



Republic of the Philippines
Department of Social Welfare and Development

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REPRESENTATIVE REYNALDO V. UMALI

Chairperson
Committee on Justice
RVM Bldg., House of Representatives
Quezon City

Dear **Representative Umali**:

The Department of Social Welfare and Development **strongly objects to the intention of House Bill No. 935: An Act Amending Certain Provisions of Republic Act No. 9344, Otherwise Known as the "Juvenile Justice and Welfare Act of 2006," and for Other Purposes and House Bill No. 3973: An Act Lowering the Minimum Age of Criminal Responsibility Amending for the Purpose Republic Act No. 9344 Otherwise Known as the "Juvenile Justice and Welfare Act of 2006, introduced by Representatives Tobias Tiangco and Estrellita B. Suansing, respectively, to **lower the minimum age of criminal responsibility (MACR) from fifteen (15) years old to nine (9) years old.****

We believe that the proposed measures should be reconsidered due to the following reasons:

1. Lowering the minimum age of criminal responsibility has never resulted in lower crime rates. The Philippine experience, and the experience of other countries attest to this fact.
2. There is a need to distinguish between making children responsible for their actions, and criminalizing them. RA 9344 makes children responsible, without making them criminal and holds children accountable in entirely non-punitive, welfare-based, and education-oriented measures.
3. Lowering the minimum age of criminal responsibility runs counter to available scientific knowledge about the cognitive, psychosocial and neurological development of children.
4. A lower age of criminal responsibility results in more children being detained, substantially higher cost of public expenditure, and an even higher social cost of re-offending and graver offending, which simply demonstrates that such measure is not cost-effective.
5. Lowering the minimum age of criminal responsibility is anti-poor, as the available data shows that a greater majority of CICL come from lower-income families, where parents are either unemployed and/or where a greater number of siblings result in even lesser per-capita resources.

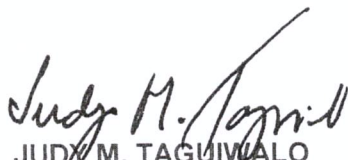
6. Lowering the MACR violates the fundamental principles of social protection of children, as provided for by law, and by international treaties, and internationally-accepted standards and principles.

The concerned legislators and concerned agencies should invoke continuous support for training and monitoring of prosecutors handling cases of children in conflict with the law (CICL), to promote more child-sensitive and gender-sensitive standards and processes in the conduct of inquest, preliminary investigation and prosecution of all CICL cases.

For consideration of the Committee.

Thank you.

Very truly yours,


JUDY M. TAGUIVALO
Secretary

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