainability, consider advocating for enactment of a local ordinance adopting and providing budgetary support for the CLJIP.
- For JJWC to implement advocacy campaigns and popularize and distribute related materials on implementing RA 9344 by duty bearers and LGUs, such as the PNP Manual in Handling CAR and CICL cases, Integrated Care Management Protocol for Handling of CICL and for CAR and diversion toolkit.
- For UNICEF to consider developing a comprehensive Communication for Development (C4D) strategy to increase awareness of the general public on RA 9344 and to strengthen the preventive aspect of programming for CICL at the LGU level through the promotion of positive parenting programs and positive social norms that prevent children from becoming CICL. This endeavor may be done in collaboration with other relevant national child protection councils and committees on children.

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