



REPUBLIC OF THE PHILIPPINES
COMMISSION ON HUMAN RIGHTS

RESOLUTION
CHR (VI) No. POL2025-007

This Commission **RESOLVES** to **ADOPT** the attached Situation Report re: Monitoring the Implementation of the Juvenile Justice and Welfare System: Monitoring of Bahay Pag-Asa Facilities and its accompanying dissemination plan.

SO RESOLVED.

Done this 19th day of February 2026 in Quezon City, Philippines.


RICHARD P. PALPAL-LATOC
Chairperson



BEDA A. APRES
Commissioner


FAYDAH M. DUMARPA
Commissioner


Justice MONINA A. ZENAROSA (Ret.)
Commissioner


Judge MARIA AMIFALTH S. FIDER-REYES (Ret.)
Commissioner

ATTESTED BY:


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Officer-in-Charge, Office of the Commission Secretary

CHR ng lahat: Naglilingkod maging sino ka man



REPUBLIC OF THE PHILIPPINES
COMMISSION ON HUMAN RIGHTS

**A SITUATION REPORT ON THE IMPLEMENTATION
OF LAW ON JUVENILE JUSTICE AND WELFARE
SYSTEM: MONITORING OF BAHAY PAG-ASA
FACILITIES**

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**CHILD RIGHTS CENTER
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2025**

CHR ng lahat: Naglilingkod maging sino ka man

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Executive Summary

Nineteen years after the enactment of the Juvenile Justice and Welfare Act (Republic Act No. 9344), significant gaps and challenges persist in its implementation, limiting its ability to fully ensure the care, protection, and rehabilitation of Children in Conflict with the Law (CICLs). This human rights report is undertaken pursuant to the mandate of the Commission on Human Rights (CHR) to monitor compliance of juvenile justice programs and facilities with constitutional guarantees, domestic laws, and international human rights standards. The report documents systemic issues in the administration of juvenile justice and brings these concerns to the attention of policymakers, government agencies, and other duty-bearers to prompt concrete reforms that uphold the rights and best interests of CICLs.

Key findings reveal the continued use of violence during the apprehension of CICLs, reported incidents of physical abuse and ill-treatment in some Bahay Pag-asa facilities, and widespread non-compliance with prescribed child-friendly standards. The report also highlights poor sanitation and living conditions, inadequate numbers of qualified personnel to provide individualized care and rehabilitation, and insufficient resources to support children's physical, psychosocial, educational, and developmental needs.

In response to these findings, the Commission on Human Rights recommends a set of urgent and targeted measures to strengthen the juvenile justice system. These include the adoption of standardized and child-centered visitation policies to ensure regular family contact; the provision of adequate and qualified personnel, including social workers and specialists; and sufficient operational support, such as service vehicles, equipment, and budgetary allocations. The CHR further calls for strict compliance with child-friendly standards for Bahay Pag-asa facilities, improved sanitation and facility conditions, comprehensive and continuous capacity-building for personnel on children's rights and juvenile justice principles, the prohibition of violence and other forms of ill-treatment at all stages of the justice process, and the establishment of effective monitoring and accountability mechanisms.

Collectively, these measures are essential to ensure that the juvenile justice system remains restorative, protective, and fully aligned with national and international human rights obligations, and that every child in conflict with the law is treated with dignity, fairness, and respect.

I. Introduction

The protection of the rights and welfare of Children in Conflict with the Law (CICLs) remains a critical concern for both the Philippine justice system and the international human rights community. The enactment of Republic Act No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006 (JJWA), marked a significant milestone by establishing a juvenile justice system firmly anchored in the principles of children's rights.

Under this framework, CICLs are recognized as fundamentally different from adults. The justice system is therefore mandated to acknowledge their heightened vulnerability, evolving capacities, and developmental needs, and to ensure that all interventions prioritize their care, protection, rehabilitation, and access to restorative justice measures, regardless of the circumstances surrounding their alleged offenses.

Under the law, the Commission on Human Rights (CHR), through its Child Rights Center (CRC), has a special mandate to monitor the *“status, rights, and interests of children in accordance with the Constitution and international human rights instruments.”*¹ The 1987 Philippine Constitution, under Article XV, Section 3, provides that children have the right *“to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.”*²

While the United Nations Convention on the Rights of the Child (UNCRC) serves as the principal human rights instrument for children, the Philippines is also a state party to several other human rights instruments related to juvenile justice. Section 5 of RA 9344 explicitly adopts provisions from the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), and the United Nations Rules for the Protection of Juveniles Deprived of Liberty (Havana Rules)³, as guiding principles for the rights of children in conflict with the law. The Constitution and these human rights instruments guide the Philippine juvenile justice system in ensuring that CICLs are treated with dignity and that the best interests of the child remain the primary consideration in all interventions.

This report aims to monitor the implementation of the Juvenile Justice and Welfare Act (JJWA) in Bahay Pag-asa (BPA) facilities across the Philippines, assessing existing programs, policies, and practices to ensure they adhere to these legal and human rights principles. By highlighting gaps and challenges, the report seeks to provide evidence-based recommendations that enhance the protection, welfare, and rehabilitation of CICLs, ensuring that all interventions are restorative, rights-based, gender-sensitive, and child-centered, in line with national and international standards.

II. Methodology

From August 2024 to May 2025, the Child Rights Center (CRC) of the Commission on Human Rights (CHR) conducted independent monitoring activities in selected Bahay Pag-asa facilities in the National Capital Region (NCR), Regions III, IV-A, and XII. These monitoring activities were undertaken pursuant to the CRC's special function

¹ Section 11 of Republic Act No. 9344, also known as the Juvenile Justice Welfare Act of 2006

² The 1987 Philippine Constitution

³ Section 5 of Republic Act No. 9344, also known as the Juvenile Justice Welfare Act of 2006

under the law. In accordance with Section 11 of Republic Act No. 9344, the Child Rights Center is mandated to “ensure that the status, rights, and interests of children are upheld in accordance with the Constitution and international instruments on human rights.”⁴

In addition to the CRC’s central monitoring efforts, the Commission’s Regional Offices carried out complementary monitoring visits within their respective jurisdictions. Findings from these visits were consolidated and utilized as reference materials in the preparation of this monitoring report, providing a broader overview of the implementation of juvenile justice and welfare standards in Bahay Pag-asa facilities.

The CHR, through its Child Rights Center and Regional Offices, assessed the programs, services, and operational practices of Bahay Pag-asa facilities using the standard CHR monitoring tool. The assessment aimed to identify gaps and challenges in the implementation of the Juvenile Justice and Welfare System and to evaluate the extent to which a rights-based approach is applied throughout a child’s journey—from initial contact with authorities to rehabilitation and reintegration into the community. The assessment also examined the availability and accessibility of essential services responsive to the diverse needs and vulnerabilities of children.

To ensure a comprehensive and evidence-based assessment, the CHR employed multiple data-gathering methods, including personal interviews and Focus Group Discussions (FGDs) with Children in Conflict with the Law (CICLs), Key Informant Interviews (KIIs) with Bahay Pag-asa duty-bearers, and direct monitoring, observation, and documentation of facilities. These methods generated both qualitative and observational data that captured children lived experiences, the perspectives of service providers, and the physical conditions of facilities. This multi-method approach enabled a holistic analysis of systemic and operational challenges affecting the protection, rehabilitation, and reintegration of CICLs, as envisioned under the law.

Participation of children and service personnel in the data-gathering process was voluntary and obtained through informed consent. All monitoring activities strictly adhered to research ethics and human rights standards to ensure the safety, dignity, confidentiality, and privacy of all participants.

III. Scope and limitations

This human rights situation report presents data collected by the Commission on Human Rights (CHR) from August 2024 to October 2025 through monitoring activities conducted by the Child Rights Center and the CHR Regional Offices. Data collection involved interviews and group discussions with resident children, supervising social workers, and Bahay Pag-asa facility personnel.

While several good practices were identified during the monitoring activities, the primary focus of this report is to surface key challenges and systemic gaps in the implementation of the Juvenile Justice and Welfare Act (JJWA). The report draws attention to persistent issues that require targeted interventions, policy reforms, and

⁴ Ibid

programmatic improvements to strengthen the protection, welfare, and rehabilitation of Children in Conflict with the Law (CICLs).

This report is intended to serve as a reference for the Commission on Human Rights in the formulation of evidence-based policy recommendations for the Philippine government. It aims to inform the development of strategies, programs, and mechanisms that will enhance the protection and welfare of CICLs, promote the effective and consistent implementation of the JJWA across all regions, and sustain and replicate good practices observed at the local level.

IV. Findings and Discussions

1. The use of Violence during the Child's Apprehension

One recurring concern emerging from the narratives of several CICLs interviewed is the use of violence by authorities during their apprehension. Several BPA child residents interviewed by the Child Rights Center (CRC) from Zambales City⁵, Paranaque City⁶, Laguna Province⁷, and Davao City⁸ shared personal accounts of physical maltreatment at the hands of police officers during their arrest. One child from Laguna recalled being punched in the stomach by a police officer during his apprehension⁹. In Davao City, a child experienced being abducted, blindfolded, and tortured by police officers, while overhearing threats that he would be killed and buried.¹⁰ Several reports from the Commission's regional offices also corroborated this recurring concern. A child from Region II shared that he got slapped by the arresting officer¹¹. In contrast, a child from Cavite attested that his arresting officer inflicted harm and employed coercion to admit to a crime.¹² Other children interviewed also recounted abuses at the hands of Barangay personnel.¹³

These practices constitute a clear violation of established human rights standards about the administration of juvenile justice. Article 40 of the UN Convention on the Rights of the Child (UNCRC) explicitly recognizes “the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child’s sense of dignity and worth.”¹⁴ Domestic and international guidelines similarly uphold the principle of non-violence. The UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)¹⁵ and the Juvenile Justice and Welfare Act of 2006 (RA 9344)¹⁶ prohibit the use of unnecessary force or violence during a child’s initial contact with authorities. Recalling the commentary on the Beijing Rules, it emphasizes that avoiding inflicting harm on a child during their first contact with authorities is crucial, as early experiences with law

⁵ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Zambales

⁶ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Paranaque

⁷ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Laguna Province

⁸ Based on the results of the 2025 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Davao City

⁹ Ibid.

¹⁰ Ibid.

¹¹ Based on the results of the 2024 regional report by CHR Region II

¹² Based on the results of the 2024 regional report of CHR Region IV-A

¹³ Ibid.

¹⁴ United Nations Convention on the Rights of the Child

¹⁵ Rule 10.3 of The UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

¹⁶ Section 21 of the Republic Act No. 9344, or the Juvenile Justice and Welfare Act of 2006

enforcers significantly shape a child's perception of the State and society. Negative encounters may have lasting impacts on their rehabilitation and reintegration.

Further, this series of violent incidents occurring in various regions may collectively suggest a prevailing culture of violence that normalizes the dehumanizing treatment of CICLs. Moreover, these incidents highlight significant capacity gaps among law enforcement personnel and Barangay officials in applying child-sensitive, rights-based approaches to handling CICLs. Further, recalling the Beijing rules, it must be emphasized that police officers and relevant authorities who primarily deal with CICLs must receive specialized instruction and training¹⁷ to ensure that “...they act in an informed and appropriate manner.”¹⁸ Thus, improved and sustained capacities must be guaranteed by the Law Enforcement Institutions within their ranks, particularly those dealing with CICLs. Secondly, these narrative accounts highlight the pressing need to strengthen accountability mechanisms for duty-bearers. The state should adopt a monitoring system to detect and penalize abusive practices within law enforcement institutions. Without such mechanisms, institutional gaps will continue to leave children at significant risk of experiencing physical harm and trauma.

2. Treatment Concerns within Bahay Pag-asa Facilities

Interviews with children in a BPA in the National Capital Region (NCR) revealed accounts of abuse perpetrated by facility personnel.¹⁹ Several children reported attempts to raise these concerns with other adults within the facility, but their complaints were frequently dismissed, citing an alleged lack of evidence. The absence of Closed-Circuit Television (CCTV) cameras in the facility further limited opportunities to substantiate their claims. During consultations, children expressed frustration and emphasized their need for an independent authority to hear and act on their abusive experiences. Several children also described their house parents as displaying “attitude problems,” which negatively affected the care environment.

In the other three BPA facilities visited by the regional office in NCR²⁰, children reported not being provided with utensils and instead used their bare hands to eat. According to the personnel, the utensils were allegedly used as weapons. Such practices, however, raise concerns about the dignity, well-being, and humane treatment of children.

Under the UN Convention on the Rights of the Child (UNCRC), State Parties are obligated to take all appropriate measures to prohibit torture and other cruel, inhuman, or degrading treatment of children²¹. Furthermore, State Parties must ensure that every child, whether alleged, accused, or recognized as having infringed the penal law, is treated in a manner consistent with their inherent dignity and worth, while promoting their rehabilitation and reintegration into society.²² Complementing these obligations, the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)²³ and the UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)²⁴ emphasize that children in conflict with the law must

¹⁷ Rule 12 of The UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

¹⁸ *Ibid.*

¹⁹ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Paranaque

²⁰ Based on the results of the 2024 Regional Report of the CHR NCR Regional Office

²¹ Article 37 of the UN Convention on the Rights of the Child (UNCRC)

²² Rule 26 of the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

²³ Rule 26 of the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

²⁴ Rule 31 of the UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)

be provided with care and guidance appropriate to their age, and placed in environments that support their rehabilitation. Republic Act No. 9344 reaffirms these universal human rights principles and safeguards their “*right not to be subjected to torture or other cruel, inhuman, or degrading treatment or punishment.*”²⁵

Instances of ill-treatment, such as physical abuse or demeaning practices, in Juvenile Institutions undermine the principles of restorative justice, which prioritize rehabilitation and reintegration over punitive measures, while simultaneously exposing children to violence and impeding their psychosocial development, rehabilitation, and successful reintegration into society. Further, it highlights the need for independent, accessible reporting mechanisms or pathways within BPA institutions for CICLs to safely and confidentially report abuses committed by duty-bearers, whether inside or outside the facility. Independent monitoring bodies, such as the Commission on Human Rights and the Juvenile Justice and Welfare Council (JJWC), must strengthen their oversight and monitoring efforts to ensure accountability of duty-bearers and the protection of CICLs.

3. Facility Concerns of Bahay Pag-asa

Facility visits conducted by the Commission revealed that several Bahay Pag-asa (BPA) centers are non-compliant with established standards for child-friendly operations. Republic Act No. 9344 affirms the right of every child to a rehabilitative and supportive environment, providing that “*the youth rehabilitation center shall provide 24-hour group care, treatment, and rehabilitation services under the guidance of trained staff, where residents are cared for under a structured therapeutic environment with the end view of reintegrating them into their families and communities as socially functioning individuals*”²⁶. The Revised Implementing Rules and Regulations (IRR) of RA 9344 mandates that BPA facilities be “*gender-sensitive and child-friendly in their design, space, and programs.*”²⁷

Observations by the Child Rights Center indicate that the structural design of a BPA facility in the National Capital Region (NCR) resembles that of a jail, mainly due to the extensive use of metal grills.²⁸ The NCR Regional Office reported that the architectural design and physical layout of two BPA facilities are not conducive to the rehabilitation of Children in Conflict with the Law (CICLs).²⁹ Similarly, in Region IV-B, the use of metal grills in BPA facilities was noted, raising concerns about a prison-like environment.³⁰ Further, such construction reinforces the wrongful branding of CICLs as criminals rather than acknowledging them as children who are often victims of their circumstances and whose discernment and decision-making capacities are still developing. Wrongful labels perpetuate stigmatization and undermine the chances of CICLs to reform and reintegrate into society comprehensively. To truly support their rehabilitation, facilities must ensure that the atmosphere in their spaces fosters a safe, nurturing, and developmentally appropriate environment for children.

²⁵ Section 5 of the Republic Act No. 9344, or the Juvenile Justice and Welfare Act of 2006

²⁶ Section 53 of the Republic Act No. 9344, or the Juvenile Justice and Welfare Act of 2006

²⁷ Rule 4 (8) of the Revised Implementing Rules and Regulations (IRR) of RA 9344, or the Juvenile Justice and Welfare Act of 2006

²⁸ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Paranaque

²⁹ Based on the results of the 2024 Regional Report of the CHR NCR Regional Office

³⁰ Based on the results of the 2024 Regional Report of the CHRR Region IV-B Regional Office

Not only are the structural designs of Bahay Pag-asa (BPA) facilities concerning, but the living conditions within these centers also raise significant child rights issues. In the National Capital Region (NCR), the Child Rights Center observed strong foul odors and several children suffering from skin rashes, indicating unsanitary conditions. Bedrooms lacked privacy, with beds clustered in rooms enclosed by metal grills. Solitary rooms intended for sick children were similarly unsanitary, potentially worsening the health of vulnerable residents. In Region I, some CICLs and house parents were forced to sleep in hallways due to a shortage of sleeping rooms.³¹ In Region VI, only two bedrooms were available for seven children.³² In Region IV-B, all children, seven boys and one girl, shared a single sleeping space, with a houseparent positioned between them³³. Further, the facility's proximity to a poultry farm contributed to strong odors, further compromising hygiene and living conditions.³⁴

Enjoyment of safe and healthy rehabilitative spaces is a fundamental right of every Juvenile, as enshrined in the United Nations Convention on the Rights of the Child (UNCRC),³⁵ United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules),³⁶ Beijing rules³⁷, and the Republic Act No. 9344.³⁸ This right is particularly critical for children in conflict with the law (CICLs), many of whom come from backgrounds marked by poverty, neglect, and exposure to violence. Providing them with healthy and dignified living spaces contributes to their rehabilitation and reduces the likelihood of reoffending.

Furthermore, Rule 32 of the Havana Rules mandates that State Parties ensure that residential facilities respect the privacy of all children, including providing adequate bed spaces that allow for personal privacy and sensory stimuli.³⁹ Republic Act No. 9344 requires that female CICLs be provided with gender-sensitive accommodation and care. This includes separate facilities from male CICLs to ensure their safety, dignity, and overall well-being.⁴⁰

4. Slow adjudication of Cases

Republic Act No. 9344⁴¹ and The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)⁴² establish that the institutionalization of children should be used only as a measure of last resort and that any deprivation of liberty must be for the shortest appropriate period of time. As a corollary to this principle, State parties are obligated to ensure that children in conflict with the law (CICLs) have prompt access to legal assistance and the timely resolution of their cases. Despite this, delays in case resolution persist. Interviews with children

³¹ Based on the results of the 2024 Regional Report of the CHR Region I Office

³² Based on the results of the 2024 Regional Report of the CHR Region VI Office

³³ Based on the results of the 2024 Regional Report of the CHR Region IV-B Office

³⁴ *Ibid.*

³⁵ Article 39 of the UN Convention on the Rights of the Child (UNCRC)

³⁶ Article 31 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)

³⁷ Rule 26.1 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

³⁸ Article 31 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)

³⁹ Rule 32 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

⁴⁰ Section 47 of the Republic Act No. 9344, or the Juvenile Justice and Welfare Act of 2006

⁴¹ Section 5 of the Republic Act No. 9344, or the Juvenile Justice and Welfare Act of 2006

⁴² Rule 19.1 of Rule 32 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

in Zambales City⁴³, Parañaque City⁴⁴, and Laguna Province⁴⁵ revealed that many are still awaiting court decisions. Several reported frequent postponements of hearings, which in some cases have lasted years. Many children identified the COVID-19 pandemic (2020–2022) as a primary cause of these prolonged delays, as courts paused hearings that required face-to-face interactions. For instance, one CICL, now aged 22, had been in Bahay Pag-asa for five years, but his trial only resumed a year after pandemic restrictions were lifted. Another recurring cause of delays is the failure of opposing parties to appear at scheduled hearings, which forces courts to reschedule proceedings. Additional factors contributing to the slow adjudication of cases include the limited number of social workers in Bahay Pag-asa facilities. Social workers are tasked with representing and assisting CICLs in court and other legal processes. Still, in some facilities, the ratio is extremely low—for example, one registered social worker is responsible for 11 CICLs.⁴⁶ The social worker reported struggling to follow up on individual cases while simultaneously managing the needs of the entire facility. In one instance, a CICL shared that no one consistently follows up on his case.

These institutional challenges compromise the best-interest principle, which requires that the child’s welfare be a primary consideration in all decisions affecting them. The failure to prioritize children’s cases erodes their trust in the justice system, impedes their right to prompt access to justice, and results in unnecessary and prolonged restrictions on liberty. Such delays further deprive children of opportunities to live in an environment conducive to their well-being, development, and rehabilitation. Addressing these systemic gaps is essential to ensure the adequate protection of children’s rights.

5. Healthcare Challenges in Bahay Pag-asa Facilities

Article 27 of the United Nations Convention on the Rights of the Child (UNCRC) affirms that every child is entitled to an adequate standard of living necessary for their holistic development. In the context of juvenile institutions, Rule 49 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules) further mandates state Parties to ensure children in conflict with the law (CICLs) receive medical care, including preventive and remedial services, dental, ophthalmological, and mental health care needs, as well as access to necessary pharmaceutical products. Financial and operational constraints within BPA significantly limit CICLs’ access to medical services and holistic rehabilitation programs that address both their psychological and physical needs. In Region IV-B (MIMAROPA), BPAs in Romblon⁴⁷, Marinduque⁴⁸, and Occidental Mindoro⁴⁹ reported the absence of plantilla positions for psychologists and nurses. Similar concerns were raised in Region X, where no medical officer is available at BPA facilities⁵⁰. In Malabon, there is likewise no on-site medical officer, with only one visiting doctor attending to the facility once a month.⁵¹

⁴³ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Zambales

⁴⁴ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Parañaque

⁴⁵ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Laguna Province

⁴⁶ Ibid

⁴⁷ Based on the results of the 2024 Regional Report of the CHR Region IV-B Office

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Based on the results of the 2024 Regional Report of the CHR Region X Office

⁵¹ Based on the results of the 2024 Regional Report of the CHR NCR Office

At one Bahay Pag-asa facility in Region IV-A, children raised concerns about the practice known as “water therapy.”⁵² According to the resident social worker, this practice involves requiring children to drink large amounts of water as a first-line response to physical pain or illness. However, children raised concerns that this approach was ineffective at addressing common health conditions such as stomach pain, fever, toothaches, and other diseases. Despite repeated requests for appropriate medication, facility personnel continued to rely on this method.

6. Lack of Holistic Support to the Right to Education

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules) establish that children in conflict with the law (CICLs) are entitled to an education that is responsive to their individual needs and adequately prepares them for reintegration into society.⁵³ To ensure that education is meaningful and effective, educational programs provided within juvenile institutions must be formally registered and accredited, as registration enables the issuance of officially recognized diplomas, certificates, and academic records. Such recognition is essential to allow CICLs to prepare for their future, such as pursuing higher education and accessing employment opportunities.

In a Bahay Pag-asa (BPA) facility in Laguna, the Alternative Learning System (ALS) is offered only up to Grade 10, with no provision for Grades 11 and 12. The absence of senior high school education severely limits CICLs’ educational progression, as completion of this level is a prerequisite for higher education, technical-vocational training, and meaningful employment. In Caloocan City, CICLs reported repeated interruptions in their education due to the lack of modular or alternative learning options in their schools. In Pasay City, the lack of flexible learning arrangements has likewise led to recurring disruptions in children’s schooling. Such educational gaps undermine the rehabilitative objectives of the juvenile justice system and impede the successful reintegration of CICLs into society.

7. Limited Connection to the Outside World

The UNCRC affirms the right of every child deprived of liberty to maintain contact with the parents and family through correspondence and visits. Further, it states in Article 37 that the child “.....shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances.”⁵⁴ Rule 60 of The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules) further recognizes this right as part of a child’s continued connection with the broader community, stating that “every juvenile should have the right to receive regular and frequent visits.”⁵⁵

Despite these human rights standards, visitation practices in many Bahay Pag-asa (BPA) facilities continue to impose restrictive policies that undermine meaningful family contact, which is vital to the positive development and rehabilitation of

⁵² Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Laguna Province

⁵³ Rule 38 of Article 31 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)

⁵⁴ Article 37 of the United Nations Convention on the Rights of the Child

⁵⁵ Rule 60 of The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)

children. In Zambales City, visitation is allowed only on Fridays. This limitation may be counterproductive, as parents or other family members may be unable to visit due to work or other obligations.⁵⁶ Similarly, in Laguna Province, visitation is permitted only on weekdays and limited to a maximum of 1 hour. Such restrictions are often insufficient to facilitate meaningful interaction between CICLs and their families⁵⁷. Several CICLs at these facilities have expressed concerns about these limitations and emphasized the need for longer, more flexible visitation schedules.⁵⁸

In Caloocan City, CICLs are allowed to receive visitors on Mondays, Tuesdays, Thursdays, and Fridays; however, each visit is limited to only ten (10) minutes per child.⁵⁹ This extremely short duration undermines the purpose of family contact as a vital source of emotional support, stability, and reassurance. In Pasay City, some CICLs reported the imposition of “no dalaw” policies, or the suspension of visitation rights, as a disciplinary measure when a child is tagged as exhibiting “bad behavior.”⁶⁰ Similarly, in Baguio City, the BPA has imposed a “no phone call” policy as a form of punishment under the same circumstances.⁶¹

These practices raise serious concerns, as the restriction or denial of family contact as a disciplinary measure is in direct contradiction with international juvenile justice standards. Rule 66 of the Havana Rules explicitly mandates that “*the reduction of diet and the restriction or denial of contact with family members should be prohibited.*” State parties are therefore obligated to ensure that disciplinary measures in juvenile facilities do not involve suspending or limiting family contact and that visitation policies are consistent with the principles of rehabilitation, dignity, and the best interests of the child. Meaningful and regular communication with family members is essential to the emotional well-being of CICLs and their successful reintegration into society.

8. Administrative and Operational Challenges

Several Bahay Pag-asa (BPA) facilities face serious administrative and operational challenges. In the Bahay Pag-asa facility in Marinduque⁶², there is no designated social worker assigned to the facility. Likewise, in BPA Romblon⁶³, there is no designated social worker, and the allocated social worker is the Municipal Social Welfare Officer. In the National Capital Region, there is a disproportionate ratio of social workers per CICLs. Under Department of Social Welfare and Development (DSWD) standards, a staff-to-child ratio of 1:10 is required. However, this standard is frequently unmet. In one BPA facility in the National Capital Region (NCR), only two (2) social workers are responsible for 35 CICLs, far exceeding the prescribed ratio. In another BPA, there are only two social workers serving 27 CICLs.⁶⁴

⁵⁶ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Zambales

⁵⁷ Based on the results of the 2024 Monitoring Mission of the Child Rights Center in a Bahay Pag-asa in Laguna Province

⁵⁸ Ibid.

⁵⁹ Based on the results of the 2024 Regional Report of the CHR NCR Office

⁶⁰ Based on the results of the 2024 Regional Report of the CHR NCR Office

⁶¹ Based on the results of the 2024 Regional Report of the CHR CAR Office

⁶² Based on the results of the 2024 Regional Report of the CHR Region IV-B Office

⁶³ Based on the results of the 2024 Regional Report of the CHR Region IV-B Office

⁶⁴ Based on the results of the 2024 Regional Report of the CHR NCR Office

Operational constraints are also experienced. In Cavite⁶⁵, Zambales⁶⁶, and Koronadal⁶⁷, BPAs reported the lack of a service vehicle, which is essential for transporting CICLs to court hearings, medical check-ups, emergency situations, and other important appointments.

Article 3 of the United Nations Convention on the Rights of the Child (UNCRC) mandates that State Parties ensure not only that actions concerning children are guided by the best interests of the child, but also that there is an adequate number of suitably qualified staff responsible for the care, protection, and rehabilitation of children. Similarly, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules), under Rule 81, require that juvenile justice facilities maintain a sufficient number of qualified specialists, including social workers, psychologists, and other professional staff, to effectively administer care and support services tailored to the needs of children deprived of liberty.

V. Recommendations

1. Establish Stronger Measures and Policies Upholding Rights-Based and Non-Violent Approaches in Handling CICLs

At every stage of the juvenile justice system, CICLs must be treated with humanity, dignity, and full respect for their rights. Specific measures and policies must be institutionalized to address the heightened vulnerability of CICLs to violence, abuse, and ill-treatment by duty-bearers.

During apprehension, CICLs must be handled only by police personnel from the Women and Children Protection Desk (WCPD), trained barangay personnel, and always in the presence of a social worker. Law enforcement officers and other authorities must strictly refrain from the use of force when apprehending or disciplining children. To ensure accountability, effective monitoring and reporting mechanisms must be established to detect, prevent, and address abuse, misconduct, or excessive use of force.

During rehabilitation, children housed in Bahay Pag-asa (BPA) facilities must have access to safe, confidential, and independent grievance and reporting mechanisms. An independent monitoring body must conduct regular visits to BPA facilities to ensure that children are not subjected to maltreatment or rights violations. Clearly visible information on the Commission on Human Rights (CHR), Juvenile Justice and Welfare Council (JJWC), barangays, and other reporting agencies must be posted in all facilities to ensure children know where and how to seek help.

Continuous and mandatory capacity-building programs must be implemented for all BPA personnel and law enforcement officers working with CICLs. Training must cover child rights, non-violent handling procedures, trauma-informed care, ethical

⁶⁵ Based on the results of the 2024 Regional Report of the CHR Region IV-A Office

⁶⁶ Based on the results of the 2024 Regional Report of the CHR Region III Office

⁶⁷ Based on the results of the 2024 Regional Report of the CHR Region XII Office

standards, and the best interests of the child to ensure that all interventions are protective, rehabilitative, and rights-based.

2. Implement Child-Sensitive Environment Standards in Bahay Pag-asa

Strict compliance with existing child-friendly standards for Bahay Pag-asa facilities is essential to ensure they function as safe, rehabilitative, and non-punitive spaces. Local Government Units (LGUs) must adopt policies mandating full compliance with national standards and explicitly prohibiting facility designs that resemble detention or penal institutions.

These policies must be supported by increased funding and adequate operational budgets to ensure proper construction, renovation, and maintenance of child-friendly facilities. Children must be consulted at the regional level regarding the suitability and appropriateness of BPA facilities to ensure that their genuine needs and perspectives are reflected.

The JJWC and CHR must conduct regular, unannounced monitoring visits—at least three times a year—to assess compliance with child-friendly standards. Monitoring should go beyond infrastructure and include assessments of developmental appropriateness, such as the availability of play and leisure areas, quiet study spaces, well-lit and ventilated rooms, and private areas.

Cleanliness and sanitation must be strictly maintained to uphold children’s right to the highest attainable standard of health. To strengthen accountability, sanctions must be imposed for non-compliance, including suspension or revocation of certification or registration. The JJWC should also establish an annual recognition or awards program for BPA facilities that consistently demonstrate exemplary compliance, promoting best practices and continuous improvement.

3. Adopt Policies Ensuring Timely, Fair, and Child-Friendly Trials; Bahay Pag-asa as a Measure of Last Resort

Confinement in Bahay Pag-asa must be treated strictly as a measure of last resort and for the shortest possible period. All children, whether accused or not, have the inherent right to timely, fair, and child-sensitive judicial proceedings as guaranteed by national law and the United Nations Convention on the Rights of the Child (UNCRC).

Prolonged stays in BPA due to delays in court proceedings undermine these rights and negatively affect children’s welfare and development. Repeated postponements and frequent court appearances can cause emotional distress, re-traumatization, and lost developmental opportunities.

There is a need for judicial-level policies that prioritize and expedite child-related cases. Such policies should require the attendance of all parties during scheduled hearings, limit rescheduling to exceptional circumstances, and ensure that child-related cases are prioritized to minimize children’s length of stay in BPA facilities.

4. Ensure Accessibility to Comprehensive, Appropriate, and Effective Healthcare

LGUs must ensure that children in Bahay Pag-asa have timely and unhindered access to comprehensive healthcare services addressing both physical and mental health needs. Clear referral pathways between BPA facilities and medical institutions must be established to ensure prompt medical attention.

Healthcare interventions must be evidence-based, child-appropriate, and focused on alleviating physical and psychological suffering. Children must be consulted and their views considered in all decisions affecting their health and well-being.

BPA facilities must ensure access to comprehensive healthcare services, including routine medical check-ups, vaccinations, dental care, nutrition support, mental health and psychosocial services, and preventive care, in line with children's right to the highest attainable standard of health.

5. Provide Holistic Support to Children's Access to Quality Education

LGUs must ensure that Alternative Learning System (ALS) programs implemented in Bahay Pag-asa are duly accredited and registered with the Department of Education (DepEd). These programs must comply with DepEd standards on curriculum, learning modules, and pedagogy to ensure that children are formally recognized as learners and receive quality education.

LGUs must also support children in completing all levels of education, including access to senior high school education through ALS programs for Grades 11 and 12. This holistic educational support strengthens children's reintegration, prepares them for higher education or vocational training, and enhances their future employment opportunities.

6. Establish Individualized and Child-Centered Visitation Policies

The Juvenile Justice and Welfare Council must adopt standardized visitation guidelines applicable to all Bahay Pag-asa facilities. Visitation schedules must be meaningful, flexible, and responsive to the realities of families, including allowing weekend visits to accommodate working parents and guardians.

Visits should last for a reasonable duration—ideally two to four hours—to promote meaningful interaction and emotional support. Visitation rights must never be restricted or used as a disciplinary measure, in accordance with international standards such as the UNCRC and the Havana Rules, which recognize family contact as essential to a child's rehabilitation and reintegration.

7. Strengthen Government Support for the Operations and Management of Bahay Pag-asa

LGUs, in coordination with the Department of Social Welfare and Development (DSWD) and the JJWC, must ensure that Bahay Pag-asa facilities are adequately staffed with qualified professionals, including social workers, psychologists, nurses, and other essential personnel. Adequate staffing is critical to delivering effective developmental, psychosocial, educational, and rehabilitative services for CICLs.

The DSWD must ensure compliance with prescribed staff-to-child ratios, particularly the ratio of social workers to CICLs, to enable individualized care and proper case management. LGUs must also ensure that BPA facilities are sufficiently resourced, including service vehicles, equipment, and operational budgets, to support court attendance, medical referrals, and program implementation.

Strengthening the operational and administrative capacity of Bahay Pag-asa facilities is essential to ensuring comprehensive care, protection, rehabilitation, and successful reintegration of children into society.

VI

Conclusion

Over the years, available data indicate that the implementation of the Juvenile Justice and Welfare Act (JJWA) has contributed to a reduction in the number of CICLs and has supported the rehabilitation of children placed in Bahay Pag-asa facilities. However, findings from the Commissions' monitoring activities clearly show that significant gaps and challenges remain. Notable among these are deficiencies in the physical condition of some Bahay Pag-asa facilities and the incomplete delivery of essential services under existing rehabilitation programs.

Adequate and sustained funding must therefore be prioritized. While the majority of Bahay Pag-asa facilities visited reported receiving support from their respective Local Government Units, many continue to experience gaps in staffing and limited opportunities for continuous capacity-building of personnel. Ensuring complete staffing and regular training for service providers is essential to the effective implementation of rehabilitation and reintegration programs for CICLs.

It is deeply concerning that allegations of mishandling and physical abuse during children's initial contact with authorities persist. Law enforcement agencies must strengthen and institutionalize continuous training and interventions that instill strict adherence to human rights standards, child-sensitive procedures, and non-violent approaches in the apprehension and handling of children.

Despite recurring calls to amend the Juvenile Justice and Welfare Act, the Commission maintains that the priority should be the full and faithful implementation of the existing law. Duty-bearers must be held accountable for complying with the obligations clearly set forth in the Act.

Finally, the national government must ensure sufficient budgetary allocation for the effective implementation of the law and strengthen public information and community-based prevention programs. Preventing juvenile delinquency and youth offending requires strong family and community support systems. Children must be nurtured and protected within their communities—because detention facilities and jails are no place for a child.

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