

INTERVENTION PROGRAMS FOR CHILD-IN-CONFLICT WITH THE LAW (CICL): THE CHALLENGES ENCOUNTERED WITH ITS IMPLEMENTATION

Marcel B. Atianzar

Faculty, College of Criminal Justice Education, Isabela State University-Echague,
PHILIPPINES.

atianzarmrcl@gmail.com

ABSTRACT

With the laws enacted for the protection of the child, there are still challenges that are met along the way. This study determined the challenges in the implementation of intervention program for Children-in Conflict with the Law (CICL) in the local context. A total of fifty-eight (58) Social Workers and their copartner social workers in the Barangays took part in this study. A self-made questionnaire was utilized to ascertain the challenges encountered in the implementation of the intervention program for CICL. Descriptive method of research was utilized to answer the objectives of the study. Results revealed that the main challenge in the implementation of the intervention program are the behavior of CICL and their parents towards the intervention program, hence, building rapport both with the CICL and the parents during the initial phase of the helping relationship should be established.

Keywords: Child in conflict with the law, intervention program (psychosocial and education), social worker, RA 9344

INTRODUCTION

The child in conflict with the law (CICL) are youthful offenders known also as chronic juvenile offenders, chronic delinquents, or chronic recidivists. These are the youth who had been arrested four or more times during their minority and had perpetuated a striking majority of serious criminal acts (Seigel, Welsh & Senna, 2006).

Article 40 of the United Nations Convention on the Rights of the Child (CRC) stipulated that the State recognizes the right of every child alleged as, accused of, adjudged, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, taking into account the child's age and desirability of promoting his/her reintegration.

In the Philippines, under Republic Act 9344 otherwise known as Juvenile Justice Welfare Act of 2006 defines that a Child in Conflict with the Law refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under Philippine laws.

Republic Act 10630 strengthened the Philippine Juvenile Justice System; it kept the indemnity from criminal liability of children aged fifteen (15) years old. However, a child who is above 12 years of age up to 15 years of age who commits serious offenses that are punishable by more than 12 years shall be mandatorily placed in an Intensive Juvenile Intervention and Support Center. Repeat offenders, or children who have committed crimes more than three times, would also be considered as neglected children and, as such, must undergo intervention programs supervised by the local social welfare and development officers.

These children often are those who face various multifaceted intersecting circumstances in their lives. The United Nations Children’s Fund (UNICEF) confirms the diversity of risks that bring children into conflict with the law, and the importance of multi-sectoral responses that are tailored to a child’s individual conditions is essential.

According to RA 9344, the state recognizes the vital role of children and youth in building the nation and shall protect and promote the children in terms of their physical, moral, spiritual, intellectual, social wellbeing and shall protect the best interests of the child. To achieve this, the state shall apply the principles of restorative justice in all its laws, programs, and policies for CICLs.

The Doha Declaration recognizes “the importance of effective, fair, humane and accountable crime prevention and criminal justice systems and the institutions comprising them as a central component of the rule of law”. Effective justice systems require the establishment and observance of a strong legal framework of accountability in instances where individuals are alleged as, accused of or recognized as having infringed the penal law such as youthful offenders.

The law, then provides community-based programs such as competency and life skills development, socio cultural and recreational activities, community volunteer projects, leadership training, social services, home life services, spiritual enrichment and community and family welfare services. In addition, the Sangguniang Kabataan has been given an opportunity to formulate and implement juvenile intervention and diversion programs in the community.

Intervention Program for CICL

As the state recognizes the vital role of the children and youth in nation building which complemented Dr Jose Rizals’ view that the “Kabataan ang Pag-asa ng Bayan”, international and national laws providing for the protection of CICL emerged. The following agencies are mandated by law to collaborate in the conduct of an intervention program: Local Government Unit (LGU), National Bureau of Investigation (NBI), Council for the Welfare of Children (CWC), Department of Education (DepED), Public Attorney’s Office (PAO), Department of Interior and Local Government (DILG), Bureau of Correction (BUCOR), Philippine National Police (PNP), Bureau of Jail Management and Penology (BJMP), Commission on Human Rights (CHR), Technical Education and Skills Development Authority (TESDA), National Youth Commission (NYC) and other institutions focused on juvenile justice and intervention program.

These agencies adhere to the Implementing Rules and Regulations (IRR) of Republic Act 9344 (2006), Programs for juvenile intervention and delinquency prevention, Rule 16 IRR of RA 9344, Juvenile Justice and Welfare Council Under the Department of Justice, Resolution Number 04 series of 2006. Taking the main context of the IRR defines an intervention program as a series of activities designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program, which may include counseling, skills training, education, and other activities that will enhance psychological, emotional and psycho-social well-being. However, the formulation of an intervention program that will be designed by LGU, NGO and other government agencies shall be aligned from the National Intervention Program. The LGU together with the Local Council for the Protection of Children and other sectors concerned shall formulate a Comprehensive Juvenile Intervention Program (Local Intervention Program) to be instituted from the barangay to the provincial level and shall cover a period of at least three (3) years. The local intervention

program shall be implemented with proper funding and shall be reviewed and assessed annually by the LGUs to the Juvenile Justice and Welfare Council (JJWC) through the DILG.

The main purpose of Philippine Juvenile Justice System is to rehabilitate CICL (Templa, 2004), various preventive intervention program geared towards reducing children's exposure to violence, this can be done through parenting programs, school-based interventions, social skills training programs and media interventions (Sanders 2012).

Children who are in prisons usually is the focus of CICL studies, others also use secondary data to present national situations, but an analysis of the local contexts are limited (Manuel, 2019). Hence, this study is based on that premise, however, will look into the challenges encountered in the implementation of the intervention program for CICL's through the lens of the social workers. We can never underestimate how the state value the child, yet, with the laws enacted for the protection of the child, there are still challenges that are met along the way. These challenges are worth investigating for the effectiveness of an intervention program for CICLs, thereby helping them to be productive citizens.

OBJECTIVES OF THE STUDY

The goal of this research is to determine the challenges encountered in the implementation of the intervention program for Child-in-Conflict with the Law (CICL) as perceived by the social workers who are hands-on in the implementation of these programs. Specifically, it sought to answer the following objectives: 1) describe the profile of the respondents in terms of age; sex; number of years in the service and 2) determine the challenges encountered in the implementation of the intervention program for CICL as to: behavior of CICL; parents' behavior towards the program, availability of personnel, financial support from the Government and physical facilities of the centers. The output of the research could be an additional input for policy making body to address the challenges encountered in the implementation of intervention programs for CICLs.

METHODOLOGY

Research Design

The study at hand is descriptive in nature, descriptive research design is defined as a research method that describes the characteristics of the population or phenomenon that is being studied (Salmorin, 2006). This research determines the challenges encountered by the social workers in the implementation of intervention programs for CICL.

Respondents and local of the study

The social workers are from the Philippines particularly in one Municipality (district 3) and two Cities (districts 4 and 6) in Region 02. They were chosen as respondents of this study for they are the front liners in the implementation of the intervention program for CICL. A total of 58 respondents chosen using purposive sampling comprise of 16 social workers from the Municipal/City Social Worker and 42 copartner social workers from the barangays.

Data Measure

To answer the objectives of the study, a self- made survey questionnaire was utilized, it was pretested and modified tailored fit to the objectives of the study. Part I described the profile of the respondents in terms of the age, sex and number of years in the service. The survey questionnaire ascertained responses of the respondents on the challenges encountered in the implementation of intervention program for CICLs. Responses are anchored through a 5-

point Likert scale of 1 (disagree) to 5 (strongly agree). For overall score of the respondents, the following ranges and descriptive equivalent as indicated in the questionnaire were used:

Weights	Ranges	Descriptive Equivalent
5	4.5-5.0	Strongly Agree
4	3.5-4.49	Moderately Agree
3	2.5-3.49	Agree
2	1.5-2.49	Slightly Agree
1	1.0-1.49	Disagree

For the gathering of data, the researcher coordinated with the Municipal/City Social Welfare and Development Head for the conduct of the study, also, the availability of social workers and their copartner social workers in the barangay was sought. Likewise, an informed consent was presented to the respondents respecting their willingness and/or refusal to take part in the study. Objectives of the study were well explained, after which, the survey questionnaire was personally administered to ensure valid and reliable data.

Statistical treatment

Descriptive analysis utilizing frequency counts to describe the profile of the respondents as to the number of age, sex and years in the service was used and weighted mean to determine the challenges encountered by the social workers in the implementation of the intervention program for CICL.

RESULTS AND DISCUSSION

This section presents the data gathered to answer the specific objectives of the study.

Table 1. Profile of the respondents

Profile	Frequency (n=58)	Percentage (100%)
Age		
21-25	6	10.34
26-30	7	12.06
31-35	8	13.73
36-40	8	13.73
41-45	10	17.24
46-50	9	15.51
51-55	5	8.6
56-above	5	8.6
Sex		
Male	12	20.68
Female	46	79.31
Number of years in the service		
21 years-above	4	6.89
16 years-20 years	5	8.62
11 years-15 years	5	8.62
6 years-10 years	18	31.03
2 years-5 years	16	27.58
1 year-below	10	17.24

Table 1 indicated the profile of the respondents according to their age, sex and number of years in the service. It revealed that the age between 40-45 years old and had the greatest number of respondents with the percentage of 17.24%. Also, there were 20.68% male and 79.31% is female respondents. The greater number of female social worker rather than male social worker perhaps may prove highest percentage of women graduates was under health, social worker, and other community development services (Bernales 2016). Furthermore, in terms of the number of years in the service of the respondents, 31.03% is the highest percentage between 6-10 years length of service. This means majority of the respondents have already been in the field and have seen and experienced various challenges in the implementation of the various intervention programs for CICL.

Intervention program for CIC

The intervention program for CICL includes *Psychosocial activities* (sports, team building, spiritual activities, gardening and counseling) and *Education* (Alternative Learning System). According to Ponterfract (2016), psychosocial support is a holistic field that involves many services beyond education. That may provide positive support for CICL. It is very useful for developing knowledge and skills that can allow CICL to engage positively with their friends, peers, family, and community members. Hence, helping them bounce back from their current situation to be more productive citizens. These activities are implemented by the respondents, what are the challenges encountered in the implementation of the program. Table 2 determines these challenges:

Table 2. Challenges Encountered on the Implementation of Intervention Programs for CICL

Items	Mean	Descriptive Equivalent
A. Behavior of CICL		
1. hard to establish rapport	3.03	Agree
2. uncooperative CICL'S	2.7	Agree
3. some CICL'S hard to cope up to the activities	3.03	Agree
4. they prioritize other matters	2.93	Agree
5. they were not focused on the activity	3.03	Agree
Grand mean	2.94	Agree
B. Parents Behavior Towards the Program		
1. unsupportive parents	2.66	Agree
2. lack of sympathy towards their sibling	2.53	Agree
3. pay no attention to the program	2.63	Agree
4. lack of participation	2.56	Agree
5. negative behavior of the parent	2.53	Agree
Grand mean	2.58	Agree
C. Availability of Personnel		
1. inadequacy of personnel	2.13	Slightly Agree
2. unavailability of personnel	2.20	Slightly Agree
3. lack of specialized personnel to conduct activity for Psychosocial	2.43	Slightly Agree
4. lack of specialized personnel to conduct activity for Skills	2.43	Slightly Agree
5. lack of specialized personnel to conduct activity for Education	2.5	Agree

Items	Mean	Descriptive Equivalent
Grand Mean	2.33	Slightly Agree
D. Financial support from the Government		
1. insufficient fund were given	2.33	Slightly Agree
2. delayed fund from relevant agency	2.06	Slightly Agree
3. disbursement of fund were not made	1.76	Slightly Agree
4. misappropriation of fund	2.0	Slightly Agree
5. no fund at all	1.76	Slightly Agree
Grand mean	1.98	Slightly Agree
E. Physical Facilities of the Centers		
1. center is not conducive	2.46	Slightly agree
2. lack of equipment's to be utilized	2.46	Slightly Agree
3. poor quality of equipment	2.73	Agree
4. insufficient space of the center	2.4	Slightly Agree
5. center is not strategically located	2.16	Slightly Agree
Grand mean	2.44	Slightly Agree

Table 2 revealed the computed mean for the challenges encountered in the implementation of intervention program for CICL. As to the behavior of CICLs, respondents “agree” on the items which are hard to establish rapport, uncooperative CICLs, CICLs hard to cope-up with the activities, they prioritize other matters and were not focused on the activity as indicated in the computed mean of 3.03, 2.70, 3.03, 2.93 and 3.03 respectively with the grand mean of 2.94 with the descriptive equivalent of “agree”. It can be noticed that the behavior of the CICL towards the intervention program is a challenge for the social workers, for example, building rapport is very important in starting any activity, doing so, CICLs may be more focused. The helping relationship should be established during the initial phase of any social work process, creating this relationship between child-clients and social workers is key to the successful outcome of social work intervention (Marais & Merwe, 2016). Once trust is formed between the CICL and the social worker, the helping relationship goes beyond ordinary conversations (Ruch, 2010 cited by Marais & Merwe, 2016). In addition, looking at the profile of the respondents as to their age in which majority are in their middle adulthood stage, building rapport can be an easy task since they have already gained a sense of generativity (Erikson, 1950 cited by Malone et al., 2016), generativity is making a mark in the society by nurturing others in order to create positive changes (McLeod, 2018). Also, the maternal instinct and nurturing nature of female respondents will make building trust and rapport can just be very spontaneous. Given the age and sex of the respondents can be seen to be an edge to motivate CICL’s behavior to have a more positive attitude towards the intervention program, yet the length of service of the respondents may seem significant in building rapport. Building rapport with young patients takes time (Kennedy, 2000), hence, having social workers who come and go, hinders the helping-relationship.

Similarly, the mean computed on parent’s behavior towards the program, as shown in the table, respondents “agree” on the items which are unsupportive parents, lack of sympathy towards their sibling, pay no attention to the program, lack of participation among parents and negative behavior of the parents indicated in the computed mean of 2.66;2.53;2.63; 2.56 and 2.53 respectively. This indicated that parents’ involvement in the implementation of any intervention program to be effective is very critical. Parental involvement is still not

adequately realized and are still underdeveloped. The parent-child relationship, whether positive or negative, is a significant factor in adolescent development. In promoting positive child outcomes in education, mental health, child welfare and juvenile justice, parental involvement is widely acknowledged of their crucial part in this undertaking (Burkey, 2015). A safe, nurturing and positive parent-child interactions place a role to the foundations for healthy child development (Gutman & Feinstein, 2010, Kirp, 2011).

Conversely, the mean computed on the availability of personnel, respondents “slightly agree” that there are inadequacy of personnel, unavailability of personnel, lack of specialized personnel to conduct activity for psychosocial and education with computed mean of 2.13, 2.20, 2.43, and 2.50 respectively with the grand mean of 2.33 (slightly agree). The personnel manning the intervention program are hands-on in the implementation of the intervention program, however, respondents “agree” that there is lack of specialized personnel to conduct activity for education as shown with its computed mean of 2.5. Educational intervention is essential to facilitate child’s social reintegration, prevent from re-offending and to make them productive members of the community.

On financial support, the table revealed that the respondents “slightly agree” that there are insufficient fund given, delayed fund from relevant agency, disbursement of fund were not made, misappropriation of fund and no fund at all as indicated in the computed mean of 2.33, 2.06, 1.76, 2.00 and 1.76 respectively with the grand mean of 1.98 (slightly agree) which indicate that the program is properly subsidized by the government, however, it can be noted that the item “insufficient funds given” though was rated to be “slightly agree”, topped this category on the challenges encountered by the respondents on the implementation of the intervention program. Thus, this means that at times, funds were still somewhat insufficient in the implementation of the program. According to Irene (2013) lack of funds is a hindrance in the implementation of the intervention program. Under sec 15 of RA 9344 stipulated that one percent (1%) of the internal revenue shall be allotted to barangays, municipalities, and cities for strengthening and implementation of the program of the Local Councils for the Protection of Children (LCPC). The disbursement of funds shall be a concern of LGUs.

Lastly, on physical facilities, as shown on the table, respondents “slightly agree” that the center is not conducive, lack of equipment to be utilized, insufficient space and center is not strategically located with computed mean of 2.46, 2.73, 2.40, 2.16 respectively with the grand mean of 2.44 (slightly agree) which means that the general physical facilities of the center was not that of a major problem in the implementation of intervention program. However, notice that respondents agree that there is “poor quality of equipment” with a computed mean of 2.73. This parallels with the rating given on the “insufficient fund”. Hence, this needs to be dealt with, conceivably the effectiveness of the intervention program can also be attributed to the quality of equipment used during its implementation.

In summary, results revealed that the challenges encountered by the social workers in the implementation of the intervention program for CICAL were mainly the behaviors of the CICALs and their parents. Also, the dearth of personnel especially those who specialized in the conduct of the educational program is evident. Although, the program is subsidized by the government, there is still not enough funds to cover all the needs which is reflected in the quality of equipment provided for the program.

CONCLUSIONS AND RECOMMENDATIONS

For an intervention program to be successful, the need for full cooperation of the beneficiaries is vital. A person’s cognitive mechanisms impacts his decision making for rehabilitation, depending on how he perceives a situation or an activity to be beneficial but

then a person has the capacity for adaptability if given the proper motivation and trust to accommodate new learnings.

Based on the findings of the study, it is then recommended that the social workers and other significant people who are involved in the implementation of the intervention program to consider the establishment of rapport and trust with the CICL in the initial phase of the helping relationship so that they will be able to embrace the activities presented. Special focus should also be given to parents of CICL with regards to their major role in the holistic development of their children, this can be done through a sensitivity parenting seminar, personality development or a reorientation of values. For social workers especially their copartner social workers in the barangay to continuously upgrade their knowledge on psychosocial activities. Further, the need for additional budget to make ends meet may be considered.

REFERENCES

- [1]. Bernales, L.S. (2016). *Employment Rate in October 2016*. Philippine Statistics Authority. <https://psa.gov.ph/content/employment-rate-october-2016-estimated-953-percent>
- [2]. Burkey MD, Hosein M, Purgato M, Adi A, Morton I, Kohrt BA, Tol WA. (2015). *Psychosocial interventions for disruptive behavioural problems in children living in low- and middle-income countries: Study protocol of a systematic review*. *BMJ Open*. 2015 May 20;5(5): e007377. DOI: 10.1136/bmjopen-2014-007377.
- [3]. Eyberg SM, Nelson MM & Boggs SR (2008). Evidence-Based Psychosocial Treatments for Children and Adolescents with Disruptive Behavior. *Journal of Clinical Child & Adolescent Psychology*, 37:1, 215-237, DOI: 10.1080/15374410701820117
- [4]. Gutman, Leslie Morrison; Feinstein, Leon (2010). Parenting behaviours and children's development from infancy to early childhood: Changes, continuities, and contributions. *Early Child Development and Care*, 180(4), 535–556. DOI:10.1080/03004430802113042
- [5]. Irene EA, Labid SC, Pacayra EA, (2011) Status of Children in conflict with the Law in Samar. Philippines: Input to intervention program, <https://www.academia.edu/52095776/>
- [6]. Kennedy, M (2000). *Building rapport with young patients takes time and skill*. National Library of Medicine. <https://pubmed.ncbi.nlm.nih.gov/10843022/>
- [7]. Manuel, E. (2019). The long-term effects of rehabilitation Programs for children in conflict with the law. *International Journal of English, Literature and Social Sciences* 4(6) <https://dx.doi.org/10.22161/ijels.46.54>
- [8]. Malone, J., Lui, S., Vaillant, G., Rentz, D. & Waldinger, R. (2017). Midlife Eriksonian Psychosocial Development: Setting the Stage for Cognitive and Emotional Health in Late Life. *Developmental Psychology* 52 (3) DOI: 10.1037/a0039875
- [9]. McLeod, S. (2018). *Erik Erikson's Stages of Psychosocial Development*. <https://www.simplypsychology.org/Erik-Erikson.html>

- [10]. Marais, C. & Merwe, M. (2016). Relationship building during the initial phase of social work intervention with child clients in a rural area. *Social work* (Stellenbosch. Online) 52(2) <http://dx.doi.org/10.15270/52-2-498>
- [11]. Salmorin, M. A. (2006). *Methods of research*. Manila: Mindshapers, Co., Inc
- [12]. Sanchez, J (nd). *Overview of Philippine juvenile justice and welfare*. https://www.unafei.or.jp/publications/pdf/RS_No101/No101_17_IP_Philippines.pdf
- [13]. Siegel, LJ, Senna JJ. & Welsh, B. (2006). *Juvenile delinquency: Theory, practice and law*. United States: Thomson Asian Edition.
- [14]. Templa (2004); Understanding Children in conflict with the law; Contradictions on Victimization, Survivor behavior and the Philippine Justice System: A Study of the Situation of Children in Conflict with the Law in Davao, <https://resourcecentre.savethechildren.net/pdf/3146.pdf/>