



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 10
Series of 2019

AN ORDINANCE ESTABLISHING THE COMPREHENSIVE LOCAL JUVENILE INTERVENTION PLAN OF PASIG CITY (CLJIP) AND PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

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WHEREAS, Section 13, Article II of the 1987 Philippine Constitution provides that "the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs";

WHEREAS, the Local Government Code of 1991 mandates all local government units to promote the general welfare of their inhabitants, provide basic services for their constituents, and enact ordinances which shall ensure the effective and efficient delivery of social services;

WHEREAS, the Juvenile Justice and Welfare Council created by virtue of RA 9344 provides for a comprehensive National Juvenile Intervention Program Framework to ensure the effective implementation of the RA 9344 and to serve as guide for LGUs in the preparation of their respective intervention and diversion programs for Children At Risk (CAR) and for Children in Conflict with the Law (CICL);

WHEREAS, Section 18 of RA 9344 requires LGUs to develop a Comprehensive Juvenile Intervention Program covering at least a 3-year period and shall set aside an amount necessary to implement the program;

WHEREAS, pursuant to Section 23 of the said Act, children in conflict with the law shall undergo diversion programs without undergoing court proceedings subject to condition as provided by the Act;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN REGULAR SESSION ASSEMBLED:

ARTICLE I
General Provisions

SECTION 1. Title – This Ordinance shall be known as "An Ordinance Establishing the Comprehensive Local Juvenile Intervention Plan of Pasig City (PCLJIP)."



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SECTION 2. Purposes - This ordinance conforms to the mandate that LGUs shall develop a comprehensive plan for juvenile intervention in the city.

It also aims to define appropriate interventions and strategies that are in fulfillment of the rights of children and in ensuring that they are not in circumstances of being in conflict with the law. This will also identify the components and scope of the program.

And furthermore, this identifies the implementing structures, personnel and procedures, and budget that are necessary for the achievement of the full development or rehabilitation of the child.

SECTION 3. Guiding Principles— To be fully responsive to the needs and situations of the juveniles, the following key principles shall be adhered to:

1. The rights of children shall be upheld in conformity with those defined in the Convention on the Rights of Children (CRC)
2. Policies, strategies and courses of action shall be upholding human rights; will be age-specific; gender-sensitive and gender-responsive; as well as culturally –sensitive and values-driven.
3. Restorative justice with emphasis on rehabilitation and reintegration shall be carried out at all times.
4. Principles provided by international standards shall be adhered to such as the United Nations (UN) Standard Minimum Rules for the administration of Juvenile Justice (Beijing Rules), UN Guidelines for Prevention of Juvenile Delinquency (Riyadh Guidelines) and the UN Rules for the Protection of Juveniles Deprived of Liberty.

SECTION 4. Legal Mandate. R.A. 9344 or the Juvenile Justice and Welfare Act of 2006 and its amendment, R.A. 10630 or An Act Strengthening the Juvenile Justice System in the Philippines where the amendment mandates the local government units to develop their three- to five-year Comprehensive Local Juvenile Intervention Program (CLJIP).

Towards the development of the CLJIP, the DILG issued the 2015 guidelines for the development, review and enhancement of the CLJIP (Rule 24.a of the Revised IRR of R.A. 9344 as amended by R.A. 10630)



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SECTION 5. Definition of Terms – For purposes of this ordinance the following terms are defined as:

1. "Bahay Pag-asa" – refers to a 24-hour child-caring institution established, funded and managed by a local government unit (LGUs) and licensed; 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.
2. "Child" refers to a person under the age of eighteen (18) years.
3. "Child who is above fifteen (15) years of age" refers to a child who is at least fifteen (15) years and one (1) day old.
4. "Children-at-risk" or "CAR" refers to children who are vulnerable or at-risk of behaving 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. being abused by any person through sexual, physical, psychological, mental, economic or any other means, and the parents or guardians refuse, are unwilling, or unable to provide protection for the child;
 - b. being exploited sexually or economically;
 - c. being abandoned or neglected, and after diligent search and inquiry, the parents or guardians cannot be found;
 - d. coming from a dysfunctional or broken family or being without a parent or guardian;
 - e. being out of school;
 - f. being a street child;
 - g. being a member of a gang;
 - h. living in a community with a high level of criminality or drug abuse; and
 - i. living in situations of armed conflict.
5. "Child in conflict with the law" or "CICL" refers to a child who is alleged, accused of, or adjudged as, having committed an offense under Philippine laws.
6. "Community-based programs" refers to the programs provided in a community setting, developed for purposes of intervention, diversion, and rehabilitation of the child in conflict with the law, which are intended for the purpose of reintegrating the child into the family and/or community.
7. "Deprivation of liberty" refers to any form of detention or imprisonment, or to the placement of a child in conflict with the law in a public or private custodial setting, from which the child in conflict with the law is not permitted to leave at will, by order of any judicial or administrative authority.



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8. "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 the child's social, cultural, economic, psychological or educational background, without resorting to formal court proceedings.
9. "Diversion Program" refers to the program that the child in conflict with the law is required to undergo after being found responsible for an offense, without resorting to formal court proceedings.
10. "Duty-bearer" shall refer to persons who are responsible for providing care, addressing the needs and protecting the rights of a child within the juvenile justice and welfare system.
11. "Intensive Juvenile Intervention and Support Center" or "IJISC" refers to a special program or unit within the "Bahay Pag-asa" or any child-caring facility of the DSWD or licensed and accredited NGOs, to address the needs of the CICL for intensive intervention programs and services.
12. "Intervention" generally refers to programmatic approaches or systematic social protection programs for children that are designed and intended to:
 - a. Promote the physical and social well-being of the children;
 - b. Avert or prevent juvenile delinquency from occurring; and
 - c. Stop or prevent children from re-offending.
13. "Juvenile Justice and Welfare System" refers to a system of dealing with children-at-risk and children in conflict with the law, which provides child appropriate proceedings, including programs and services for prevention, diversion, rehabilitation, reintegration and after-care to ensure the child's normal growth and development.
14. "Offense" refers to any act or omission punishable under special penal laws or the Revised Penal Code. For purposes of providing appropriate services for children, the term 'offense' shall include violations of ordinances of local government units.
15. "Referral" refers to a process where a duty-bearer, within the juvenile justice and welfare system, endorses the CICL to the appropriate service provider for appropriate care or intervention.

ARTICLE II

Structure for the Implementation of the CLJIP

SECTION 6. Strengthening of the Pasig City Council for the Protection of Children (PCCPC). – The existing Pasig City Local Council for the Protection of Children (PCCPC) shall be reorganized in pursuance to DILG Memorandum Circular No. 2002-121, and will hereinafter be composed of the following:



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Chairperson : The City Mayor

Members : Chairperson, Sanggunian Committee on Women and Family

- Director, Pasig DILG
- Officer: Pasig Social Welfare and Development Department
- Superintendent, Department of Education, Division of Pasig
- Officer, Pasig Planning and Development Office
- Officer: Budget Office
- Officer, Treasury Office
- Officer, Pasig City Health Department
- Officer, Pasig Nutrition Office
- COP. Pasig PNP
- President, Liga ng Barangay
- Presidnet, SK Federation
- President, Parent-Teachers Association (PTA)
- Child Representative
- Representatives of three (3) NGOs

The PCCPC shall :

- (1) Set policies for the development and implementation of the Comprehensive Juvenile Intervention and Diversion Programs and for providing services for CICL
- (2) Serve as the coordinating body that will support the adoption, implementation, assessment, monitoring and evaluation of a Comprehensive Juvenile Intervention Program,
- (3) Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of juvenile intervention and diversion programs in the community;
- (4) Support the Local Social Welfare and Development Officer (LSWDO) in the development of appropriate diversion programs,
- (5) Conduct capability-building programs to enhance the knowledge and skills of PCCPC members in handling children's programs;

SECTION 6. The Local Project Management Team (LPMT) shall be formed by the City Mayor. It will be composed of the following:

1. Three (3) representatives from Pasig Social Welfare and Development Office;
2. A representative from the City Planning and Development Office;
3. A representative from the Liga ng mga Barangay, Pasig City;
4. A representative from DILG Pasig City
5. A representative from City Legal Office

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6. A representative of Sanggunian Committee on Women and Family Affairs
7. A representative of SK Federation President

The LPMT shall

1. Develop the Comprehensive Local Juvenile Intervention Program (CLJIP).
2. Spearhead the efforts of the city in attaining the objectives of the CLJIP;
3. Lead and direct the conduct of social preparation activities (data gathering, planning process, and establishment of the Juvenile Information and Referral System in the city);
4. Plan and oversee local monitoring and evaluation scheme for CLJIP;
5. Coordinate and lead the continuing capacity building of the direct service providers;
6. Ensure that inputs from BCPCs are incorporated in their plans and that monitoring of the project, plans and activities are undertaken jointly; and
7. Perform other duties that may be assigned to them by the Mayor and the PCCPC.

ARTICLE III

Program Components & Implementation Schemes

Section 9. The Comprehensive Local Juvenile Intervention Program (CLJIP).

The Pasig Social Welfare and Development Office shall be responsible for the implementation of the CLJIP through a collaborative undertaking between and among the Sangguniang Panlungsod, City Mayor, Community-Based Youth and School Organizations, NGOs and other concerned agencies to address causes of offending, provide assistance to CICL and alternative modes to avoid the child's contact with the formal justice system.

SECTION 10.- Levels of Intervention and Roles of Stakeholders - The Pasig Social Welfare and Development Officer with the assistance of the Local Project Management Team shall formulate the City Juvenile Intervention Program with the following levels of intervention:

- 10.1 Primary Intervention, which includes general measures to promote social justice and equal opportunity which will indirectly tackle perceived root causes of offending.
- 10.2 Secondary Intervention which includes measures to assist children at risk and to prevent them from offending.
- 10.3 Tertiary Intervention, which includes measures to address the needs of children who have committed an offense to prevent them from



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reoffending and to avoid unnecessary contact with the formal justice system and other measures to prevent reoffending.

SECTION 11. Intervention and Diversion Programs: Components and Centers of Responsibility

11.1 The City Mayor through the PSWDO and PCCPC shall provide age appropriate intervention programs as follows:

11.1.1 Intervention programs for children 15 years old and below who have committed an offense;

11.1.2. Intervention programs for children more than 15 years old but less than 18 years old who acted without discernment;

11.1.3. Diversion programs for children more than 15 years old but less than 18 years old who acted with discernment and who have committed an offense with an imposable penalty of not more than 6 years;

11.2 The PSWDO shall ensure that the intervention programs shall address the causes of juvenile delinquency. Intervention programs shall include any or a combination of but not limited to the following:

11.2.1 Guidance and counselling i.e. family counselling, regular home visitation;

11.2.2 Spiritual formation;

11.2.3 Education and skills development;

11.2.4 Provision of support services to the family, e.g. education, health, skills training, etc.;

11.2.5 Referral to other agencies for appropriate services, e.g. education, health, skills training; and

11.2.6 Access to child and youth organizations in the community, such as but not limited to the Sangguniang Kabataan.

11.3 The PSWDO shall provide assistance in the conduct of diversion programs at the barangay, law enforcement and prosecution levels.

11.4 The PSWDO shall also:

11.4.1 Develop policies and programs to ensure that children in conflict with the law are not subjected to discrimination in schools both private and public;



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- 11.4.2 Coordinate with appropriate agencies such as TESDA, DepEd, DOH and CHED in the formulation of intervention and diversion programs;
- 11.4.3 Find ways to promote and replicate good practices of intervention and diversion programs;
- 11.4.4 Monitor compliance of CICL to intervention or diversion programs.

ARTICLE IV
Youth facilities: Care and Maintenance

SECTION 12. –The existing Bahay- Aruga, Bahay Pag-Asa (Youth Facility). These serve as temporary safekeeping centers established by the City Government of Pasig through Pasig Social Welfare and Development Office. Gender-fair policy is adopted in these facilities.

The facilities shall accept CICL who are in the following situations:

- 12.1 CICL with pending trial and commitment order
- 12.2 CICL with voluntary commitment
- 12.3 CICL with involuntary commitment

SECTION 13. Care and Maintenance of the Facility. The expenses for the care and maintenance of a CICL under institutional care shall be borne by his/her parents or those persons liable to support him/her, Provided that in the case his/her parents or those persons liable to support him/her are indigents, the City Government of Pasig shall render financial assistance to help defray the expenses. Provided, further that in the event that the CICL is not a resident of the City where the offense was committed, the court upon its determination may require the LGU where the CICL resides to shoulder the cost.

SECTION 14. Child Protection Staff A child protection staff shall be assigned in the center and shall be composed of the following:

Center Head	-	Chair
Social Welfare Officer (1)	-	Member
Supervising Houseparent	-	Member
House Parent (1)	-	Member
Child/Resident	-	Member

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SECTION 15. After Care Support Services - The City Government of Pasig through the PSWDO shall provide after care services for a period of six (6) months to the CICL who have been dismissed by the proper court because of good behavior as per recommendation by the DSWD Social Worker and/or any accredited NGO Youth Rehabilitation Center.

ARTICLE V
Juvenile Intervention Division

SECTION 16. Creation of a Juvenile Intervention Division in the PSWDO- Within thirty (30) days of the enactment of this ordinance, a separate unit for juvenile intervention headed by a duly licensed social worker as its Local Social Welfare Development Officer tasked to assist children in conflict with the law shall be created. This shall be under the administrative supervision of City Social Welfare and Development Officer. The City Mayor shall establish the Juvenile Intervention Division equipped with basic facilities and equipment to carry out its functions and shall appoint other personnel necessary to its operations.

SECTION 17. Monitoring, Reporting and Evaluation System- The City Government of Pasig through the Pasig City Council for the Protection of Children shall monitor the implementation of the Comprehensive Local Juvenile Intervention and Diversion Programs and submit report to the Juvenile Justice and Welfare Council through the DILG not later than March 30 of every year.

Article VI
Funding Requirements

SECTION 18. Appropriation of Funds - The budget for the development and implementation of the CLJIP may be sourced from the one percent (1%) Internal Revenue Allotment (IRA) allocated for the strengthening and implementation of the programs of the Local Council for the Protection of Children for CARs and CICLs. Since 1% IRA will not be sufficient to cover the cost of implementing the CLJIP, the City Government of Pasig appropriates an additional budget of P2,000,000.00 for the purpose of this ordinance (Section 18 of RA 9344 as amended).

SECTION 19. Separability Clause - If for any reason or reasons any section of this Ordinance shall be held unconstitutional or invalid other sections which are not affected thereby shall continue to be in full force and effect.

SECTION 20. Repealing Clause - All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed and/or modified accordingly; provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

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SECTION 21. Effectivity Clause - This Ordinance shall take effect upon its approval and after publication in a newspaper of local circulation.

APPROVED, this 28th day of **February 2019** at Pasig City.

VICTOR MA. REGIS N. SOTTO
Councilor

RODRIGO B. ASILO
Councilor

GREGORIO P. RUPISAN JR.
Councilor

MARIO C. CONCEPCION, JR.
Councilor

RHICHIE GERARD T. BROWN
Councilor

ORLANDO R. BENITO
Councilor

ALEJANDRO E. SANTIAGO
Councilor

CORAZON M. RAYMUNDO
Councilor

REGINO S. BALDERRAMA
Councilor

ROSALIO D. MARTIRES
Councilor

RIGOR J. ENRIQUEZ
LGA President

GEORGIA LYNNE P. CLEMENTE
SK President

FERDINAND A. AVIS
Councilor
Minority Floor Leader



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WILFREDO F. SITYAR
Councilor
Majority Floor Leader

Attested by:

IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:

ROBERT C. EUSEBIO
City Mayor

Attested by:

LOIDA U. VILLANUEVA
Acting City Council Secretary