

# Qualitative Inquiry on the Pulse of the Community towards Juvenile Justice and Welfare Act (R.A. 9344)

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**Abstract:** The passage of Republic Act 9344 or Juvenile Justice and Welfare Act on April 28, 2005 was hailed as watershed event in promoting the rights and well-being of children. But five years on, the law's implementation continued to be dogged by resource limitation, readiness of stakeholders to undertake it and the negligent parents who did not care for their children. This study was conducted to know and discuss the people's perspectives on the child welfare act. Specifically, it sought to answer the following queries: How do people of Barangay Leon Garcia Sr., Agdao, Davao City feel about Juvenile Justice and Welfare Act (R. A. 9344)? and What are the recommendations of the people on the implementation of Juvenile Justice and Welfare Act (R. A. 9344)? This qualitative inquiry underwent community integration and survey, summarizing each set of inputs, ideas and views which had been provided by respondents. It appeared that most of the residents of the community were opposed to the Juvenile Justice and Welfare Act of 2006 (RA 9344) considering its flaws. Thus, results showed the need for parental training for parents, training skills for workers, more facilities for children in conflict with the law as well as for the victims and the most importantly the budget to materialize the enumerated recommendations for the betterment and effectiveness of the program.

**Keywords:** Qualitative Inquiry, Juvenile Justice, Welfare Act (R.V. 9344), Davao City.

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## 1. INTRODUCTION

According to UNICEF 2009, "No child shall be deprived of his or her liberty unlawfully or arbitrarily" however an alarming number of children around the world are deprived of their liberty, they are held in detention without sufficient cause. The Facts about Children and Offending, also stipulate that there are over one million children worldwide in detention. The detention of children who have been accused of a crime but are waiting trial continues to be the norm in a majority of countries and in some cases this accounts for over 90 per cent of children being held in detention (Save the children, 2013).

With the rampant scenario, the UN Convention on the Rights of the Child (UNCRC), 2009 form an international human right framework to protect children's right. Article 37 and 40 of the UN Convention on the rights of the Child and international standards on the Administrative of Juvenile Justice required states to establish a child-centred, specialized justice system whose overarching aim was children's social integration, and which should guarantee that their rights were respected.

In national echelon, the Council for the Welfare of Children reported that from year 1995 – 2000, 52, 756 children had been in conflict with the law and they were mixed with adult's detention cells (Dela Cruz, 2003). Dela Cruz further said, that more than half of the crimes of which minors were charged were not serious offenses. These included petty theft, sniffing of glue or solvent, vagrancy and violation of curfew hours. With this picture, legislators came up with the Juvenile Justice and Welfare Act to protect the welfare of the children specifically the children at risk and children in conflict with the law, signed by the President on April 2006 it took effect in the following month.

The number of children who were involved in the violation of different laws continued to rise at an alarming rate. These children who committed crimes were not only destroying their future but also they had become the problems of the community where they belonged. Davao City was not an exemption of this problem, as Davao City Police Office (DCPO) reported that 30 percent of the crime index is committed by youth offenders. Most of the crimes committed were robbery and theft, adding that most suspects were habitual offenders, the youngest is 10 years old. Record showed the index crime went up from 1,182 cases in April-May 2013 to 1,332 cases this year in the same period or an increase of eleven percent. (Sun Star Davao, 2014)

The Act, which was passed unanimously by the Filipino Congress, was a response to criticisms of the conditions under which young offenders were being held in prisons. Upon the effectivity of the Act an impact for some juveniles cropped up. Over 500 children had been transferred from jails to youth homes. And an estimated of 1,500 criminal cases against young offenders younger than 15 dismissed. (Save the children..., 2009). Under the new legislation, children under the age of 15 cannot be charged with a crime. For 15- to 18-year-old juveniles, diversion away from court is the preferred method for responding to crimes that carry a possible sentence of six years or less (Juvenile justice and..., 2006).

For five years that the act was enacted and implemented, issues and concerns aroused, like children were more tolerated in doing delinquency, and misbehaving. They were subjected as instruments by the syndicates to pursue their cruel plan knowing that minors will not be held accountable for their actions. Another fact that, concerned agencies and individuals were vigilant and extra careful in the implementing RA 9344 which they considered as having loopholes.

Furthermore, it is in the interest of policy evaluation and possible recommendations, the researcher was prompted to conduct this study. The researchers believes that through the study, probable inputs may be done for the development and effectiveness of RA 9344 also known as Juvenile Justice and Welfare Act of 2006.

### **Theoretical Lens**

This study was anchored to Hayes (2002) public policy analysis. He stated that public policy analysis can be define as determining of various alternative public or governmental policies will most achieve a given set of goals in light of the relations between the policies and the goals. The study excreted and used some aspects, dimensions or characteristic such that public study was an evaluation process that includes five key elements: the goal, approach, relation between policy and the goal, conclusions and alternative Cuizon, et.al., (2008).

Defining good policy analysis has five key characteristics to relate with. First is the validity, which is referring to the accuracy and to the listed goals. Second is the importance which refers to societal cost and beneficial analysis on the policy involved. Third is the usefulness which refers to extreme or highest level of utilization of the policy. Forth is the originality that refers to inventiveness of the policy. And lastly is the feasibility which means the adoptability and implementation possibility by the policy makers and policy appliers Nagel, (1990).

## **2. METHODOLOGY**

### **Research Design**

This study was a qualitative research. As Pope and Mays (2000) stated, qualitative research sought to understand a given research problem or topic from the perspectives of the local population it involves. It also provided information about the human side of an issue, such as, the often contradictory behaviours, beliefs, opinions, emotions, and relationships of individuals. Likewise, qualitative research method facilitated either a formulation of a policy or assessment of an existing one.

This research was phenomenological in nature. The researchers described the perceptions of participants; seeing how they experienced, lived and displayed the phenomenon, and looking for the participants experience (Creswell, 1998). In fact, the researcher followed Creswell citing Campbell (2011) assertion that in phenomenological research, researchers explored the essence of the core meaning of the experience. By this, the outward appearance and inward consciousness were taken into consideration.

### **Locale of the Study**

The study was conducted at Davao City, a City composed of 3 district and 80 barangays. The study was focused in one of the barangays particularly Agdao district which was constituted by eleven barangay with Barangay Leon Garcia Sr. as the

center point of the study since it had the high average of child in conflict with the law (CICL) encountered in this area as per the data gathered from the Women's and Children's Protection Desk officer of Sta. Ana Police Station, Davao City (WCPD-PNP Sta..., 2011).

Barangay Leon Garcia Sr. had a land area of 23 hectares with a total population of 10,368 and the total number of household of 2,138. The said barangay was considered as urban area since 40 percent of the residents were below poverty line (Barangay Leon Garcia..., 2013).

### **Role of the Researcher**

The Researchers were challenged to conduct the research since many issues and concerns had arisen about this controversial law. Through this study, to know the pulse of the community on this matter was a way of improving and developing the act.

As Research writers, we were responsible to gather primary data that could best provide sufficient knowledge regarding my study. As Social Workers, we were guided with knowledge, values and skills in doing my research. The Researcher skills in interviewing and data gathering helped them to get sufficient and relevant information to make their study factual and have substantive data.

Consequently, the Researchers task was to ensure that the content of this study was based on scientific inquiries which consider systematic process in data collection. They considered the value of discipline subjectivity in qualitative research as cited by McMillan and Schumacher (1997) who stated that in all parts of research process the researcher must be rigorous in self-monitoring, continuous self-questioning, and re-evaluation.

### **Research Participants**

Purposive sampling was used in selecting participants or informants for the said study since, it was the most common of sampling strategies (Qualitative research methods..., 2008). The participants or informants of the study were categorized into four units. First, was the elected Sangguniang Kabatan (SK) in Barangay Leon Garcia; second, the parents of children in conflict with the law of Barangay Leon Garcia who were aware of what the Juvenile Justice was; third, were the barangay government officials who had devoted themselves in monitoring the CICL during the community-based intervention program; lastly, the community leaders who were also part of the intervention program.

The technique above was used in selecting participants or informants in focus-group discussion and in in-depth interview. The Barangay government officials and community leaders were asked to join in the Focus Group Discussion (FGD), while in in-depth interview, this was participated by the parents of children in conflict with the law and the Sangguniang Kabataan Chairman.

### **Research Instrument**

An open-ended question was used for Focus-Group Discussion and the other was In-depth Interview guide. Focus-Group Discussion was an effective technique in eliciting data on the cultural norms of a group and in generating broad overviews of issues of concern to the cultural groups or subgroups represented (Krueger, 1988). The focus-group discussion would start with knowing basic information; giving brief background, scope, purpose and topic for discussion.

The In-depth Interview guide was the second technique used to elicit information in order to achieve a holistic understanding of the interviewee's point of view or situation; it was also used to explore interesting areas for further investigation (Berry, 1999). Boyce and Neale (2006) added that in-depth interview involves conducting of intensive individual interviews with a small number of respondents to explore their perspectives on a particular idea, program, or situation. This technique was used for parents of children in conflict with the law and SK Chairman to know their opinions or views on Juvenile Justice and Welfare Act (R. A. 9344) since they had undertaken the policy program.

### **Data Collection**

In this section, process of collecting data was discussed. First, a letter asking permission to conduct the study was sent to the Barangay Chairman. Upon approval, the study will commenced; Community integration was second thing that they did as direct observation of the area and the day-to-day activities of the people. In-depth interview and focus-group discussion were utilized to draw out appropriate, profound and authentic pieces of information about socio-economic

condition of the community and their views on the very controversial law for children R. A. 9344 known as Juvenile Justice and Welfare Act.

During the interview process the Researchers used tape recorder with consent of my respondents while jotting down notes. They were also able to copy all the relevant information and interpreted the recorded narrations. They were assisted by the barangay secretary in doing my field notes to capture information that was essential or necessary in the study.

### **Data Analysis**

Data analysis started with summarizing each set of inputs, ideas and views provided by respondents. This brought out the points of view of respondents, which were often different from those of the researchers (Uwe, 1998). The data are organized into themes through coding system, securing in that no data should be overlooked; as Uwe (1998) also stated that the full transcription must be checked in order to minimize the biases that might occur on the results of interpretation or in display of results. Categorization was used in extracting the theme based on the given answers by respondents.

After encoding of data, follows the rhetorical and methodological approaches followed (Creswell, 1998) and expound things by creatively using appropriate words, phrases and paragraphs. This meant deviation from a structured framework, and flexibility in the organization of ideas. Reinforcement of idea that was added to achieve coherence, captivates authentic expressions and experiences. And finally, use of inductive method with sense and reasoning and with sufficient contextualization on the actual experiences of the study participants.

### **Trustworthiness and Credibility**

The characteristics of good qualitative study as outlined by Creswell, 1998 were employed in order to assure validity and trustworthiness. These were the scrupulous collection of data as words or pictures, begin with single focus particular on the field, on participant perspectives and their meaning, and on outcome as process than product. Lastly, the writing clearly in through and full ideas, believable, realistic, and accurate findings were accomplished. Lincoln et. al, 1985 elaborated that trustworthiness in a qualitative inquiry aimed to support the argument that the inquiry's findings were "worth paying attention to". In any qualitative research, four issues of trustworthiness demand attention: credibility, transferability, dependability, and confirmability.

### **Ethical Consideration**

This study observed research ethics to prevent, reduce, or undo harm to research participants (Davis, 1991). I distributed informed consent concerning this matter following Creswell's (1998) suggestions. Study participants were informed on the purpose and objectives of my study and only those with confirmation were scheduled for the FGD. Participants were rest assured of confidentiality with regards to this activity. I made it clear to the participants that they could back out should they decide to. Davis (1991) stated that penalty, coercion, or shame must be avoided in case the participant decides not to join the focus group discussion.

## **3. RESULTS AND DISCUSSION**

### **Community Pulse on Juvenile Justice and Welfare of 2006 (RA 9344)**

As stated by community leaders, they were not in favor of the law because it barred parents and elders to discipline children. They could not lay their hands on their own children for fear of the law violation. Like if they apprehended a minor for committing an offense, the child would bully them, slap and bit their hands justifying himself that he had not committed a crime. Because of Republic Act 9344, children were untouchable and had used this to their advantage.

Along with this, the Chief Tanod also stated that "we want children to be disciplined to prevent them from committing the same mistakes over and over again." As per Barangay record (Barangay Leon Garcia..., 2011) nearly all offenders are same persons or group who keeps on committing such offense (sniffing of solvent, theft). "We cannot control the young people not be troublesome, disobedient in fact they are the ones who control us, indeed it is just an additional burden for us. How can we give proper discipline to delinquent children if the law does not give us the chance to discipline them instead it gives full protection to children that leads them to do whatever they want to do without restriction."

Barangay Chairman gave his appreciation on Republic Act 9344 known as Juvenile Justice and Welfare Act, the law that protects the rights of 'children in conflict with the law' (CICL). This provided them opportunity and chance, thru alternative child-friendly measures, to reform and be reintegrated into their family and community as productive members

of society. He also added that, 'children in conflict with the law' were just victims of circumstances because of their family condition.

Furthermore, the Barangay Chairman said he can relate with CICAL since he was once one of them in the past who was imprisoned immediately disregarding whether the criminal acts were major/minor crimes, especially if the victims did not agree to amicable settlements. With RA 9344, CICAL had the chance to reform delinquent children since they had the chance to be heard, due considerations were afforded them by RA 9344.

On the words of Lucia, one of the parent respondents he liked the approved legislation since it protects children from unjust imprisonment. They are too young to experience the hazards in jail where they mix with adult inmates like what happened to her son, that he was apprehended for committing a theft, he was put in jail together with adult prisoners while waiting for them parents. She is so thankful with the 'Act' because there will be no more children who will experience life behind bar."

With disappointment in her face she further stated that "I'm bothered what to do with my child. Of all of my children he is the only one who is a law offender. He is influenced by his misguided friends. He does not go to school." While having in depth-interview, her son joined us and I had chance to ask him why he did those things. He answered me directly "I know that it's bad but I had to do it so we could eat." He also added that "I had always been a hard-headed child because I never felt from my parents that they loved and cared for me like what they were with my other siblings. 'How come children did not obey their parents?' They saw what their parents did." "And the sad thing", he added was that "It would be very difficult to change because in the eyes of the people, we already had a bad record."

One barangay official said if children violated the law, they should not be blamed; instead, it was the parents who were the ones to be blamed or imprisoned because it was not the children who had the problem; but it was their parents who neglected to discipline and guide their children for lack of time to do so. 'Children in conflict with the law' were willing to be helped but the main actors (parents) were unavailable for such help.

One of the CICAL parents (Cristina) said: "I like the law but children should also be punished, strictly disciplined. To realize what they had done was wrong there should be a corresponding punishment for that misbehavior. Like what the newly barangay chairman did with our problem, since my son was caught in the act sniffing solvent with his peers, they apprehended my son's group and called the attention of all parents, oriented and had us sign the agreement stating that we were liable to our children; we needed to guide and discipline them; not to let the same things to happen again. With that, they could comprehend to behave and be good citizens."

Some respondents supposed that RA 9344 could be fully appreciated when people were totally oriented and properly implemented. There were some implementers who did not know the proper proceedings in handling 'children in conflict with the law'. Also, there were some who did not implement the law since they lacked the knowledge on how to conduct and strict implementation of the program, the intervention and the diversion program. There were a few who did for compliance purposes only. Once done, it would merit appreciation for its usefulness and protection given to of 'children in conflict with the law'.

A barangay official added that the law was not completely good in its nature. It also had some flaws in it, considering some lapses on the law, such as, it was only the accused who given great importance. The reality was, the victim who was the most affected also needed much of the assistance.

Based on the information collected from study respondents, there was an ambivalent idea on the contentious Juvenile Justice and Welfare Act. Ambivalence in the fact that there were some in favor of the law knowing its beneficial contribution to 'children in conflict with the law' and significantly on the total development of young violators of the law; some did not like it because children became more aggressive, and developed dominant behavior towards their elders.

Some respondents appreciated the law as it gave chances for 'children in conflict of the law' to change, redirect their negative behavior into positive one, and giving them intervention or diversion program which provided great help since there was an involvement of parents and community who were big factors or roles on the total transformation of CICAL's.

In providing intervention or diversion program for 'children in conflict with the law', 99% transformation within themselves with the help of the responsible persons will be attainable. During intervention or diversion program 'children in conflict with the law' will undergo series of activities such as attend mass every Sunday, counselling session, school

participation, conduct parenting session (parents) with the supervision of the social worker and conduct community service to be administered by the barangay official. With corresponding consequences if he/she fail to perform within 6 months the given task. With the given activities as punishment they can learn out of it rather than putting them to jail (Self-instructor manual..., 2006).

Importantly the strict implementation of provisions in the Juvenile Justice and Welfare Act addresses one of the concerns for the development of youth. However, one constraint in implementation of the law is lack of budgetary allocations from LGUs.. Like one of provision of this act is the granting of 1% IRA in municipalities and cities for the implementation of the law. Unfortunately only few cities/municipalities who executed such provision that causes to malfunction and ineffective implementation of the law (Policy center for understanding..., 2006).

Furthermore, some give negative judgment on the law because of some flaws in it. Children in conflict with law was created seeing that children at such time of commission of an unlawful act is not completely whole in his discernment, that some possible external things intervened with him which push him to commit a crime. But such law is not completely good in nature. It also has some flaws in it (Save the children..., 2009).

Pagunuran (2003) specified the flaws first is that although it is acceptable that a child who committed a certain crime in the age of 9 years and below is completely exempted from criminal liability. Children who have committed a crime at the age of 15 and below and 15-18 is different. This is because viewing the existing conditions in our society, children of such ages may have the complete or partial knowledge of what they are do because at such age they have acquired a certain level of maturity, and so they wonder, explore and question everything they want to know in any means available to them so how come a boy for example who at the age of 16 raped a girl is exempt from the crime he committed when it is obvious that he knows what he is doing. And lastly, flaw of said law is that it fails to provide rehabilitation measures to the victims themselves. In a crime, not only the accused suffer but more so the victim as he carries with him the stigma of the crime committed against him and suffers from shame and scandal brought about by the crime.

Likewise, because of RA 9344, young people are more aggressive, impulsive of misbehaving, they are untouchable, very dependent on the law since they know that they are protected by it if upon the commission of the crime they have their birth certificate or school records as proof if ever they will be apprehended. With this, it is the young people who control the elders and law enforcers (Dukess, 2003).

Data from the Davao City Jail show that the majority of children in detention are involved in cases of chemical and substance abuse (Ancheta-Templa, 2001). Meanwhile, data from the Davao City Social Services and Development Office (CSSDO, 2001) show that drug and solvent users comprise 38.7% of the reported 472 CICL provided with services. Children involved in curfew violations (32.2%) and in theft and shoplifting (22.6%) turned out to be the most common cases (CSSDO, 2001).

Knowing the views of respondents on the polemic law on children in conflict with the law it is anchored on the theory of (Smith, 1990) on public policy analysis stating that it evaluates the design, implementation and effects of public policy. Public policy analysis strives to define the problems addressed by a particular policy, assess the steps taken to address these problems and evaluate the intended and unintended effects.

Like so, Nagel's (2002) theory on good policy analysis cites five characteristics of good policy analysis are, the validity, which refers to the accuracy and to the listed goals, the importance which refers to societal cost and beneficial analysis on the policy involved, the usefulness which refers to extreme or highest level of utilization of the policy, the originality that refers to inventiveness of the policy, and lastly is the feasibility which means the adoptability and implementation possibility by the policy makers and policy appliers.

In connection with the above mentioned theories, Hank (1990) elaborated that critic is very important in analyzing public policy for its improvement and development. The critics of the respondents have great contribution on the enhancement and amendments of the law if ever in the future. This way, knowing the goals, purposes, objectives of law and its effect to the community, issues and concerns arise.

As what Nagel said, determining the importance of the policy, refers to the societal cost or who benefits from the policy. With the answers given by the participants, they perceive the goodness of the law especially to young individuals particularly the children in conflict with the law, for their protection. To safeguard them from perpetrator who can easily

manoeuvre their young minds knowing that they are vulnerable sectors without acknowledging the most affected by the situation.....the victim.

In terms of the usefulness of the law, as quoted by Nagel, Like, with their first recommendation on ordinances for parents who fail to discipline their children where in fact it is also mandated in Republic Act 7610 For Nagel, effective implementation of the law refers to extreme or highest level of utilization of the policy. But reality shows that only few implementers perseveringly enact the law, few municipalities/cities made it their responsibilities to enforce the effective implementation of the law. Majority of municipalities/cities however do not give allocation of budget for salary of social workers even if it was mandated in the act that each cities/municipalities should have one social worker who will focus on the children in conflict with the law.

### **Things to Do According to the Study Informants**

Ordinances to punish parents who fail to discipline their children, conduct parenting lectures, increase slots on scholarship program, adequate facilities/ equipment in accommodating CICL's, and strengthening Barangay Council for the Protection of children are things to be done for the improvement and effectiveness of the policy as assisted by the study participants.

According to the Barangay Chairman, there should be an ordinance or law to punish such parents since they show bad examples to their children and fail to impose discipline on their children. Children should not be punished for becoming CICL. Their parents are the ones who should be punished since they are responsible for their children. Added by the Barangay Kagawad for 2<sup>nd</sup> to 3<sup>rd</sup> offense done by the child, parents will be held liable for the crime.

The City Social Services and Development Office (CSSDO) will conduct parenting lecture on modular session, to orient parents with their responsibility and how to be effective parents suggested by one of the Barangay Kagawad. Raised by the Sangguniang Kabataan Chairman, more slots for scholarship in high school and college level to reduce number of out-of-school youth (OSY). Community leaders also cited the strict implementation of barangay ordinances and barangay official itself should set as good examples to the constituents especially to young people, who will be the next leaders of this community.

The Barangay Chairman also reiterated the lack of center or institution to cater to the young offenders while waiting for their orders as well as rehabilitation center for the victims who suffer and bear the damage done by the crime. As an example, inadequate facilities from barangay to local level in catering offender such as in barangay halls or police stations is the common complaint such as the absence of a place where children can be kept while awaiting settlement of their cases; they are usually placed in crowded and dirty cells with adults. In these holding facilities, there is not enough supply of food and toiletries for more than three days, and children are not separated from adults, or girls from boys. There are also no separate courtrooms for children, specified by one of the parents.

Finally, the Barangay Kagawad who is the Chairman of the Committee on Social Services supports the strengthening of Barangay Council for the Protection of Children (BCPC) knowing its importance, practically in handling 'children in conflict with the law' and coming up with programs for their development.

## **4. CONCLUSION**

The family being the foundation of nation is a basic social institution which has the vital role in molding and shaping a child become a good citizen. Disapproved behavior now labeled delinquent is treated as a family or in some cases a community problem. In fact, today's child/young people go astray and violate the norms of society. Unlike the adult offenders, they are dealt with differently because of their tender age. Thus, passing of RA 9344, a Special Law divides the opinion of people. Some say it's beneficial because Juvenile offenders cannot be criminally liable and cannot be taken to court, more so to be placed in jails because of the provisions more on their rehabilitation rather than punishment.

PD 603 recognizes the rights of children as well as the responsibilities of parents, the community, society and more important, the State in rearing and nurturing children as assets of the nation; as further has been affirmed with the adoption of UN Convention on the Rights of Children (UNCRC). As we now see, children/ minor is protected by this law. Conversely, he/she is being protected from abuse, neglect, degrading punishment, torture, exploitations, and other forms of violence and moral danger (Child and youth..., 1974).

With passing of this Special Law, delinquents are no longer treated as criminals but a wayward youngster needing the assistance and guidance of the State to become good individuals (Juvenile justice and ..., 2006). But the State alone cannot provide these needs without the help of the community people, with their active involvement in advocating for the protection and promotion of the welfare of every Filipino Children.

Looking into reality, it is far from what we envisioned a child could be. Children ranked among the 3 biggest sectors are victims of human rights violation to include: children in exploitation and hazardous labor, street children, children who are trapped in substance abuse and even children in conflict with the law (Save the children, 2009).

Trends in health, nutrition and education shows a decrease or slow improvement status of every Filipino family which can be attributed to low income, lack of education, parents in rural areas, large family size, poor environmental sanitation and lack of access to other services which prompt some children to go to streets, beg and sometimes do wrongful acts just to fill their empty/ hungry stomach. Underlying these trends is the slow socioeconomic development reflecting in continuing high rates of poverty (Pinho, 2011).

The law itself is passed for the very main reason to protect every Filipino Children. But one main problem seen here is the lack of facility, center, and institution to cater the delinquent children while waiting for their orders. If only there are facilities enough to accommodate the needs of children but reality is CSWDD/MSWD are having hard time facilitating those children turned-over to them by the authorities because of lack of a center (Adhikain para sa Karapatan..., 2004).

All in all, more importantly, Family as the basic social institution molds the character and develops the child. The social irony remains.

#### REFERENCES

- [1] Andreta, T. (2002). *Prison is not for kids; Children in conflict with the law*. Retrieved on August 10, 2011 at <http://www.phillipinesstoday.net>
- [2] Berry R. Y., (1999). *Collecting data by in-depth interviewing*. Retrieved on January 26, 2011 from [http://www.resolutions.co.nz/in\\_depth\\_interviews.htm](http://www.resolutions.co.nz/in_depth_interviews.htm).
- [3] Bazemore, G., & Pranis, K. (1997). *Restorative Justice: Social Movement Theory & Practice*. Retrieved on April 3, 2014 at [cjr.sagepub.com/content/28/1/146/refs](http://cjr.sagepub.com/content/28/1/146/refs).
- [4] Boyce, C. & Neale, P. (2006). *Conducting in-depth interview: A guide for designing and conducting in-depth interviews for evaluation input*. USA. Pathfinder International.
- [5] Bunnarith, M. (2008). *Pathway towards citizens participation: Insights on community planning in Cambodia cities*. Cambodia. Journal of contemporary eastern Asia. Vol. 7. No. 2.
- [6] Campbell, J. (2011). Introduction to methods of qualitative research: Course notes. Retrieved on November 5, 2014 at [http://www.jason.campbell.org/uploads/Methods\\_of\\_Qualitative\\_Research\\_and\\_Inquiry.pdf](http://www.jason.campbell.org/uploads/Methods_of_Qualitative_Research_and_Inquiry.pdf)
- [7] Claver, P. (1979). *Community and Organization*. Retrieved on June 20, 2011 at [ssh.dukejournals.org/content/28/3/367/short](http://ssh.dukejournals.org/content/28/3/367/short).
- [8] Chavis, D. M. & Wandersman, A. (1990). *Sense of community in the urban environment: A catalyst for participation and community development*. American journal community psychology. Westport, Greenwood Press, USA.
- [9] Conde, C. H., (2002). *Poverty and family abuse force davao's children's to the Streets*. Retrieved on April 8, 2011 from [www.philippine center for investigative journalism](http://www.philippinecenterforinvestigativejournalism.com)
- [10] Cresswell (1998). *Phenomenological theory*. Retrieved on April 3, 2011 at <http://www.phenomenological.cresssarticle.pdf>
- [11] Cuizon, R., Castillo P., & Magdayao, J. (2008). *Cultural practices of sama tribe basis for community based forest management policy analysis*. University of Mindanao, Graduate Studies, DavaoCity.
- [12] Davis, A. J. (1991). *Ethical Considerations in International nursing Research*. Retrieved on August 11, 2011 at [nej.sagepub.com/content/10/2/122.refs](http://nej.sagepub.com/content/10/2/122.refs)



- [13] Dela Cruz. (2003). *Keep children out of adults jail*. Retrieved on January 26, 2011 from <http://www.unicef.org.ph>
- [14] Dukeshire, S. & Thurlow, J. (2000). *Challenge and barriers to community participation in policy development*. Retrieved on January 26, 2011 from <http://www.rural.novascotia.com>
- [15] Dukess, K. (2010). *Determining the Best Interests of the Child: Summary of State Laws*. Retrieved on April 30, 2011 at <http://family.findlaw.com/child-custody/custody-who/child-best-interest.html>
- [16] Eschholz, H. (2003). *The public policy*. Retrieved on April 12, 2011 at [web.ehayes@ramapo.edu](mailto:web.ehayes@ramapo.edu)
- [17] Gajanayale, S. & Jaya. (1993). *Community empowerment: A participatory training manual on community project development*. Dekalb, Illinois. Office of internal training and consultation.
- [18] Gamble, H. & Weil, F. (1995). *Principle of residence participation*. International Journal of General Systems Vol. 35 No. 3
- [19] Glanz, T. & Hill, M. (2002). *Social Environment*. Retrieved on February 10, 2011 at [http://www.social\\_environment.com/file.php](http://www.social_environment.com/file.php)
- [20] Hank, C. J. S. (1990). *Policy analysis*. Retrieved on February 12, 2011 at [http://policy\\_analysis.html](http://policy_analysis.html)
- [21] Hayes, S. T. (2002). *Public policy analysis*. Retrieved on February 15, 2011 at <http://www.publicanalysis.com>
- [22] Krueger, R. A. (1988). *Focus groups: A practical guide for applied research*. Newbury Park, California, U.S.A.: Sage Publications, Inc.
- [23] Lincoln, N. & Guba, A. (1985). *Research: Credibility*. Retrieved on May 26, 2011 at <http://www.whatisresearch.org/books/chap20.html>
- [24] Kohlberg, L. (1981). *The philosophy of moral development: Moral stages and the idea of justice*. Retrieved on July 20, 2014. at [www.giftedchildren.org.nz/apex/v13art0.5.php](http://www.giftedchildren.org.nz/apex/v13art0.5.php)
- [25] Lukensmeyer, C. J. (2003). *Deliberation for community planning and economic development*. WashingtonDC. Charette Institute.
- [26] Marshal M. N., (1996). *What is sampling?* Retrieved on January 26, 2011 from <http://www.cemca.org/books/chap13.htm>
- [27] Mathews, D. & McAfee, W. (2002). *Making choices together: The power of public deliberation*. Kettering Foundation. Dayton, OH, USA.
- [28] McMillan, J. H. & Schumacher, S. S. (1997). *Introduction to Designing Qualitative Research*. Retrieved on January 24, 2011 at [www.upei.ca/~xliu/ed611/days.htm](http://www.upei.ca/~xliu/ed611/days.htm)
- [29] Mendoza, T. L. (2008). *Social welfare and social work*. Retrieved on April 15, 2011 at [https://openlibrary.org/authors/OL98209A/Thelma\\_Lee\\_Mendoza](https://openlibrary.org/authors/OL98209A/Thelma_Lee_Mendoza)
- [30] Murphy, D. *Community organization*. Retrieved on February 12, 2011 at [http://www.locoa.net/program/Denis's Story/community Organization.doc](http://www.locoa.net/program/Denis's%20Story/community%20Organization.doc)
- [31] Nagel, S. (1990). *Conceptual theory and policy evaluation*. Greenwood. New York. Retrieved on January 28, 2011 from <http://www.spaef.com/file.php?id=295>
- [32] Nikhil, R. (2004). *Juvenile justice: Modern concepts of working with children in conflict with the law. Save the children*. UK- Philippines Programe. 3/F FSS Building, Quezon City, Philippines.
- [33] Pagunuran, P. (2003). *Jail is no place for a child*. Quezon city. UP Deliman.
- [34] Parsons, T. (1963). *On the concept of influence*. Retrieved on April 13, 2011 at [poq.oxfordjournals.org/content/27/1/37.abstract](http://poq.oxfordjournals.org/content/27/1/37.abstract)
- [35] Pathare, S., Dr. (2008). *Master in social work: Community organization notes*. Department of Social Work. University of Delhi. Retrieved on February 12, 2011 at <http://christcollegemsw.blogspot.com/2008/03/community-organisation-notes.html>

- [36] Perkins, I. & Zimmerman, T. (1995). *Empowerment and community participation: Does gender make a difference?. Social work research*. Retrieved on February 15, 2011 at [www.highbeam.com/doc/1G1-69434591.html](http://www.highbeam.com/doc/1G1-69434591.html)
- [37] Piaget, J. (1965). *Theory of moral development*. Retrieved on May 26, 2011 at [seven.countries.org/poc/view-doc.php](http://seven.countries.org/poc/view-doc.php).
- [38] Pinho, E. (2011). *Minor delinquent taking over the philippines*. Retrieved on January 26, 2011 from <http://ElineArticle.com>
- [39] Pope, M & May, R. (2000). *Review of qualitative research design: An interactive approach*. Retrieved on January 24, 2011 from <http://www.socresonline.org.uk/1/4/hammersley.html>
- [40] Prestby, J. E., Wandersman, A., Florin, P., & Rich, R. C. (1990). *Participation and empowerment*. Retrieved on May 5, 2011 at [www.deepblue.lib.umich.edu/bitstream/handle/2027.42/44023/10464\\_2004\\_article\\_13F00922694.pdf](http://www.deepblue.lib.umich.edu/bitstream/handle/2027.42/44023/10464_2004_article_13F00922694.pdf).
- [41] Reid, N. (2000). *Community participation: How people power brings sustainable benefits to communities*. New York: Touchstone books.
- [42] Riemen, d. J. (1986). *Qualitative inquiry and research design: Choosing among five approaches*. Retrieved on April 3, 2011 at [books.google.com.ph/books?isbn=1412995302](http://books.google.com.ph/books?isbn=1412995302)
- [43] Serrano - Garcia, I., & Bond, M. A. (1994). *Special issue: empowering the silent ranks*. Retrieved on July 5, 2012 at [www.gu.org/RESOURCES/ Research/ThoeryPractice.aspx](http://www.gu.org/RESOURCES/Research/ThoeryPractice.aspx).
- [44] Smith, H. J. (1990). *Public policy analysis: A comparison of three emerging theories of the policy*. Retrieved on April 15, 2011 at [prg.sagepub.com/content/49/3/657/refs](http://prg.sagepub.com/content/49/3/657/refs).
- [45] Speer, R. & Hughes, S. (1995). *Community organizing*. Retrieved on January 20, 2011 at <http://www.com.organizing.sh/article.pdf>
- [46] Stake, T. (1995). *What is triangulation in qualitative research*. Retrieved on June 2, 2011 at <http://www.st.com/research/triangulation..module=article>
- [47] Trickett, E. S. (1994). *Community intervention*. Retrieved on August 25, 2012 at [www.academyhealth.org/files/interestgroups/bhsr/2009//trickett.pdf](http://www.academyhealth.org/files/interestgroups/bhsr/2009//trickett.pdf)
- [48] Uwe F. (1998). *An introduction to qualitative research*. London, Thousand Oaks, California and New Delhi. Sage Publications.
- [49] Willis, J. (2007). *Foundation of Qualitative Research: Interpretive and Critical Approaches*. Retrieved on November 5, 2014 at [https://www.academia.edu/Documents/in/Phenomenology\\_Research\\_Methodology](https://www.academia.edu/Documents/in/Phenomenology_Research_Methodology)
- [50] Zeitlin, j. (2011). *Situating governance: Experimentalist governance*. Retrieved on June 12, 2011 at [www.academia.edu/.../situating\\_governance\\_Context\\_context\\_critique](http://www.academia.edu/.../situating_governance_Context_context_critique)
- [51] Zimmerman, T. (1990). *Community participation leads to development*. Retrieved on January 28, 2011 at [http://www.com\\_participation.com.pdf](http://www.com_participation.com.pdf)
- [52] Zimmerman, T. & Rappaport F. (1988). *Community participation: Uncovering its meaning in CBR*. Retrieved on January 28, 2011 from [http://www.com\\_participation\\_boyce\\_lysack.pdf](http://www.com_participation_boyce_lysack.pdf)