

Perceptions on Lowering Minimum Age Criminal Responsibility: A Survey Among Household Heads

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Abstract: This study sought to determine the perceptions of the household heads of Valencia City, Bukidnon on the House Bill No. 8858 amending Republic Act 9344 of lowering the Minimum Age of Criminal Responsibility or MACR. The data of the study was gathered through a survey method; quantitative descriptive method was used. The study revealed that respondents perceived the lowering of MACR as beneficial for the juvenile offenders. Additionally, the respondents perceived this action as a vehicle to promote peace, enhance public safety, and to alleviate poverty in the county. Besides, they believed that CICL ages 12 to 14 years old, should be imprisoned because they are capable of doing criminal actions, and for the parents to become responsible guardians. Lastly, while the respondents less favored the imposition of fines as an alternative measure aside from lowering the MACR, they preferred house confinement as a method to address criminal activities among youth and children. The study recommends that the government should conduct awareness campaigns on juvenile justice particularly the local government of Valencia City. Also, the academe should make similar researches regarding the topic to provide additional but important evidences regarding the standpoint of the public for this particular issue.

1. Introduction

The issue of the suitability of the formal criminal court for adults in dealing with the juvenile delinquencies brings the substantial debate on the appropriate Minimum Age of Criminal Responsibility or MACR. Unfortunately, there is no categorical international standard on this

facet of the juvenile justice system. For this reason, MACR became inconsistent across the globe, and the law-making bodies are continued to be challenged in coming up with perceptible solution for this problem. In Australia, for example, there are debates to increase the MACR from 10 to 14 years old.

The Parliament of Scotland also voted to raise the age from 8 to 12 years old in 2019 (Charles & Brown, 2019). However, Australia and New Zealand are taking their steps to lower the MACR (Child Rights International Network, 2018). In the Philippines, it became an important topic when the House of Representatives approved the House Bill No. 8858 on the third and final reading on January 28, 2019. The bill seeks to lower the country's MACR from 15 to 12 years old, thereby amending the Republic Act 9344 or the Juvenile Justice Act of 2006. This move is in response to the request of President Rodrigo Duterte in order to fulfil his promise to hunt down drug crime syndicates.

The MACR becomes a very important topic in the arena of scientific research, particularly in the field of social sciences. There are continuing contradicting perceptions and arguments that dominated the several scholarly works and news outlets regarding this topic. Those who advocate lowering the MACR argue that syndicates have been taking advantage of the provisions of the current law by using minors in undertaking their criminal activities, thereby blaming the Juvenile Justice Law on the increasing crime rates of the country (Belonio, 2017).

On the other hand, lawmakers who are against the bill contend that the government should instead hunt the real big-time syndicates and other criminals who are free from prison until today. The medical community, particularly the field of psychology, also claims that children at this

age should not be jailed since they are incapable of discernment (Belonio, 2017).

Although scholars have long suspected that the appropriate age for criminal liability should be anchored on the scientific evidences such as the ability of the brain to make rational decisions; there has little research studies with regards to the perceptions of the household heads on lowering the MACR. The household heads are perceived as having a significant value in their respective homes as the breadwinners of the family. Nwoko (2020) contends that their ability to sustain the needs of the household denotes a degree of authority that is being acknowledged by the members of the family. This study is concerned to determine the perceptions of the household heads on the House Bill No. 8858 amending Republic Act No. 9344 of lowering the MACR.

The study was conducted in the 10 barangays of Valencia City, Bukidnon with highest crime incidents from 2016 to 2019 in order to further assess the status of the City when it comes to youth and child related delinquencies. It utilized quantitative-descriptive design in interpreting the data from respondents gathered through survey method. Through this, the study determined the respondents' perceived advantages and disadvantages of lowering MACR to the child offenders and to the community or society. Finally, the study determined the standpoint of the respondents as to whether children, ages 12 to 14 years, who commit serious crimes should be imprisoned, and alternative measures aside from lowering the MACR.

2. Objectives

The over-all objective of the study was to determine the perceptions of the household heads of the selected barangays of Valencia City, Bukidnon on the House Bill No. 8858 amending Republic Act No. 9344 of lowering the minimum age of criminal responsibility. This was accomplished by determining the following:

1. perceived advantages and disadvantages in lowering the MACR from 15 to 12 years old to child offenders and to society or community;
2. respondents’ beliefs that children, ages 12 to 14 years old, who commit crimes should be jailed, and
3. alternative measures for child offenders aside from lowering the minimum age of criminal responsibility.

3. Methodology

Research Method

In studying the perception of the general public using the set of constructs as indicators, quantitative-descriptive approach was perceived as a suitable method in the “identification and description of people’s opinion about a phenomenon from the survey method” (Ochieng & Koske, 2013). In this process, the descriptive analysis was used in interpreting the numeric data from the questionnaires, as Bhattacharjee (2012) considers it as a way of “statistically describing, aggregating, and presenting the relationship of the concept being studied.”

The response scale or the rating scale expressed in Table 1 aided the researcher in understanding and interpreting the coded data.

Table 1. Perception Rating Scale

Rating	Mean Values	Descriptive Rating	Details
1	1.0-1.49	Strongly Disagree	Means the respondents are utmost favor with the statement.
2	1.50-2.49	Disagree	Means that the respondents disapprove with the statement.
3	2.50-3.49	Undecided	Means that the respondents are neutral and do not have a stand on the statements.
4	3.50-4.49	Agree	Means that the statements coincide with the respondents’ opinion and perceptions.
5	4.50-5.0	Strongly Agree	Means that the respondents extremely oppose with the statement

Research Instrument

The study used a structured survey questionnaire devised methodically. The researcher used indicators that come from the scientific findings of the existing literatures in the discussion of MACR or the juvenile justice system in general. Also, the statements of the significant actors who are pro and against the bill were used as indicators: a way of determining whether the respondents are in favor or against the bill.

Furthermore, after the researcher crafted the questions based from the existing literatures, a statistician then reviewed the

format and the design of the questionnaire along with the research panel. This was to make sure that the instrument is effective in gathering the necessary data for the study. Finally, the researcher first conducted a pre-test for the questionnaire to 10 respondents before conducting the actual survey. Because of this, the questionnaire’s vague wordings were re-structured, and the design was reformatted.

Background of the Research Locale

Located in the central part of the Province of Bukidnon, Valencia City was the locale of the study. It has 31 barangays with a total population of 192, 993 (Valencia City Planning and Development Coordinator Office). Being the most populous City in the Province of Bukidnon, it serves as the center of trade and business. In fact, the City started earning billions since 2017 along with nine other cities of Mindanao. From

rank 75th in 2015, rank 47th in 2016, the City of Valencia now ranks 37th among all the component cities of the Philippines (Seeds of the Golden Harvest: The 2018 Accomplishment Report, 2018).

In terms of its children and youth crime-related actions, one of the major acts undertaken by the City was the curfew time of 10:00 PM to 4:00 AM for minors since Mindanao was placed under Martial Law in 2017. Accordingly, the imposition of curfew has revealed significant reduction of crime index which contributed to the City’s peace and order. In fact, crime statistics shows a 48% decline of crime incidents from 2016 to 2018, as recorded by PNP (Seeds of the Golden Harvest: The 2018 Accomplishment Report, 2018).

In this essence that the study was specifically conducted in the 10 barangays of the Valencia City with the highest

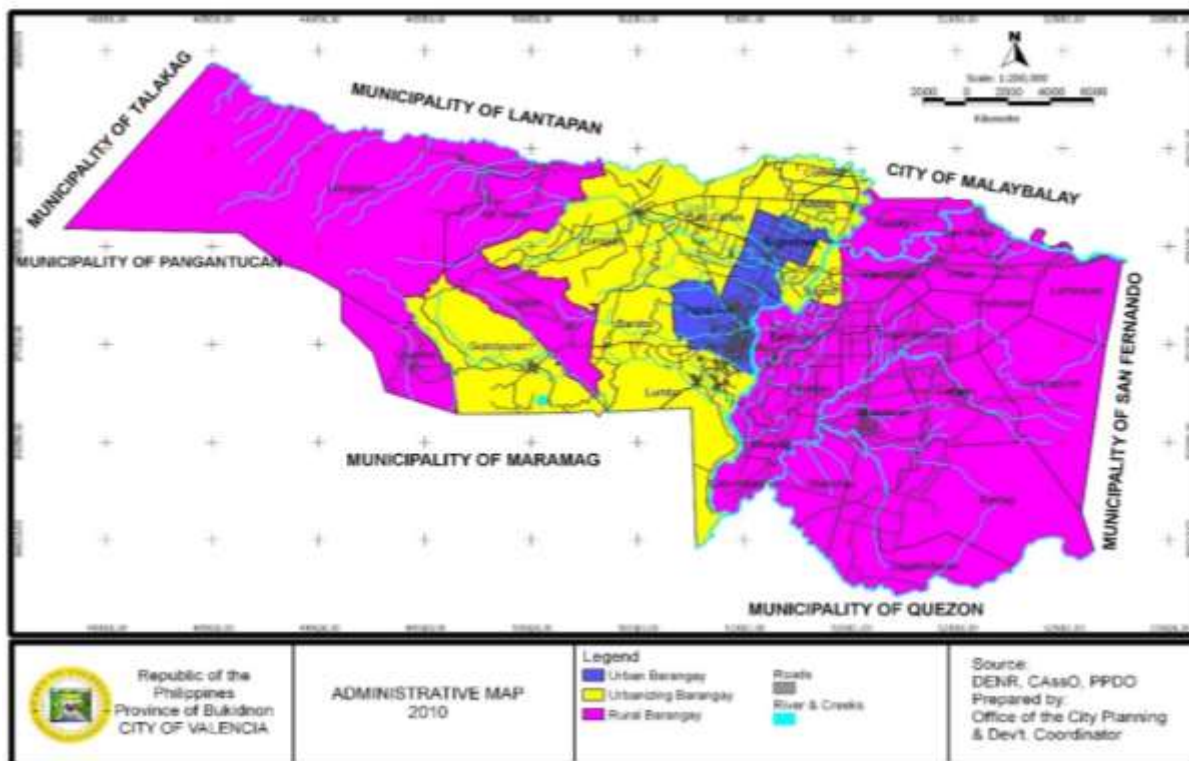


Figure 1: Map of the Research Locale

recorded crime incidents from 2016 to 2019. With this, it will further assess the insights of the residents about the crime status of the City, particularly, those that are related to youth and child delinquencies. These barangays were Poblacion, Lumbo, Bagontaas, Batangan, Mailag, Kahaponan, Lurogan, Colonia, Lilingayon and Tongantongan.

Research Samples

The ability to make the vital decisions for the whole family and being able to support their needs have been the key factors in selecting the household heads as respondents for this study. They were perceived to provide the essential data needed to answer the research questions as having a significant value in their respective homes as the breadwinners of the family. Their capacity to sustain the needs of the household denotes a degree of authority that is being acknowledged by the members of the family. They provided wide array of views regarding the House Bill No. 8858.

The City has a total of 44, 159 households according to the *City Planning and Development Coordinator Office*. There were a total of 26, 104 household heads of the abovementioned top 10 barangays.

Thus, it represented the population size for the study. In determining the total number of respondents, Slovin’s formula was used. As a result, there were 100 respondents who statistically represented the entire population.

Moreover, the summarized data in Table 2 shows that Top 10 barangays with highest recorded crime incidents, total number of households and respondents per barangay. As mentioned, the top 10 barangays were determined based on the latest data provided by Philippine National

Police of Valencia City. The number of households per barangay was provided by the Valencia City Planning and Development Coordinator Office, with the latest record from 2015. Lastly, the number of respondents per barangay were determined through the proportional allocation, as prescribed and computed by the university research statistician.

Table 2. List of Top 10 Barangays with Total Number of Households

Barangay	No. of Households	No. of Respondents
Poblacion	8,527	33
Lumbo	3,829	15
Bagontaas	2,380	9
Batangan	2,769	11
Mailag	1,615	6
Kahaponan	1,459	5
Lurogan	1,786	7
Lilingayon	1,371	5
Colonia	687	3
Tongantongan	1,681	6
TOTAL	26, 104	100

Data Gathering Procedure

Firstly, the study exploited a random sampling method in choosing the respondents. The questionnaires were distributed to the household heads near the identified spots in every barangay. These identified spots were government facilities, sports facilities, and convenience (sari-sari) store. This was done to randomly select a respondent for the survey and avoid the selection bias of a household. The aforementioned areas are also considered the most influential in shaping a topic or perspective on an issue because gatherings are usually conducted in these places. For instance, in Barangay Poblacion, the survey questionnaires were distributed to the household heads near the *Valencia City*

Gymnasium and Cultural Center, which is a government facility.

Secondly, the data was collected through a survey method as it is deemed appropriate in a descriptive research with individual people as the unit of analysis and an excellent vehicle in measuring a wide variety of unobservable data such as people’s preferences about a new law or proposed policies (Bhattacharjee, 2012). Specifically, self-administered survey was utilized as a way to minimize physical contact and reduce the risk of the on-going Coronavirus Diseases 2019 or COVID-19.

Lastly, the collected data was analyzed through the frequency counts and mean values. To process the data from the survey questionnaires, data coding, data entry and data analysis were done through a computer software program called SPSS together with the supervision of the statistician.

4. Results and Discussion

Respondents’ Perceived Advantages and Disadvantages in Lowering MACR from 15 to 12 years old to the Child Offenders

The HB 8858, if passed into law, will seriously affect the children or youth ages 14 to years old to 12 years old, as the proposed law sought to lower the MACR from 15 years old to 12 years old. This action of the legislative branch received backlash not just from the opposition but also from various sectors of the society. Urbas (2000) explains that the most challenging area in criminal justice is providing proper legal solutions for the children until they assume full responsibility for their actions. Myriad views and opinions about the bill were dominating the news and academic studies for the past five years because setting the MACR is always been

challenging to the lawmakers not just in the Philippines but across the globe. In this context, the study uncovered the perceptions of the household heads in the selected barangays of Valencia City on the House Bill No. 8858.

Advantages of the Bill to the Child Offenders

In the discussion of reducing the recidivism rates among juvenile offenders, despite the scientific evidences published by the medical community particularly the field of psychology and several related studies on the negative effects of the criminal justice system towards child and youth, the respondents perceived that lowering MACR will stop or prevent children from re-offending.

Table 3. Respondents’ Perceived Advantages in Lowering MACR from 15 to 12 years old to the Child Offenders

Indicators	Mean Value	Qualitative Description
It will stop or prevent children from re-offending	4.09	Agree
It will assure that the child offenders will be reintegrated into society	3.76	Agree
This will prevent interruption in case the child offender is currently studying or working.	3.73	Agree
Average	3.86	Agree

As shown in the Table 3, the first item received the highest mean response accounted for 4.09 (agree). Just the same as the first item, respondents also perceived that this action by the legislative branch will assure that the child offenders will be

reintegrated into society. The second statement received the second highest mean response with 3.76 (agree). This result implies that respondents agreed that the rehabilitation programs will improve child's social functioning for them to be eventually reintegrated to their families and to their communities as well. In fact, the Restorative Justice Council (2015) claims that rehabilitation will allow the offended party to "communicate" with their offender in order to assess the intensity of the crime committed and empower the victims by giving them the chance to explain their sides. Also, according to Lipsey et al. (2000), there was re-offending reduction based on the "statistical findings of the statistical findings of 200 studies found that the average intervention effect for these studies was positive, statistically significant, and equivalent to a recidivism reduction of about 6 percentage points from a 50-percent baseline."

Lastly, the statement saying that lowering MACR "will prevent interruption in case the child offender is currently studying or working" received the lowest mean response of 3.73 (agree) but still on the same qualitative description. This indicates that respondents perceived the lowering of MACR as advantageous to the child offender because the skills training, and education will assist them in their livelihood and their schooling even when they are inside the child-caring facilities or "Bahay Pag-asa." Indeed, in the study conducted by Esa, et al. (2017), trainings in the rehabilitation centers provided benefits to the trainees and they agreed that there was positive outcome when they enrolled for rehabilitation program.

The statements on the advantages of lowering MACR received positive responses were connected to the principles of restorative justice in the context of the child

offenders. As reported by Penal Reform International (2013), in order to facilitate this principle, there is a need to provide child-appropriate proceedings, programs and services for prevention, diversion, rehabilitation, re-integration and aftercare. Respondents believed that these programs carried by the principle of restorative justice, along with lowering MACR, will help the children particularly the child offenders.

Disadvantages of the Bill to the Child Offenders

The respondents were neutral in terms of the statements on the disadvantages of lowering MACR to the child offenders. As expressed in Table 4, the item saying that "lowering MACR will destroy the life of the child offenders because they will be exposed to juvenile justice system," received the highest mean response of 2.90 (undecided). Next to this was the statement that goes, "lowering MACR will make the child offenders create more crimes because they will undergo criminal justice system" which accounted for 2.86 (undecided) mean response. Finally, the last indicator acquired 2.78 (undecided) mean response was the statement saying, "Child offenders will be at risk since they will be subjected to detention facilities." Given this, the result indicates that respondents did not have any strong perceptions on the disadvantages of lowering MACR from 15 to 12 years old, they have no stand on these issues. They do not see these indicators as disadvantageous to the child offenders, which are contrary to the earlier section.

In essence, the main issue on the disadvantages of lowering MACR to the child offenders is the negative effects of the criminal justice system of the country. It tackles on the poor implementation of the programs on the current law, the inherent institutional deficiencies of the country's

criminal justice system, and the negative effects of the exposure to correctional facilities. The delays in the processing of cases filed in the court due to the overcrowded court dockets is a long-lasting problem that impede justice progression to work effectively.

Table 4. Respondents’ Perceived Disadvantages in Lowering MACR from 15 to 12 years old to the Child Offenders

Indicators	Mean Value	Qualitative Description
Child offenders will be at risk since they will be subjected to detention facilities.	2.78	Undecided
It will make the child offenders create more crimes because they will undergo criminal justice system.	2.86	Undecided
It will destroy the life of the child offenders because they will be exposed to juvenile justice system	2.90	Undecided
Average	2.85	Undecided

Belonio (2017) states that Fr. Shay Cullen of Manila Times witnessed that the children with ages 7 to 17 years in “Bahay Pag-asa” in Metro Manila are experiencing lack of food and neglect from the local government units. Thus, the growing numbers of children getting arrested resulted to the alarming living conditions in the prisons. Given this context, the result indicates that respondents did not have any strong perceptions on the disadvantages of lowering MACR from 15 to 12 years old, they have no stand on these issues. They do not see these indicators as disadvantageous

to the child offenders, which are contrary to the earlier section.

Respondents’ Perceived Advantages and Disadvantages in Lowering MACR from 15 to 12 Years Old to the Society/Community

The action towards lowering the MACR correspondingly has perceptible impact to the society or within the community. Its advantages are grounded on the concept of restorative justice, which is presently operating in the country. However, several studies revealed that this proposed change in the juvenile justice also has negative implications. This section determined the perceptions of the respondents on lowering MACR in the context of the society or community.

Advantages of the Bill to the Society or Community

The results indicate that the respondents’ perceptions coincide with the statements on the advantages of the lowering MACR to the society or community. As expressed in Table 5, the item that states, “It will enhance public safety” received the highest mean response of 4.21 (agree). Next to this is the statement that goes “It will promote peace” with mean response of 4.35 (agree).

This means that respondents perceived that if the MACR will be lowered from 15 to 12 years old, peace and public safety will develop. These perceptions from the respondents are akin to the goals of the restorative justice backed-up by several studies. Penny (2015) states that restorative justice was used as a vehicle to promote peace starting from the 1970s because it allows a “mediated” communication by the offenders and the victim.

In schools, restorative justice promotes conflict resolution techniques through the use of mediation, peace circles, family and community involvement and restitution. Finally, it was used for the purpose of maintaining public safety since it is perceived as way of treatment and management which rehabilitates the child offender and the community that resulted to the decline of future criminal activity by 12% (Public Safety Canada, 2009).

Table 5. Respondents’ Perceived Advantages in Lowering MACR from 15 to 12 years old to the Community/Society

Indicators	Mean Value	Qualitative Description
It will alleviate poverty in the society.	3.61	Agree
It will promote peace	3.91	Agree
It will enhance the public safety	4.21	Agree
Average	3.91	Agree

Lastly, the item that states, “It will alleviate poverty” received the lowest mean response with 3.61 (agree). Although the statement ranks third out of the three indicators, the result also mean that the respondents perceived that lowering MACR will address the most rampant problem in the Philippine-poverty. This perception of the household heads brings the discussion on “social capital” in the application of the principles of restorative justice in the justice system of the country. As cited by Furman (2012), providing work for restorative justice procedures encourage the concept of “social capital” that is important in confronting poverty. The significant impact of social capital is to influence an interconnected relationship of the

community members, including local economies, racism crimes, and poverty (Maruna & King, 2009).

Disadvantages of the Bill to the Society or Community

As shown in Table 6, with the general mean response of 3.24 (undecided) the respondents were neutral on the statements regarding the disadvantages to the society or community in lowering MACR. The statement that goes, “It will increase the youth custodial sentences” got the highest mean response of 3.71 (agree). This entails that there were some respondents who perceived that lowering MACR will be disadvantageous to the society because prisoners in the detention facilities will increase.

Table 6. Respondents’ Perceived Disadvantages in Lowering MACR from 15 to 12 years old to the Community/Society

Indicators	Mean Value	Qualitative Description
It will increase the youth custodial sentences	3.71	Agree
It will create negative effects to the relationship of the people living in the community.	3.23	Undecided
It will create a hostile community	3.31	Undecided
Average	3.24	Undecided

Once the MACR will be adjusted from 15 to 12 years old, more juvenile offenders will be put in prison. Given the deficiency that the juvenile justice system has, this action is risky for the child offenders because of the rising number of youth prisoners, and inadequate

correctional facilities in the country. Additionally, there are many cases involving children that are not directly given action by the courts because the witnesses fail to appear before the court and or due to out of court settlement (Belonio, 2017).

Moreover, as expressed in Table 6, respondents were undecided on the two statements: "It will create negative effects to the relationship of the people living in the community" received 3.23 (undecided); while "It will create a hostile community" got 3.31 (undecided). The result revealed that the respondents perceived these issues as an unclear disadvantage to the community. These negative consequences that link between the child offenders and the community posit that criminal justice system has long-lasting social effects to the communities since they will only be stigmatized as criminals that will lead them to committing more crimes. In fact, Andrade (2017) noted that exposure to criminal justice system will result to high risk of stigmatization like criminals, violence and neglect. These will have rippling effects on the social fabrics of the community. The study denotes that the household heads were neutral on the possible damaging consequences of this action to the people living in the community.

Respondents' Stand Whether Children, Ages 12 to 14 Years Old, Who Commit Serious Crimes Should Be Jailed

The idea behind this research question was the contradicting arguments that dominated the social media regarding the House Bill (HB) 8858 of lowering MACR. If HB 8858 will be passed into law, this specific age bracket will face the detention facilities once they commit crimes with discernment. Because it deals with children or minors, this topic became hotly

debated. This study maintains that the source of these opposing arguments were the significant individuals in the society that influence the law-making process. They are the politicians, both from the administration and opposition camp, the experts on youth and children related policies, international institutions and even the academe. However, what directly influence the law-making process are the Legislators-Congressmen and Senators. This study sees these diverse opinions as vehicle to determine which side of these arguments the general public are on. The study is interested in determining the perception of the respondents as to whether they believe that children, ages 12 to 14 years, who commit serious crimes should be jailed.

Perception on the Supporting Statements for House Bill (HB) 8858

It can be gleaned from Table 7, with the general mean of 3.82 (agree), the respondents' perceptions coincide with the statements saying that children, ages 12 to 14 years old, who commit serious crimes should be jailed. The supporting statement that goes, "Children at this age should be jailed to prevent juvenile delinquency from happening" received the highest mean response of 3.88 (agree). Next to this was the indicator that states, "Children at this age should be jailed so that the parents become responsible guardians" which received 3.81 (agree) mean response. Lastly, the statement saying, "Children at this age should be jailed because they are capable of doing criminal actions" got 3.77 (agree) mean response. Therefore, respondents' perception was consistent in the three statements that supported the HB 8858.

The findings suggest that the respondents believed that children, ages 12 to 14 years, should be put in detention facilities. They agreed that children who

have committed serious crimes should be imprisoned because children at this specific age bracket can do criminal activities. It implies that the household heads' perception reinforced the argument of the Duterte administration.

Table 7. Respondents' Responses on the Supporting Statements Regarding HB 8858 of Lowering MACR

Statements	Mean Value	Qualitative Description
Children at this age should be jailed because they are capable of doing criminal actions	3.77	Agree
Children at this age should be jailed so that the parents become responsible guardians.	3.81	Agree
Children at this age should be jailed to prevent juvenile delinquency from happening	3.88	Agree
Average	3.82	Agree

They also agreed on the side of the proponents of HB 8858 who wanted to pass the bill in order to prevent the juvenile delinquency from happening, and for the parents to become responsible guardians. The result further entails that lowering MACR is a vehicle to solve the problem of the drug crime syndicates because, as mentioned by Oriental Mindoro Congressman Salvador Leachon, cited by Belonio (2017), the provisions of Republic Act 9344 allowed the syndicates to use children in committing crimes especially those that are related to drugs; statistics revealed that majority of the crimes involving children are victims of

syndicates. Given these outcomes, the respondents supported the idea of the Duterte administration to pass the HB 8858 that will adjust the MACR from 15 to 12 years old.

Perception on the Opposing Statements for House Bill (HB) 8858

As shown in Table 8, the respondents were neutral and did not have a stand on the opposing statements regarding the HB 8858 of lowering MACR. The opposing statement that goes, "Children at this age should not be jailed because the government should go after the big-time syndicates and adults who are responsible for the crime committed" received the highest mean response from the respondents with 2.61(undecided). This indicates that the household heads had no stand on the idea that the government should prioritize the imprisonment of the drug crimes syndicates who were assumed to be responsible for the crime committed by the minors. As argued by Senator Riza Hontiveros, syndicates are still free from prison today and continuously exploiting children to accomplish their criminal activities. Additionally, she contends that because most of the child offenders are poor, they are the target of these groups, and that they are killed during the drug war of the Duterte administration (Belonio, 2017). Respondents were not taking any side regarding this statement.

Also, the respondents were undecided on the opposing statement that goes, "Children at this age should not be jailed because it is an act of violence against them" with the mean response of 2.59 (undecided). This argument was emphasized by the United Nations Children's Fund or UNICEF. The international organization argues that child offenders need to be protected and should not be imprisoned because they were already victims of

poverty and exploitation by adult crime syndicates. They believed that child offenders deserve second chance (Chowdhury & Francia, 2019). Respondents were neutral on this statement that opposed the lowering of MACR.

Table 8. Respondents’ Responses on the Opposing Statements Regarding HB 8858 of Lowering MACR

Statements	Mean Value	Qualitative Description
Children at this age should not be jailed because they are incapable of discernment.	2.40	Disagree
Children at this age should not be jailed because the government should go after the big-time syndicates and adults who are responsible for the crime committed.	2.61	Undecided
Children at this age should not be jailed because it is an act of violence against them.	2.59	Undecided
Average	2.53	Undecided

Lastly, the respondents disagreed on the opposing statement that goes, “Children at this age should not be jailed because they are incapable of discernment.” It received 2.40 (disagree) mean response from the household heads. This statement that opposed the lowering of MACR was, specifically, put forward by the experts on the field of Psychology. They argued on the concept of discernment: the prefrontal cortex of the brain among children, that is responsible for “executive decisions,” starts to develop dramatically during these years.

Children within this age cannot make logical decisions (Belonio, 2017). Therefore, respondents believed that this should not be an issue in jailing children, ages 12 to 14 years old, who commit serious crimes.

Alternative Measures for Child Offenders aside from Lowering MACR

As this study determined the perceptions of the respondents on this HB 8858, it also revealed the insights of the household heads on the alternative measures for the child offenders. This is to extract more ideas from the respondents when it comes to dealing with juvenile delinquency. In this section, the list of choices was presented in the questionnaire in order for the respondents to choose according to their preference, in fact, a blank field was prepared to purposely source out other possible ideas.

As shown in Table 9, the respondents preferred “house confinement” or “house arrest” as an alternative measure to lowering the MACR; it received 58 frequency counts. Not far behind was “Creation of a Youth Court” with 54 frequency counts. Then, it was followed by “psychiatric or mental health care” and “early education preventative method” with 48 and 43 frequency counts, respectively. Imposition of fines got the lowest rank with 21 frequency counts.

The result implies that aside from lowering the MACR, the respondents preferred house confinement or house arrest as alternative solution for juvenile offenders. In order words, the respondents believed that this measure could assist the child offenders in the rehabilitation process while they are serving their time for the offence they have committed. This practice is also one of the community-based programs under the principle of restorative justice. This will

guarantee that the child follows the mandate of the court or the authorities (Model Programs Guide, 2014). Therefore, respondents want a solution to the juvenile delinquency that is still within the concept of restorative justice.

Table 9. Frequency Counts and Ranking on Respondents' Perceived Alternative Measures

Alternative Measures	Frequency Counts	Rank
House Confinement or House Arrest	58	1 st
Creation of a Youth Court	54	2 nd
Early Education Preventative Methods	43	4 th
Imposition of Fines	21	5 th
Psychiatric/Mental Health Care	48	3 rd

On the other hand, the study indicates that the respondents less preferred the imposition of crimes as an alternative measure for juvenile offenders. The result also suggests that a monetary solution for the crime committed is an ineffective method to address the issue on youth and child related crimes. In fact, Jennings and Piquero (2016) argue that financial penalties were not useful in reducing the recidivism rates for juvenile offenders. Therefore, respondents believed that imposition of fines is not a good idea to clamp down crimes rates among children and youth.

5. Conclusion and Recommendation

This study determined the perceptions of the household heads of the selected barangays of Valencia City,

Bukidnon regarding the House Bill No. 8858 amending Republic Act No. 9344. It can be concluded that, despite the plethora of arguments backed-up with scientific evidences on the negative effects of lowering the Minimum Age of Criminal Responsibility argued by the different sectors such as several psychologists, juvenile justice advocates, and politicians who were against the bill, the household heads perceived the bill as an essential factor to solve the problems behind juvenile delinquencies.

The respondents, who represent the views of the public regarding this controversial issue, seen this amendment in the juvenile justice system as advantageous to the child offenders and to the society/community since incarcerating the children ages 15 to 12 years old will help solving the criminal activities involving big-time drug syndicates. Aside from the fact that respondents favored to lower the MACR, their preference of a solution to address the criminal activities among children falls under the principles of restorative justice. This framework in the juvenile justice system is considered as an indispensable and necessary tool to protect the rights of every child.

Finally, the study was of great significance because it provided the insights of some of the Filipino citizens regarding the lowering of MACR. For many years, the arguments and contestations of the political actors, the medical community which includes the academe, and the international institutions were circulating the literature and news outlet. Less were discussing the side of the general public particularly the heads of every Filipino household. Therefore, the study contributed to the course of the passing of this bill by allowing

the voices of the public to be part of this specific law-making process.

This study recommends the following:

1. The national government, as well as the local government unit, should conduct awareness campaign regarding the proposed bill including the juvenile justice system of the Philippines. This can be done through social media such as YouTube and Facebook.

2. The DSWD and other concerned government institutions should look into house confinement or house arrest as alternative for detention facilities.

3. The academe and the local government unit, specifically Valencia City, Bukidnon, should conduct researches on the possible effects of the justice system to the children and the community in general. These studies should be made available to the public to enhance their knowledge regarding the implications of lowering the MACR.

4. Similar studies should be conducted in other cities and municipalities of the country in order to further discover the stance of the general public regarding the HB 8858. Consequently, the result should be transported to the law-making body for them to consider the public's views, in the pursuit of evidenced-based legislations.

6. Bibliography

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