

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'13 JUL -3 P2:24

SENATE
S. No. 387

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides:

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.

Providing services to runaway, homeless, and exploited youth is extremely challenging due to the need for services in a great number of diverse, yet overlapping, areas such as education, housing, employment, community support, family support and reunification, health care, and counseling. Research has shown that runaway, homeless, and exploited youth are at great risk for physical abuse, sexual exploitation, mental health disabilities, chemical or alcohol dependency, and death. The cost of youth homelessness to the state is also considerable. Youth who experience homelessness are disproportionately likely to be arrested and incarcerated as adults.

While the Department of Social Welfare and Development is the state agency that administers programs related to youth homelessness and exploitation, it does so without a strong mandate or clear vision as to how its activities and funding will significantly impact youth homelessness. It is also limited by its budget. The issues that face runaway, homeless, and exploited youth are so diverse, there is a great need for cooperation among private non-profit entities and public entities serving these youth to break down barriers and provide more seamless, collaborative, and effective services.

In the public sector, there is an additional need for enhanced cooperation among the concerned departments and even the judiciary to more fully serve homeless and exploited youth.

To address this serious issue, it is imperative that the state make an explicit commitment to ending youth homelessness and exploitation. It must ascertain the extent of the problem, our capacity to solve it, the cost of ending youth homelessness, and potential sources of necessary revenue.

This bill requires the Department of Social Welfare and Development to provide information, coordination, and support services to public and private entities serving runaway, homeless, and exploited youth. The bill also requires the agency to develop a state-wide plan for runaway, homeless, and exploited youth.¹

acs

MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Fifteenth Congress, First Regular Session.

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1 AN ACT
2 TO PROTECT RUNAWAY, HOMELESS, AND EXPLOITED YOUTH

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

3 SECTION 1. *Short Title.* – This Act shall be known as the “Runaway, Homeless, and
4 Exploited Youth Act.”

5 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote and protect
6 the physical, moral, spiritual, intellectual, and social well-being of the youth recognizing their
7 vital role in nation-building.

8 SECTION 3. *Definitions.* – As used in this Act, the term:

9 (a) "Exploited youth" means an individual under 18 years of age who is trafficked or
10 prostituted, involved in pornography or stripping, a victim of rape or incest, or engaged in
11 survival sex, which is the exchange of sex for money or other consideration, such as food or
12 shelter, in order to ensure his or her survival.

13 (b) "Homeless youth" means an individual under 18 years of age who is unable to
14 live in a safe environment with a relative and lacks safe alternative living arrangements, or an
15 individual under 18 years of age who is without shelter.

16 (c) "Runaway youth" means an individual under 18 years of age who leaves his or
17 her home or a place of legal residence without the permission of a parent or legal guardian.

18 (d) "Department" shall refer to the Department of Social Welfare and Development.

1 SECTION 4. *Department Coordination.* – The Department shall provide information,
2 coordination, and support services to public and private entities serving runaway, homeless, and
3 exploited youth.

4 SECTION 5. *National Plan.* – The Department shall develop a national plan for runaway,
5 homeless, and exploited youth, and shall present this plan to the Congress within ninety (90)
6 days from the effectivity of this Act. In developing this plan, the Department shall do all of the
7 following:

8 (a) Determine the national demand for shelter, housing, and supportive services for
9 runaway, homeless and exploited youth.

10 (b) Identify data and outcome measures from which to evaluate public investment in
11 runaway, homeless, and exploited youth services.

12 (c) Propose a consistent revenue stream from the local and national government to
13 meet the demand for shelter, housing, and services for these youth.

14 (d) Specify the role of the child welfare system in preventing and addressing
15 homelessness for minors experiencing abuse and neglect.

16 (e) Specify the role of law enforcement in responding to runaway youth.

17 SECTION 6. *Inclusion of Stakeholders.* – When developing the national plan pursuant to
18 this Act, the Department shall utilize an open planning process that engages stakeholders,
19 including runaway, homeless, and exploited youth, parents, homeless youth service providers,
20 advocates, and researchers, and representatives of interested government agencies.

21 SECTION 7. *Separability Clause.* – If any provision or part hereof is held invalid or
22 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
23 valid and subsisting.

1 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive
2 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
3 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

4 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
5 publication in at least two (2) newspapers of general circulation.

Approved,