

10 JUL 13 P4:21

SENATE  
S.B. No. 1438

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Introduced by Senator Loren Legarda

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**EXPLANATORY NOTE**

This bill mandates the establishment of crisis centers for street children all over the country. The rights and welfare of Filipino children are governed by several existing laws and policies on children such as: 1) RA 7610 also known as the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act; 2) RA 9231 also known as the Act Prohibiting Employment of Children in Hazardous Areas; 3) PD 603 or the Child and Youth Welfare Code; 4) RA 9262 or the act Defining Violence against Women and their Children; 5) RA 9231 or the Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child; 6) RA 9344 also known as the Act Establishing a Comprehensive Juvenile Justice and Welfare System; and 7) RA 9208 or the Act to Institute Policies to Eliminate Trafficking in Persons Especially Women and Children. However to date, there is no specific law that addresses the special conditions and needs of street children.

The Department of Social Welfare and Development estimates that there are around 250,000 street children in 65 cities around the country. Metro Manila alone has about 85,000 street children as of 2007. Childhope, a non-government organization specifically protecting street children, reveals that about 70 percent of these street children most visible on the streets are boys. In their study on street children, the following facts were provided:

- The working street child works from 6 to 16 hours, often in a combination of "occupations".
- Street children usually come from large families, with six to ten children per family.
- Street children are generally malnourished and anemic, many of them physically stunted.
- Street children suffer psychologically from undue family pressures, abuses and neglect at home. Very often, they develop low self-esteem.
- Street children are prone to street fights and bullying from bigger youth, harassment from policemen, suspicion and arrest for petty crimes, abuse and torture from misguided authorities.
- Street children usually come from broken families.
  
- There are more boys than girls. Female children are disadvantaged because of their sex; they do more housework and are prone to sexual abuses.
- Parents of street children are preoccupied with earning a living, oftentimes engaged in irregular low-paying jobs as construction workers, vendors, and scavengers.

National and local government agencies, along with non-government organizations, work hand in hand in order to uplift the situation of the Filipino street children. However, there are numerous needs that have yet to be met.

Under this bill, the crisis centers to be established in every city or municipality shall have a comprehensive program that will provide various services such as temporary shelter, emergency medical and feeding programs and basic education. These provision of services shall be implemented by the Department of Social Welfare and Development (DSWD), in close consultation with the local government units concerned. Moreover, this measure will assist in providing street children the means to uplift their conditions and take them out of the streets through programs that will equip them with livelihood, technical and social skills.

Finally, this proposed measure authorizes the implementing agency to accept donations and grants from local and international organizations in order to supplement the appropriated funds for the establishment, maintenance and operation of the street children crisis centers. These funds will be distributed accordingly to the various crisis centers within the city or municipality. The additional funds will ensure that a higher number of street children will be provided the necessary attention and assistance.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**LOREN LEGARDA**  
Senator

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Introduced by Senator LOREN LEGARDA

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**AN ACT**  
**ESTABLISHING A CRISIS CENTER FOR STREET CHILDREN**  
**IN ALL CITIES AND MUNICIPALITIES IN THE NATIONAL CAPITAL REGION**  
**AND IN EVERY HIGHLY URBANIZED CITY IN THE PHILIPPINES, AND FOR**  
**OTHER PURPOSES.**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

**SECTION 1. Title.** - This Act shall be known as the "Street Children Crisis Center Act of 2010."

**SEC. 2. Declaration of Policy.** - It is hereby declared as policy of the state to defend the rights of children to assistance, including the proper care and nutrition, and to provide them with special protection against all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

Towards this end, there is hereby established a Crisis Center for Street Children in every city or municipality in the National Capital Region and in every highly urbanized city in Luzon, Visayas and Mindanao. Such crisis center shall serve as temporary shelters and rehabilitation center for the street children.

**SEC. 3. Definition of Terms.** - "Street Children" shall be defined as those persons below 18 years of age and are living in the streets without supervision of adults, whether parents, relatives or friends.

**SEC. 4. Program Framework.** - There shall be a comprehensive program for the street children which the crisis center shall provide. Such program shall include but are not limited to the following:

- (a) Emergency medical and feeding services;
- (b) Temporary shelter for street children who have been separated from their respective homes and who have been straying in the streets;
- (c) Basic educational, legal and counsel services;
- (d) Immediate rehabilitation program for street children identified as prohibited substance abusers;
- (e) Programs geared towards the acquisition of livelihood, technical, social and other related skills which would help the street children become productive members of society;
- (f) Support system provided by LGUs;

- (g) Referral network of assistance consisting of other government agencies;
- (h) Information, education and communication campaign to promote the objectives of this Act; and such other functions as may be necessary.

**SEC. 5. Implementing Agency.** - The program shall be implemented by Department of Social Welfare and Development (DSWD) in close coordination with the LGU's concerned.

The city or municipal officials may call upon private volunteers who are responsible of the community and utilize them to assist in the care of street children by providing consultative services for medical, educational, and other needs of the street children.

**SEC. 6. Functions of the Department of Social Welfare and Development.** - The Department shall:

- (a) formulate the criteria for the selection and qualification of street children who shall be covered by this Act;
- (b) provide training for crisis center workers, counselors and other volunteers;
- (c) coordinate activities of non-government organizations with the crisis center workers and other social workers of the Department in order that their services may be fully utilized for the attainment of the program goals; and,
- (d) protect and assist abused, neglected or exploited children and secure proper government assistance for said street children.

**SEC. 7. Funds for the Crisis'Center, Program and Crisis Center Workers.** - The funds for the establishment, maintenance and operation of the street children crisis center shall be appropriated from the National Budget and shall be included in the General Appropriations Act as part of the budget of the Department of Social Welfare and Development.

A portion of the health programs available to the Philippines under official aid or official debt arrangements from foreign countries, the amount to be determined by the Office of the President, shall be extended in support of the crisis centers.

**SEC. 8. Authority to Accept Donations.** - The DSWD may accept donations and grants, both domestic and foreign, for purposes relevant to the functions of the crisis centers. These donations and grants shall be allocated among the various crisis center within the city or municipality as may be deemed appropriate.

**SEC. 9. Separability Clause.** - If any portion or provision in this Act be declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

**SEC. 10. Repealing Clause.** - All laws, decrees, rules and regulations, and executive orders contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

**SEC. 11. Effectivity Clause.** - This act shall take effect upon its approval and completion of its publication in at least two (2) national newspapers of general circulation.

Approved,