



Republic of the Philippines
Department of Education
REGION VIII - EASTERN VISAYAS

July 13, 2020

REGIONAL MEMORANDUM

No. **363**, July 13, 2020

ADVISORY ON HANDLING CHILDREN WHO VIOLATE CURFEW AND QUARANTINE RULES DURING COVID-19 PANDEMIC

To: Schools Division Superintendents
All Others Concerned

1. Attached is a DILG Advisory dated June 23, 2020 with the subject "Dissemination of Additional Guide in Handling Children Who Violate Curfew and Quarantine Rules during COVID-19 Pandemic."
2. Immediate dissemination of and compliance with this memorandum are desired.


RAMIR B. UYTICO EdD, CESO IV
Director IV

Enclosure: As stated

References: None

To be indicated in the Perpetual Index under the following subjects:

Advisory Children Protection

ORD-LU-ECC





Department of Education Region VIII <region8@deped.gov.ph>

REGION VIII, EASTERN VISAYAS

Fwd: DILG Advisory on the Dissemination of Additional Guide in Handling Children Who Violate Curfew and Quarantine Rules During the COVID-19 Pandemic

 RECEIVED
 07-02-2020 # 3327
 Date / Tracking No. 8:20
 Wed, Jul 1, 2020 at 4:23 PM

Agnes Bugal <rjjwc8@jjwc.gov.ph>

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Good day Sir/Ma'am.

Sharing herewith DILG recently signed advisory on the guide in handling children who violate curfew and quarantine rules during the COVID-19 pandemic for your information and dissemination to your networks for wider reach.

Thank you and keep safe everyone!

----- Forwarded message -----

From: **Faye Angeli Liwanag** <faal.jjwc@gmail.com>

Date: Tue, Jun 30, 2020 at 3:27 PM

Subject: Fwd: DILG Advisory on the Dissemination of Additional Guide in Handling Children Who Violate Curfew and Quarantine Rules During the COVID-19 Pandemic

To: RJJWC CAR <rjjwc.car@jjwc.gov.ph>, Rjjwc Ncr <rjjwc.ncr@gmail.com>, Claire Toribio <rjjwc.ncr@jjwc.gov.ph>, Jocelyn Mariano <rjjwc1@jjwc.gov.ph>, Shiela Marie Apostol <rjjwc2@jjwc.gov.ph>, JJWC Region III <rjjwc.fo3@jjwc.gov.ph>, 4A Regional Secretariat <rjjwc4a@jjwc.gov.ph>, Rose Fe Roxas <rjjwc4b@jjwc.gov.ph>, Genoveva Barcelon <rjjwc5@jjwc.gov.ph>, Katherine Joy Lamprea <rjjwc6@jjwc.gov.ph>, Hazel Dinah Miel



Republic of the Philippines

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
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ADVISORY

June 23, 2020

TO : DILG REGIONAL DIRECTORS, DILG BARMM MINISTER OF LOCAL GOVERNMENT

SUBJECT: DISSEMINATION OF ADDITIONAL GUIDE IN HANDLING CHILDREN WHO VIOLATE CURFEW AND QUARANTINE RULES DURING COVID-19 PANDEMIC

In our efforts to mitigate the effects of COVID-19 among the vulnerable people in the community, the Department issued several directives on women and children to provide guidance to all local government units (LGUs), law enforcement officers and other concerned agencies in the handling and treatment of minors during the implementation of curfews amidst the community quarantine.

Among these directives are: 1) DILG and CWC Joint Memorandum Circular 2020-001 dated April 6, 2020 re "Reiteration of Protocol on Reaching Out to Children, Including Those in Street Situations, In Need of Special Protection, Children at Risk (CAR) and Children in Conflict with the Law (CICL)"; and 2) Advisory, dated May 15, 2020 re "Dissemination of the Process Flowchart in Handling CAR and CICL and the Commission on Human Rights Advisory on Curfew entitled: *Pangangalaga sa mga Batang Pilipino sa Gitna ng Pangkalusugang Krisis Dala ng COVID 19*".

The above directives intend, among others, to mitigate the risks of transmitting COVID-19 and prevent commission of violence against children.

However, according to the Council for the Welfare of Children (CWC), they received reports on complaints against local authorities who apply the provisions of other laws, besides the Juvenile Justice and Welfare Act (JJWA) or RA 9344 as amended by RA 10630, in handling children who violate curfew and quarantine rules imposed during the COVID-19 Pandemic. The JJWA is the only law in the country that provides the basic Guidelines in handling children who violate curfew.

Relative to the above, all DILG Regional Directors and the BARMM Minister of Local Government are hereby directed to disseminate the attached Additional Guide from CWC on the proper handling of children who violate curfew and quarantine rules pursuant to the JJWA.

For compliance.


MARJORIE N. JALOSJOS

Undersecretary for Mindanao Affairs and Special Concerns

ADDITIONAL GUIDE IN HANDLING CHILDREN WHO VIOLATE CURFEW AND QUARANTINE RULES

The following guide note is formulated to ensure that handling of children who violate curfew and quarantine rules is in accordance with the provisions of the Juvenile Justice and Welfare Act (RA 9344 as amended by RA 10630):

I. DEFINITION OF TERMS:

- **Children at risk (CAR)** refers to children who are vulnerable to and 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:
 - 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 children;
 - being exploited sexually or economically;
 - being abandoned or neglected, and after diligent search and inquiry, the parents or guardians cannot be found;
 - coming from a dysfunctional or broken family or being without a parent or guardian;
 - being out of school;
 - being a child in street situation;
 - being a member of a gang;
 - living in a community with a high level of criminality or drug abuse; and,
 - living in situations of armed conflict.

The classification of CAR also extends to those children who violate the ordinances enacted by local governments, concerning juvenile status offenses enumerated in Section 57-A of R.A. No. 9344 as Amended by R.A. No. 10630, such as, but not limited to:

- curfew violations
- truancy
- parental disobedience
- anti-smoking and anti-drinking laws, as well as those concerning light offenses and misdemeanors against public order or safety such as, but not limited to:
 - disorderly conduct
 - public scandal
 - harassment
 - drunkenness
 - public intoxication
 - criminal nuisance
 - vandalism
 - gambling

- mendicancy
 - littering
 - public urination, and
 - trespassing
- **Children in conflict with the law (CICL)** refers to children who are alleged as, accused of, or adjudged as, having committed an offense under Philippine laws.
 - **Children in street situations** refers to:
 - children who depend on the streets to live and/or work, whether alone, with peers or with family; and
 - a wider population of children who have formed strong connections with public spaces and for whom the street plays a vital role in their everyday lives and identities.

This wider population includes:

- children who periodically, but not always, live and/or work on the streets; and
- children who do not live or work on the streets but who regularly accompany their peers, siblings or family in the streets.

II. **STEPS ON THE FIRST CONTACT WITH CHILDREN AT RISK WHO WERE FOUND OUTSIDE THEIR HOMES OR DOMICILES DURING THE COMMUNITY QUARANTINE**

Barangay officials and law enforcement officers shall adhere to the following guidance on the first contact with a child found outside his/her home or domicile during the imposed community quarantine:

- A. Explain to the child in simple language and in a dialect that he/she can understand why he/she is being brought to the barangay.
- B. Properly identify himself/herself and present proper identification to the child.
- C. Refrain from using vulgar or profane words and from sexually harassing or abusing or making sexual advances on the child found during curfew.
- D. Avoid displaying or using any firearm, weapon, handcuffs, or other instruments of force or restraint, unless absolutely necessary and only after all other methods of control have been exhausted but to no avail.
- E. Avoid violence or unnecessary force.
- F. Immediately after the child is found during curfew, endorse him/her to the Barangay Council for the Protection of Children (BCPC) and in the absence

thereof, to the Barangay Violence against Women and Children (VAWC) desk officer.

- G. Register the child in the CAR logbook and conduct intake interview. It is strongly recommended that the case be registered in the online CAR and CICL Registry (<https://registry.jjwc.gov.ph>) administered by the Juvenile Justice and Welfare Council-Secretariat.
- H. Upon getting the name of the parents/guardians, immediately inform/notify them of the incident and to come over to the place of incident or the barangay station.
- I. Turn over the physical custody of the child to the parents/guardian. The BCPC may continue to monitor the progress of the child to see if the child and the parents/guardian followed the advice/guidance earlier given to prevent the child from committing further offenses.
- J. In cases where the BCPC cannot reach the parents/guardians of the child, the physical custody of the child must be turned over to the Local Social Welfare and Development Officer (LSWDO) (and while waiting for the parents/guardians, let the CAR stay in a child-friendly space).
- K. If the BCPC cannot locate or access the LSWDO, the physical custody of the child may be turned over to other social workers connected or affiliated with the Department of Social Welfare and Development (DSWD). Meanwhile, the child must be held safely in a child-friendly space in the barangay.
- L. In case the child is "high risk"¹, the BCPC shall turnover the child to LSWDO. The LSWDO shall conduct intake assessment and intervention conferencing and design intervention program with parents, child, BCPC and other stakeholders, if deemed necessary. The following are some of the indicators of high-risk child:
 - If the child violated an ordinance or committed a light offense/misdemeanor for the second or third time
 - If the child's violation involves either prostitution, mendicancy or sniffing of rugby
 - If there are other circumstances showing that the child is at risk for other reasons and is deemed to be extremely vulnerable and at risk of being pushed and exploited to come in conflict with the law

III. RECOMMENDED INTERVENTION PROGRAMS:

The following intervention programs may be implemented by the local government units, for children who commit violations in relation to the imposed rules on

community quarantine and curfew, which shall be in accordance with what is stipulated in the Comprehensive Local Juvenile Intervention Program (CLJIP) of the locality:

- Asking children to write or declare an apology
- Continuous monitoring on the child of responsible barangay officials (possibly the Barangay Tanod or any BCPC official)
- Online counselling for CICL and the child's family
- Attendance in webinars or online lectures on:
 - COVID-19
 - Anger management skills
 - Problem solving and/or conflict resolution skills
 - Values formation; and,
 - Other skills which will aid the child in dealing with situations which can lead to the repetition of the offense.
- Volunteering in community service programs like:
 - Making face shields or face masks
 - Writing encouraging letters to frontliners
 - Drawing or painting posters to be used by the LGUs
 - Gardening or Urban gardening
 - Creating/making toys (using available indigenous materials) for younger children

IV. IMPLEMENTATION OF RA 9344 as Amended by RA 10630 FOR MINORS ABOVE 15 YEARS

For violations committed by minors above 15 years old that are not related to curfew or quarantine rules, the barangay officials and law enforcement officers shall strictly adhere with the provisions of RA 9344 as Amended by RA 10630. **Implement diversion measures or alternatives to detention, especially during this time of Pandemic. Detention of children should be highly discouraged as it is contrary to the best interest of the child.** The Process Flowchart in handling children above 15 years old who commit offense not related to curfew and quarantine rules was attached to the DILG and CWC JMC 2020-001 and the Advisory on Curfew.