



POST-RELEASE PROGRAMS FOR CHILDREN IN CONFLICT WITH THE LAW: IMPLEMENTATION AND CHALLENGES IN THE PHILIPPINES CONTEXT

Dr. Gaypelyn M. Casiw, Dean, CCJ, Philippine College of Criminology

Dr Jomel B. PInera, Cagayan State University-Gonzaga Campus

ABSTRACT

The criminal justice system aims to rehabilitate Children in Conflict with the Law (CICL) and facilitate their successful reintegration into society. However, the ultimate measure of success lies in the outcomes for these children following the completion of rehabilitation programs. This study examines the level of implementation of aftercare support services, or post-release programs, for CICL in the Philippines. Utilizing a descriptive research design and purposive sampling technique, the study engaged 280 respondents to evaluate the effectiveness of these programs. The variables assessed included Aftercare Support Programs, Systems and Procedures, Inter-Agency Coordination, and Funding.

Findings revealed that respondents rated the level of implementation of aftercare support services across all variables as being achieved to “some extent.” However, the challenges encountered in implementing these services were deemed “serious.” Notably, significant differences were observed in the respondents' evaluations of the aftercare support program and funding. Further analysis indicated that funding significantly influenced the implementation of aftercare support services.

These results highlight the need to reassess the current post-release programs and to design service plans that are tailored, practical, and widely acceptable to stakeholders, including clients, implementers, and policymakers. The study strongly advocates for the development and enactment of a national policy to address the identified gaps and challenges in supporting CICL.

Keywords: *Children In Conflict With the Law (CICL), After Care Support Services, Rehabilitation, Reintegration, Philippines*



INTRODUCTION

Rehabilitation programs cover all aspects of the child's development and use different approaches and employ different principles and models of treatment and rehabilitation. These rehabilitation programs are designed depending on the needs of the juvenile delinquent and completed ultimately within the period prescribed by law. But obviously, the real measure of the success of a rehabilitation program is what becomes of the child after he has completed his rehabilitation program. The real challenge is ensuring that the child, after undergoing rehabilitation programs, actually reduces the likelihood of re-offending, that the child will go back to school and actually graduate, and that the child will eventually get gainful employment.

Re-entry begins the moment the child is discharged from the youth rehabilitation center after completion of the required rehabilitation program within the prescribed period of time. It marks the end of institutional-based rehabilitation and signals the beginning of community-based treatment. There is a need to look at effective measures in community-based treatment for juvenile offenders and how a child will be reintegrated into society without any restrictions or stigmatizing by members of the community. There is a need for an aftercare system which helps maintain the effect of a correctional treatment that reduces the risk of re-offending and enhances the juvenile's ability to reintegrate into the community (De Vera, 2008). Reintegration poses another problem for Children in Conflict with the Law. Despite the anonymity provided by law for them, it can be expected that Children in Conflict with the Law (CICL) will encounter problems the moment they return to their homes or community. But despite the global acknowledgment of the importance of rehabilitation and reintegration of the CICL, it is unfortunate that there are not many studies conducted and published that explore the success of these rehabilitation programs. There are very few studies that are readily available regarding the subject and those that are available are not necessarily current.

Previous studies mentioned that little is known about whether the models of rehabilitation employed for children effectively reduce rates of re-offending among youth transitioning from confinement. It further reiterates that evidence on the effectiveness of juvenile re-entry services in general is relatively scant. The same study quoted another study stating that less is known about their impact on an application with juvenile offenders transitioning from residential confinement back to the community. Historically overlooked in the Juvenile Justice System, aftercare programming has had scant success in reducing the prevalence, frequency or seriousness of re-offending (Lattimore and Visher, as cited by Early, Chapman and Hand, 2013).

Section 56 of Republic Act No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006, and the implementing rules and regulations of the same law provides that an after-care support services shall be given to children in conflict with the law who had been discharged from an institution for the youth, or whose cases had been dismissed by the proper court because of good behavior, as per recommendation of the Department of Social Welfare



and Development, the local government unit and/or any DSWD-accredited Non-Government Organization youth rehabilitation center. It further provides that the after-care support services for CICL shall be given for a period of at least six months. The services include programs such as counseling and other community-based services designed to facilitate social reintegration, prevent re-offending and make the children productive members of the community. The clear objective then of the after-care support is to help the child be reintegrated back to his family, his community and to society in general. The fundamental question is whether or not the government is successful in achieving this goal of reintegration for the children in conflict with the law. It is very common to find studies and scholarly papers written about the causes of juvenile delinquency and the measures recommended and employed to prevent them. However, what seems to be neglected in research is the aspect of after-care support services or post-release programs for the children in conflict with the law during their social reintegration.

THE RESEARCH PROBLEM

This research examined the implementation of the after-care support services for children in conflict with the law as a framework in the enhanced delivery of services of the Department of Social Welfare and Development.

Specifically, it sought answers to the following sub-problems:

1. Assessment of the implementation of the After –Care Support Services for Children in Conflict with the Law (CICL), in terms of:

- 1.a After-Care Support Programs;
- 1.b Systems and Procedures;
- 1.c Inter- Agency Coordination; and
- 1.d Funds.

2. Problems encountered by the former Children in Conflict with the Law (CICL) during the reintegration in mainstream society.

THEORETICAL FRAMEWORK

The Adolescence-limited theory of Terrie Moffitt’s developmental taxonomy constitutes the lion’s share of delinquents; indeed, nearly 90% of offenders are this type. According to Moffitt, adolescence-limited offenders are able to stifle any antisocial impulses that they may have and are therefore generally law-abiding citizens. However, as their name implies, they engage in delinquency for a brief period during their teen years. The impetus driving their deviance is the ambiguity of puberty and adolescent development. During the life phase, youth have difficulty grappling with quickly changing expectations and responsibilities that are a function of age. By observing the delinquent behavior of serious delinquents, a process Moffitt refers to as social mimicry, adolescence-limited offenders ascertain that a certain



level of autonomy and adult reinforcement comes from “bad” behavior. Indeed, a recent empirical assessment of adolescence-limited offenders found that, as theorized by Moffitt, they engaged in rebellious but not violent forms of delinquency during the difficult stages of puberty.

ETHICAL AND LEGAL CONSIDERATION

Adherence to ethics gives proper direction and fundamental ways to live an upright life in the profession and all the services it covers. Hence, it is imperative for this research to pass ethical and legal consideration for the protection of both the informants-participants and the researcher. The researcher conducted the study guided with the principles of (1) Autonomy; (2) Beneficence; (3) Non-maleficence; and (4) Justice.

METHODOLOGY

The study employed a mixed-method approach, integrating both quantitative and qualitative methodologies. Using a purposive sampling technique, four (4) distinct groups comprising a total of 280 respondents participated in the study. Data collection was facilitated through a detailed, self-structured survey questionnaire, which underwent rigorous validation processes, including concurrent validation and a dry-run pre-test.

For the dry-run validation, a pre-test survey was conducted with ten (10) individuals possessing relevant knowledge of the study. These individuals were not included in the main survey to ensure unbiased responses. Additionally, in-depth interviews were conducted with CICL participants to capture qualitative insights and enrich the study's findings.

POPULATION AND SAMPLING SCHEME

The target sample was 350 respondents, yet only 280 were able to answer the instrument. Out of 280 respondents, 125 or 45% represents the social workers from the social welfare services while 15 or 5 percent represents the social workers of the NGO, and the 88 or 31 percent belongs to the former CICL while 52 or 19 percent belongs to the guardian or parents of the CICL. The study utilized the purposive technique to determine the assessment of the respondents on the after-care support services of the CICL and the problems encountered in the implementation of the same.

RESEARCH INSTRUMENT

In gathering data, a self-structured survey questionnaire was utilized and divided into three parts. The first covers the demographic profile of respondents which includes the age, gender, civil status and educational attainment. The second part addressed the assessment of implementation of the After-Care Support Services for Children in Conflict with Law in terms of: After-Care Support Programs, Systems and Procedures, Inter- Agency



Coordination, Funds. And the third part covers the problems encountered by the respondents in the implementation of the Services for Children in Conflict with Law.

RESULTS AND DISCUSSION

1. Implementation of the After-Care Support Services for Children in Conflict with the Law as Assessed by the Local Social Welfare Officers, Social Welfare Officers of the NGO, Parents of CICL, CICL.

Table I. Summary of Obtained Mean of the After Care Support Services

1. After Care Support Programs	Weighted Mean	Description
<i>a. Formal education and vocational training assistance program.</i>	3.52	<i>Great Extent</i>
<i>b. Job referrals and placement</i>	2.97	<i>Some Extent</i>
<i>c. Continuous counseling program</i>	2.93	<i>Some Extent</i>
<i>d. Housing and other living arrangements</i>	2.60	<i>Less Extent</i>
<i>e. Monitoring program</i>	2.65	<i>Less Extent</i>
<i>Total Mean</i>	2.93	<i>Some Extent</i>
2. System and Procedure		
<i>a. Manual of operation is established.</i>	3.38	<i>Some Extent</i>
<i>b. Organizational structure</i>	3.20	<i>Some Extent</i>
<i>c. Flowchart of operation</i>	2.94	<i>Some Extent</i>
<i>d. Procedure guidelines are revisited.</i>	2.57	<i>Less Extent</i>
<i>e. Monitoring reports</i>	3.10	<i>Some Extent</i>
<i>Total Mean</i>	3.03	<i>Some Extent</i>
3. Inter-Agency Coordination		
<i>a. Coordination of Department of Education and Local Government Unit</i>	3.37	<i>Some Extent</i>
<i>b. Linkages between private schools and LSWDO</i>	3.48	<i>Great Extent</i>
<i>CHED and TESDA policies re: CICL</i>	2.69	<i>Some Extent</i>
<i>c. Linkages for job placement</i>	1.88	<i>Less Extent</i>
<i>Linkages for housing and accommodation</i>	2.62	<i>Some Extent</i>
<i>Total Mean</i>	2.81	<i>Some Extent</i>
4. Funds		
<i>a. Program sustainability</i>	2.90	<i>Some Extent</i>
<i>b. Allocation of funds in coordination activities.</i>	3.00	<i>Some Extent</i>
<i>c. Liquidation of expenses.</i>	2.02	<i>Less Extent</i>
<i>Total Mean</i>	2.64	<i>Some Extent</i>

Legend: 5 -Very Great Extent (VGE) 4 -Great Extent (GE) 3 - Extent (E) 2 -Less Extent (LE) 1 -None(N)



Aftercare Support Programs

The findings revealed varying levels of implementation of aftercare support programs. Among the five components, *formal education and vocational training assistance programs* were rated the highest with a weighted mean of 3.52 (Great Extent). This indicates a relatively robust implementation of programs that equip CICL with essential skills for reintegration. Conversely, *housing and other living arrangements* received the lowest mean of 2.60 (Less Extent), highlighting a significant gap in addressing the basic accommodation needs of CICL.

The overall weighted mean for Aftercare Support Programs was 2.93 (Some Extent), suggesting that while certain aspects of the programs are being implemented, others, particularly job referrals, continuous counseling, and monitoring, require substantial improvement to ensure comprehensive support for CICL.

Systems and Procedures

The assessment of systems and procedures also highlighted areas for improvement, with an overall mean of 3.03 (Some Extent). The establishment of a *manual of operation* was rated the highest (3.38, Some Extent), reflecting progress in formalizing operational guidelines. However, *revisiting procedure guidelines* received the lowest rating (2.57, Less Extent), pointing to the need for regular updates and evaluations of existing protocols to enhance program efficiency.

Inter-Agency Coordination

Inter-agency coordination was another critical area assessed, with an overall mean of 2.81 (Some Extent). While *linkages between private schools and local social welfare development offices* were rated the highest (3.48, Great Extent), *linkages for job placement* received the lowest mean (1.88, Less Extent), signaling a pressing need to establish stronger partnerships for employment opportunities for CICL. Similarly, the coordination of housing and accommodation services was rated as needing improvement (2.62, Some Extent).

Funds

The availability and utilization of funds were found to play a significant role in the implementation of aftercare support services. The overall mean was 2.64 (Some Extent), indicating moderate challenges in financial sustainability. While *allocation of funds for coordination activities* received the highest rating (3.00, Some Extent), *liquidation of expenses* scored the lowest (2.02, Less Extent), reflecting inefficiencies in financial accountability and reporting.



DISCUSSION

The findings underscore the uneven implementation of aftercare support services for CICL in the Philippines. Despite commendable efforts in formal education and establishing operational structures, significant gaps persist in critical areas such as job placement, housing, and continuous counseling and monitoring programs .

The results point to the need for a multi-faceted approach to address these challenges:

1. Enhancing the allocation and utilization of funds to sustain and expand aftercare services.
2. Strengthening inter-agency coordination, particularly in job placement and housing support, to provide holistic post-release care.
3. Revisiting and updating operational guidelines to ensure relevance and efficiency.

2. Problems encountered by the former Children in Conflict with the Law (CICL) during the reintegration in mainstream society.

The study found that of the 88 CICL, only 5 graduates surveyed, 8 are currently employed, 7 of them are continuing education and 26 are unemployed. Forty-two (42) have been rearrested, of which 21 have been sent back to Youth Detention Cells for rehabilitation and 21 committed in jails. Among the 7 who are continuing education, 5 are in middle secondary level and 2 each in higher secondary and lower secondary levels. It then shows that for their continuing education in the secondary level, vocational schools and college, the difficulty in retrieving their school records and enrolment as well is a factor. Strong linkages of the concerned agencies are strongly recommended.

Of the 5 graduates who are currently working felt it was very difficult to get employment. The high level of difficulty to get jobs after release is attributed to factors such as lack of required vocational skills, job opportunities and financial constraints. Past record and social stigmatization also tend to pose challenges while they look for employment. The study showed that a juvenile's criminal record presents obstacles to securing employment, thus, it is key that these records can be expunged.

On housing and living arrangements, out of the 88 CICL, 24 were accepted by their family, 22 were accepted by relatives, 42 went back to street life as they are not accepted by their families, then embraced illegal activities and re-offending. The need then to

During the reintegration, CICL experienced being labeled as delinquent or criminal by their own family members, relatives, peers and the community as a whole, then they became outcast and began to go back to their old way in dealing with illegal activities fashioned with strength and skills.



Gap of the Study

The study addresses the implementation of aftercare support services for CICL but reveals significant gaps in areas such as job placement, housing support, and financial accountability. While existing programs like formal education and vocational training assistance are moderately implemented, there is limited evidence of comprehensive, well-integrated systems that cater to the holistic needs of CICL after their release. Furthermore, the lack of strong inter-agency coordination and sustainable funding mechanisms hampers the effectiveness of these programs.

This gap points to the need for a deeper investigation into the following:

1. The long-term impact of aftercare services on the reintegration and rehabilitation of CICL.
2. The effectiveness of inter-agency collaboration in addressing employment and housing needs.
3. The development of sustainable funding models and financial management practices for post-release programs.
4. The perspectives of CICL themselves regarding their needs and the adequacy of aftercare services.

REFERENCES

- Bartollas, C. P. & Conrad, J. P. (2010). *Introduction to Corrections*. New York: Macmillan Publishing Company, Inc.
- Bowker, L. H. & Winfree, L. T. (2011). *Corrections: The Science and the Art*. New York: Sage Publication, Inc.
- CASIW, G. M & PINERA, J.B. (2023). Adversities and Victimization Among Grown-Up Street Children in Quezon City, Philippines: An Exploratory Study. *International Journal of Advanced Research in Management and Social Sciences*, 12(11), 1-13.
- De Vera, C. S. (2008). *Child Care A Juvenile At Law Making: Revisiting The Justice System for Children In Conflict With Law*. Manila, Philippines: Hunts Publishing Center.
- Foronda, M. A. (2011). *Correctional Administration*. Quezon City, Philippines: Wisema'n Books Trading, Inc.
- Jones, M. M. & Johnstone, P. S. (2012). *History of Criminal Justice*. California: Wadsworth, a Division of Thomas Learning, Inc.
- Miethe, T. D. & Lu, H. F. (2005). *Punishment: A Comparative Historical Perspective*.



California: Wadsworth, a Division of Thomas Learning, Inc.

Moreno, F. B. (1998). *Philippine Correctional System*. Quezon City, Philippines: Rex Printing Company, Inc.

Schmallager, F. S. & Smyka, J. O. (2009). *Corrections in the 21st Century*. New York: McGraw Hill Inc.

Stohr, M. K. (2012). *Corrections: The Essentials*. California: Sage Publications, Inc.