

**PAO, DSWD, PNP, and the Courts:  
In a Shared Mission  
on Child Diversion**

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**Seminar-Workshop for PAO Lawyers,  
Social Workers and PNP Officers  
on Child Diversion**

**Hotel Venezia, Renaissance Gardens  
Washington Drive, Legazpi City**

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I am glad to see all of you here today, the second day of your three-day seminar-workshop. I was not able to join you yesterday because I had a meeting with some PAO officials at the Central Office.

Among the very important issues that we talked about were administrative matters which I considered as pressing issues that we had to deal with immediately. The PAO cannot afford to have an internal problem, bleeding like an unattended wound, for this could affect the effective delivery of legal services to the masses. This could affect the pace that we take in the implementation of our mandate and our advocacies, which include restorative justice. And when

we talk about restorative justice, could child diversion be far behind? No, of course, not.

We very well know that child diversion is an example of how the principle of restorative justice works. We, PAO lawyers, our fellow child rights advocates from the courts, the Department of Social Welfare and Development (DSWD), and the Philippine National Police (PNP), share a common mission for the Filipino children, especially the Children in Conflict with the Law (CICL). All of us consider *diversion* as a vital tool in advancing their *best interest*.

We come here today not because it is one of the demands of our jobs. We are here for a nobler reason. Our attendance, coupled with our active participation, in yet another seminar dedicated to the CICL is a proof of our commitment to these young people who have had brushes with the law but have continuously enjoyed our faith in their ability to reform and become productive members of our society.

It is also an opportunity for us to learn from each other how we can better serve the young people in our country who need the care and mercy of the rehabilitative and restorative justice that we, their elders, profess. Likewise, it is a good time for us to renew our commitment to these young people, and to strengthen each other's resolve to help them heal their bruised self-esteem and regain their self-worth. (Here is a tip on how to always be aligned with our advocacy. When our compassion for our CICL clients is ebbing and our sense of mission for their cause is drifting let us remind ourselves with these words from

the children's Divine Advocate: "Allow the little children and do not prevent them from coming to Me, for of such is the kingdom of the heavens." [Matthew 19:14])

This seminar-workshop is designed to make the participants more respectful of the universal rights of children, more responsive to their needs, and more committed to the unfortunate sector of our young people, many of them have been driven by their own dysfunctional families to roam the streets, seek the company of "rugby sniffers" who commit petty crimes and in the process became tainted with the stigma of a criminal.

Evidently anchored on our very noble objectives, this seminar-workshop, enjoys the support of the United Nation's Children's Fund (UNICEF), our generous sponsor for more or less five (5) years now. It is worth mentioning that this would not have been made possible if not for the Memorandum of Agreement signed in 1998 by the UNICEF and the Philippine Government through Her Excellency President Gloria Macapagal-Arroyo, who was still our vice president then.

As the CICL's tireless and compassionate advocates, we have to remind ourselves "that diverting the child away from formal court proceedings is not a means to tolerate the misbehaviors of the erring child." (Melanie Ramos-Llana, "More Than Justice," *Intersect*, April-June 2005, p. 36)

*Sa tingin ko mahalagang linawin na bagama't inuunawa natin ang kalagayan ng mga kabataang naliligaw ng landas, hindi nangangahulugan na*

*kinukunsinti natin ang kanilang mga pagkakamali at kasalanan sa lipunan. Hindi natin sila matutulungan sa maling pagkaintindi o paraan ng pagkaawa o pagmamalasakit man.*

“Diversion is not an option for a CICL to evade the due process of law or to escape imprisonment. It is a process that aims to promote the best interest of the child and at the same time ensure that the ‘punishment’ for a crime is proportional to the age, development and circumstance of the child offender.” (Ibid.)

I trust that our hearts are in the right place as we deal with the plight of the CICL that we counsel, that we represent, and that we help face the truth and see the liberating effect of accepting one’s mistake. To the erring CICL, we are compassionate; but their misdeeds, we do not tolerate.

I would like to take this opportunity to share with you some good news. First, the PAO was able to serve ten thousand one hundred thirty-four (10,134) Children in Conflict with the Law for the first semester of 2005. (Last year we rendered free legal assistance to a total of seventeen thousand three hundred forty-five (17,345) CICL.) Second, the Comprehensive Juvenile Justice Bill sponsored by Honorable Senator Francis “Kiko” Pangilinan has already been approved by the Senate; and third, the Honorable Senator Juan Ponce Enrile has introduced Senate Bill No. 2171, entitled *An Act Reorganizing and Strengthening the Public Attorney’s Office (PAO), Amending Pertinent Provisions of the Administrative Code of 1987, As Amended, and for Other Purposes.*

The Explanatory Note of Senate Bill No. 2171 states, among others, that “the bill xxx assumes the designation of the Public Attorney’s Office as an attached agency of the Department of Justice and **further vesting it with independence and autonomy in the exercise of its functions.**” (Emphasis supplied)

We have to thank the Senate headed by the Honorable Franklin Drilon. Special mention goes to Honorables Francis “Kiko” Pangilinan, Juan Ponce Enrile, and their fellow senators who have been supportive of our mission for the Filipino children, and the indigent clients of PAO.

Please join me in lobbying for the immediate approval of the “PAO Bill” in both houses of the Congress. Your representatives at the Lower House could deliver the much-needed votes for our bill to become a law.

I would like to thank the PAO lawyers, PNP investigators, court personnel, and DSWD social workers who are with us in this seminar. They bring forth compassion and fairness to the poor people of Region V who are in search for justice. *Nagbibigay-pugay po ako sa inyong lahat! Patuloy na naniniwala ang pamunuan ng PAO sa inyong kakayanan at katapatan sa paglilingkod.* I would also like to express the PAO’s gratitude to our speakers and lecturers — Child-sensitive judge, the Honorable Nimfa C. Vilches, Mr. Ray Dean Salvosa, and Atty. Carlos P. Medina, Jr. — for sharing with us their time and knowledge.

*Taus-pusong pasasalamat din ang pinaaabot ko kina Dr. Nicholas K. Alipui, at Atty. Alberto T. Muyot, Project Officer for Juvenile Justice ng UNICEF,*

*sa walang sawang paggabay sa aming pag-akay sa mga batang naliligaw ng landas.*

Thank you very much for your participation in this seminar, and for your support to our Child Diversion Program. *Mabuhay kayong lahat! Nawa'y patuloy nating maramdaman ang patnubay ng ating Panginoon sa pagganap natin sa ating misyon.*

**-End-**