



CHILD PROTECTION SYSTEMS

SITUATION OF CHILDREN IN THE PHILIPPINES REPORT



**SITUATION
OF
CHILDREN**
IN THE PHILIPPINES

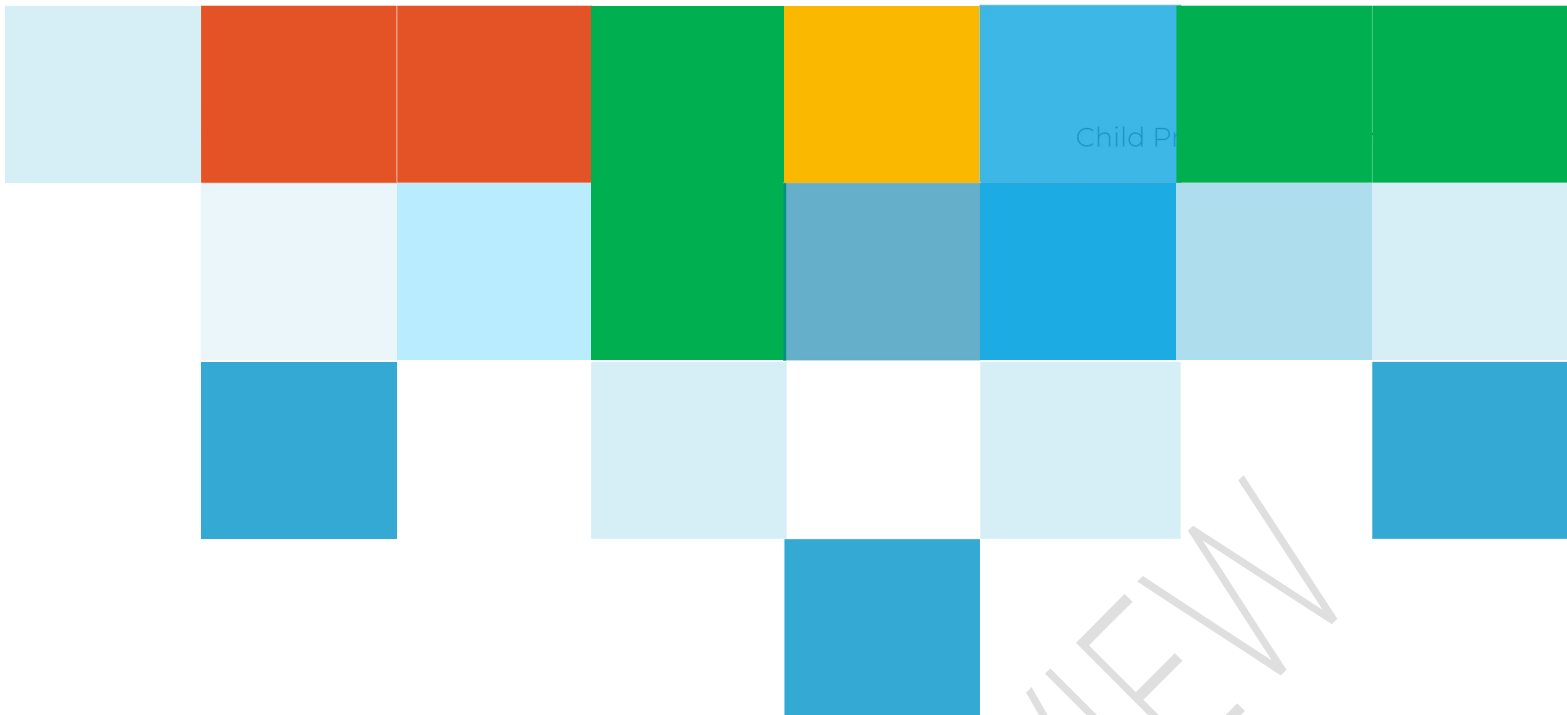


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Child protection systems in the Philippines involve actors including, but not limited to: parents and neighbors at the household level; teachers, social and health workers, police officers, and other government service personnel at the community level; LGUs, at the provincial, municipal/city, and barangay levels, courts of justice, and NGOs at the institutional level.

Overall, the involvement of a wide range of formal and informal actors have given rise to a “local hybrid government, non-government, and localized community-based child protection system” in the country.

The Philippines has had a markedly high prevalence of violence against children over the years especially online sexual exploitation for which the country has been identified as among the largest known sources.

The proper and effective functioning of these actors and their competence in handling child protection cases is vital to the realization of children's protection rights. Child protection systems provide a critical infrastructure and enabling environment for the early detection, identification, referral and coordination, response and support, tracking and monitoring, and evaluation of child protection cases by these actors.

The LCPC, in particular, is one of the oldest and long existing mechanisms for child protection in the country. The LCPC is mandated to formulate a plan of action for children, address issues and concerns affecting children and youth, and advocate for the passage of relevant child and youth protection ordinances, among other functions.

LCPCs constitute an essential component of the Philippines' child protection systems and are periodically assessed according to level of functionality — basic, progressive, or mature or ideal.

The level of functionality of LCPCs is assessed based on a scoring or grading scheme as follows: organization, 10 per cent; conduct of regular meetings, 10 per cent; availability of relevant policies and approved plans and budget, 30 per cent; and accomplishment in relation to its functions, 50 per cent. LCPCs are scored and classified according to:

- **Basic:** The LCPC attained a rating of 20% and below and satisfied the requirements for organization and/or meetings.
- **Progressive:** The LCPC attained a rating of 21% - 50% and aside from organization and meetings, it also satisfied the requirements for any of the sub-indicators under Policies, Plans and Budget or Accomplishment or vice versa.
- **Mature:** The LCPC attained a rating of 51% - 79%, was able to satisfy the requirements for organization and meetings and any of the sub-indicators for Policies, Plans and Budget or Accomplishment or vice versa.
- **Ideal:** The LCPC attained a rating of 80% - 100% which means that the Council was able to satisfy the requirements for all the indicators of a functional LCPC.

Other similar mechanisms are the Local Committees on Anti-Trafficking and Violence Against Women and their Children (LCAT-VAWCs) and barangay VAWC desks.

The LCAT-VAWC is the primary mechanism to address trafficking-in-persons (TIP) and VAWC at the provincial, city, and municipality levels. At the barangay level, VAWC desks are

“physical facilities that address VAWC cases in a manner that is gender sensitive,” and should be present in each barangay since they are the first responders to a call for help by a victim.

Both these units are crucial in ensuring the protection rights of women and children at the local level.

Child Rights Situation Analysis

There is currently limited concrete indicators and sources of data on child protection systems which brings in a number of issues from data availability gaps to quality gaps.

What are presented here are the number of referred VAC cases received by Women and Children Protection Units (WCPUs) by source of referral, the number of LCPCs and their functionality across administrative levels, the number Local Committees on Anti-Trafficking and Violence Against Women and their Children (LCAT-VAWC) and their functionality across administrative levels, and the number and level of functionality of VAWC Desks in barangays.

There were 10,350 referrals of VAC cases in 2019 received through the various WCPUs. Majority of the referrals were from the police, with 6,024 cases or 58.2 per cent of all referrals. Most children referred by the police are referred for medico-legal examination or psychological evaluation. Hospitals and the DSWD are also important sources of referrals. While there are small numbers of referrals coming from the barangay and school levels, these figures may not reflect the magnitude of actual VAC cases.

It is essential that frontliners in schools, communities, and hospitals be made more aware, trained, and be part of the accountability chain for recognizing, recording, reporting, and referring cases of child abuse and other child protection violations. One case

of VAC is one case too many that child protection actors and the system must strive to find and respond to in the most timely and efficient manner.

Local officials at the barangay, municipal, city, provincial and even national level have a vital role to play in the protection of children. It is therefore crucial that these administrative units have the right knowledge, capacity and willingness to provide child protection support adequately.

The number of LCPCs assessed for functionality across provinces, cities, municipalities, and barangays has decreased by 6.2 per cent between 2019 and 2021. The number of LCPCs decreased from 74 provinces in 2019 to 70 in 2021; 144 cities in 2019 to 131 in 2021; 1,473 municipalities in 2019 to 1,334 in 2021; and from 38,811 barangays in 2019 to 36,472 in 2021.

As of 2021, 86 per cent to 90 per cent of 81 provinces, 146 cities, 1,488 municipalities, and 42,046 barangays have created LCPCs or have had their LCPCs assessed for functionality, which leaves a considerable number of LGUs and their children population without this type of child protection mechanism.

There is a sharp decline in the number and share of LCPCs at ideal level of functionality at the provincial, city, and municipal levels from 2019 to 2021. From 53 'ideal' LCPCs with a share of 71.6 per cent of all assessed LCPCs at the provincial level in 2019, the number dwindled to only 13 in 2021. Similarly, city-level 'ideal' LCPCs dropped by almost half from 117 LCPCs or 81.3 per cent of all assessed LCPCs in 2019 to only 61 in 2021 while municipal-level LCPCs slid from 739 to 472 'ideal' LCPCs.

At the barangay level, there was a 24.4 per cent increase in 'ideal' LCPCs, from 8,274 in 2019 to 10,290 in 2021, although the number is lower than in 2020. Still, only 28.2 per cent of assessed barangay LCPCs are classified as 'ideal'. One key informant opined that the COVID-19 pandemic had a significant negative impact on the functionality of LCPCs, and hence their performance ratings. Factors cited were the halt in operations due to quarantine protocols, emergency budget reallocations and a lack of staff availability at the height of the pandemic.

As of 2023, 491 municipalities, 57 cities, and 40 provinces have LCAT-VAWCs functioning at an Ideal level, while 43 municipalities, 4 cities, and 1 province are with LCAT-VAWCs functioning at basic level. Some 82 per cent of the 1,007 municipalities with functioning LCAT-VAWCs are categorized as either 'Mature' or 'Ideal', 83 per cent among the 88 cities, and 90.6 per cent of the 64 provinces with the same committee. About a third or 32.3 per cent of the 1,488 municipalities in the country do not have functioning LCAT-VAWCs.

By 2023, only 56.1 per cent or 23,568 of the 42,046 barangays in the country have functioning VAWC desks. Of these barangays, about 90 per cent are functioning at an 'Ideal' or 'Mature' level, at 45 per cent apiece.

Improved monitoring of childcare facilities and the work of childcare actors may be required in the Philippines, as there are reportedly around 5,000 children in childcare facilities nationally. While reporting hotlines for childcare services exist within the Philippines – such as that run by the Department of Justice – these are not necessarily tailored to the needs and preferences of children.

There is a gap in the data to assess the extent to which broader institutions such as the judicial system and police have adequate child protection measures and approaches in place. Across the institutions of the judicial system and the police, improvements are being made to mainstream child protection and child rights approaches through institutional processes. One key informant highlighted that although the general attitude towards justice in the Philippines is one of punitive punishment rather than rehabilitation, mindsets have been changing for the positive in recent years. Another key informant stated that, through their work with courts and prosecutors, there has been a shift in the mindset that children who are in conflict with the law are solely perpetrators, rather than victims who can be rehabilitated. However, it was also highlighted that, for some police officers, receiving accreditation through training on child protection is often used to achieve a promotion, rather than a genuine attempt to improve child protection.

For example, widespread arrest and detention of children for breaking quarantine rules during periods of movement restrictions due to the COVID-19 pandemic were often made with little basis for detention, were overall extremely harsh and were fundamentally opposed to the child protection good practices being disseminated in trainings, guidelines, laws and policies.

Equity & Risk

EQUITY

Gender There is insufficient data to conduct equity analysis under this subdimension.

Disability There is insufficient data to conduct equity analysis under this subdimension.

Subnational There is insufficient data to conduct equity analysis under this subdimension.

RISKS

Natural hazards

- **Climate change poses indirect risks to child protection.** It can increase vulnerabilities, particularly for those who are displaced as a result of severe weather events and natural disasters.
- **Reallocation of development and government funding to emergency response is an ongoing risk** faced in planning and programming across all child rights fields, likely to be exacerbated by climate change.

Conflict **Violence against humanitarian workers in many parts of the country** (particularly in conflict-affected zones) risks affecting children’s access to child protection services.

Health Crisis/Pandemic No health-related risks were identified yet under this subdimension.

Other risks

- **Changes to personnel and leadership within child protection actors affect the delivery of child protection services in the Philippines.**

Each new senior official or representative appointed or elected may introduce new structures and priorities, which can make it challenging for INGOs and other partners to work effectively as they need to rebuild connections, networks and relationships, particularly for advocacy work and for training and capacitating new personnel.
- **At the LGU level, the short, three-year election period means advocacy and programming at the LGU and LCE level generally needs to be reviewed and revised regularly, and new relationships built.**

Newly elected LCE's can have new and different priorities, some of which will not be aligned with efforts to make progress on child rights realization.

- **Limited time and resources of INGOs, UN agencies and sector partners to work as effective technical advisors and partners was cited as a risk, given the number of competing priorities and challenges within the Philippines.** This is particularly a risk at LGU level, as agencies tend to prioritize their resources for greater impact at national level, which risks LGUs being unable to effectively conduct their mandates with regard to child rights.

Legislation & Policy Analysis

Republic Act 9344, also known as the Juvenile and Welfare System of the Philippines, was enacted into law in 2006.

It is primarily concerned “with the rehabilitation, reformation and protection of the children in conflict with the law and children at risk.” The act promoted the creation of a juvenile system focused on the rehabilitation and reformation of youth in conflict with the law rather than one focused solely on punishment.

As part of this it established what are known as Bahay Pag-asa or ‘House of Hope’, these are centres that serve “as a short-term sanctuary for children at risk (CAR) and children in conflict with the law (CICL)”. In these centres child offenders are seen as the victims rather than the perpetrators of crime and the focus is placed on rehabilitating and reintegrating these children into society.

Republic Act 10630 (“An Act Establishing a Comprehensive Juvenile Justice and Welfare System, Creating the Juvenile Justice and Welfare Council under the Department of Social Welfare and Development, Appropriating Funds Therefor, and for Other Purposes”), enacted in 2013, built on the groundwork of Republic Act 9344. The act provided for the “establishment of an Intensive Juvenile Intervention and Support Center for children (IJISC)” in each Bahay Pag-asa. Additionally, the act clarified that any child under the age of 15 who was deemed to have committed a serious offence which would be punishable by more than 12 years in jail should be deemed a neglected minor and placed in an IJISC.

Bottleneck Analysis

Demand	<p>Underreporting is a common bottleneck at the community level. In particular, social norms can influence behaviors affecting reporting and access to services. This can result in the 'silencing' of those who have experienced a form of violence.</p>
Supply	<ul style="list-style-type: none"> • Case management and lack of clear referral pathways remain a key bottleneck. Throughout the process of a child's interaction with the child protection systems, there is also a lot of duplication and a lot of inefficiency which often worsens trauma for children. For example, the lack of coherent and synergized information systems between different actors (police, courts, medical practitioners, etc.) means that children often have to repeat their instances of violence (or other protection violations). Additionally, there is thought to be a lack of clear referral systems and pathways going from the barangay to local courts in the case of violence against children. • Child protection hotlines not sufficiently tailored to children's needs. While there exist child protection hotlines in the Philippines – for example, that run by the Department of Justice under its Child Protection Programme – these are reportedly not yet tailored sufficiently to the needs of children and are often not yet child-friendly enough. • Discrimination against those of diverse SOGIE is common. In reporting cases, these individuals also face more challenges and bottlenecks, especially boys who are ridiculed when they report as they are made to feel shame for not adhering to masculine, heterosexual prevailing norms. The other interrelated issue is the design of interventions, particularly for sexual abuse. Most interventions are designed for girls. There are often also not enough centres to cater for boys. • Potential for insufficient consideration of children with disabilities in child protection policies, in part due to limited data. The National Youth Commission, working with partners like Save the Children, is producing guidance for child protection actors - including government agencies and administrative bodies - on how to make their child protection policies more tailored to those with disabilities looking ahead. It is noted that this bottleneck is worsened at the LGU level because limited data is collected on children with disabilities within child protection systems, which makes it hard to tailor services to their needs.
Enabling environment	<ul style="list-style-type: none"> • There are limited funds and resources to implement protection programmes and projects related to children, and broader challenges pertaining to

protection system effectiveness. As a result child protection systems are often inadequate: under-resourced and under-funded. Additionally, there are reported to be a number of bottlenecks within child protection systems including instances of poor coordination between relevant agencies and duty bearers including LGUs and the DSWD. Indeed, the DSWD's regional offices are held back by a lack of technical specialists to provide assistance to LGUs on child protection systems.

- **Limited shared understanding between key agencies and actors as to what constitutes effective child protection.** Different actors working on child protection have different institutional norms and values which impacts their responses towards, and understanding of child protection cases. Currently, there is an overall lack of understanding of what child protection is and how to handle cases.
- **Limited self-reporting of child protection challenges makes it hard for data-collection agencies to ever have a full picture of evidence on such matters.** In turn, this can make it difficult to design effective child protection systems in response. Harmonization of administrative records and registers is being worked towards, and LGUs are increasingly being asked to send requests to central data-collection agencies on support they may need to try to address issues pertaining to limited self-reporting.
- **Implementation of child protection laws and policies is a challenge.** The Philippines has a strong bedrock of policies and laws seeking to create an enabling environment in which child protection can be fostered. However, implementation of these laws is reported to be challenging.

For example, the Mandanas Ruling affects the sustainability of child protection programmes, there is often limited budget and long-term budget planning for child protection programmes and change in leadership among LCEs is often a challenge as priorities and commitments change. Other challenges include limited capacities among some duty bearers, and insufficient monitoring and evaluation of programmes, again often due to limited capacities.

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