

SENATE

P. S. Resolution No. 280

Introduced by Senator FRANCIS G. ESCUDERO

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO LOOK INTO, IN AID OF LEGISLATION, THE EFFECTIVENESS AND APPROPRIATENESS OF REPUBLIC ACT NO. 9344 OR THE JUVENILE JUSTICE AND WELFARE ACT OF 2006, SPECIFICALLY SECTION 6 THEREOF, AS IT SEEKS TO ADDRESS THE COMMISSION OF CRIMES BY MINORS, WITH THE END IN VIEW OF ENACTING LEGISLATIVE MEASURES TO ADDRESS THE SAME

WHEREAS, Section 6 of Republic Act (RA) No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006, provides:

“SEC. 6. Minimum Age of Criminal Responsibility. - A child fifteen (15) years of age or under at the time of the commission of the offense shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of this Act.

A child above fifteen (15) years but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he/she has acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with this Act.

The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.”

WHEREAS, the above cited provision of law has amended Nos. 2 and 3 of Article 12 of the Revised Penal Code, which now practically exempts all minors from criminal liability.

WHEREAS, RA No. 9344 was enacted into law in 2006 to promote and advance the welfare of the youth against all forms of neglect, cruelty, exploitation and other situations prejudicial to their development and interest.

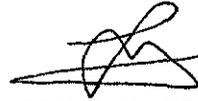
WHEREAS, despite such noble policy of RA No. 9344, reports reveal that crimes allegedly committed and perpetrated by minors have been and are considerably increasing.

WHEREAS, the above opposite effect of RA No.9344 should never be ignored if only to revert to and insist on its true intent and purpose in securing the welfare of the Filipino youth.

WHEREAS, criminal elements or syndicates, who make use of minors in the commission of crimes, should likewise never be allowed to continue on taking advantage of the above cited provision of RA No. 9344 which but undermines, if not destroys, the future and development of the Filipino youth.

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED that the Committee on Justice and Human Rights look into, in aid of legislation, the effectiveness and appropriateness of the Juvenile Justice and Welfare Act of 2006, Republic Act No. 9344, specifically Section 6 thereof, as it seeks to address the commission of crimes by minors, with the end in view of enacting legislative measures to address the same.

Adopted,



FRANCIS G. ESCUDERO