Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9124

Introduced by HON. LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR.

AN ACT
TO PROVIDE GRANTS TO LOCAL GOVERNMENT UNITS
FOR SUPERVISED VISITATION CENTERS

The Constitution, Article XV, Section 1 provides that:

The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

Family violence does not necessarily cease when family victims are legally separated or otherwise not sharing a household. In fact, it even escalates following separation and the child custody and visitation arrangements become the new forum for the continuation of abuse or violence.

Some perpetrators of violence use the children as pawns to control the abused party and to commit more violence during separation. Fathers who batter mothers are twice as likely to seek sole custody of their children. In these circumstances, if the abusive father loses custody, he is more likely to continue the threats to the mother through other legal actions.

This bill aims to protect children from the trauma of witnessing or experiencing violence or abuse during parent-child visitation and visitation exchanges by providing safe havens for parents and children, during visitation and visitation exchanges shall promote continuity and stability.

LUI S RAYMUND “LRAY” F. VILLA FUERTE, JR.
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the “Safe Havens for Children Act.”


SECTION 3. Definition of Terms. – For the purposes of this Act the term:

(A) “Secretary” means the secretary of the Department of Social Welfare and Development;

(B) “Family violence” means any act or threatened act of violence, including any forceful detention of an individual, which –

(1) Results or threatens to result in physical injury; and
(2) Is committed such person is or was related by blood or marriage or otherwise legally related or with whom such person is or was lawfully residing.

(C) “Shelter” means the provision of temporary refuge and related assistance in compliance with applicable laws and regulations governing the provision, on a regular basis, of shelter, safe homes, meals, and related assistance to the dependents of the victims of family violence.

(D) “Related Assistance” means direct assistance to victims of family violence and then defendants for the purpose of preventing further violence, helping such victims to gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of the violence, with such
assistance to include prevention services, peer counseling, and children's counseling and support services. Related assistance shall include –

(1) Prevention services such as outreach and prevention services for victims and their children, employment training, parenting and other education services for victims and their children, preventive health services within domestic violence programs (including nutrition, disease prevention, exercise of substance abuse), domestic violence prevention programs for school age children, family violence public awareness campaigns, and violence prevention counseling services to abusers;

(2) Counseling with respect to family violence, counseling or other supportive services by peers individually or in groups, and referral to community social services;

(3) Transportation technical assistance with respect to obtaining financial assistance under government programs, and referrals for appropriate health care services (including alcohol and drug abuse treatment), but shall not include reimbursement for any health care services;

(4) Legal advocacy to provide victims with information and assistance through the civil and criminal courts, and legal assistance; or

(5) Children's counseling and support services, and child care services for children who are victims of family violence or the dependents of such victims.

SECTION 4. Grants to Local Government Units to Provide for Supervised Visitation Centers. –

(A) In General. – The Secretary of the Department of Social Welfare and Development is authorized to award grants to local government units to enable local government units to establish and operate supervised visitation centers for the purposes of facilitating supervised visitation and visitation exchange.

(B) Considerations. – In awarding such grants, under paragraph (A), the Secretary shall take into account –

(1) The number of families to be served by the proposed visitation center to be established under the grant;

(2) The extent to which the proposed supervised visitation centers served underserved populations; and

(3) The extent to which the applicant demonstrates cooperation and collaboration with advocates in the local community served.

(C) Use of Funds. –

(1) In General. – Amounts provided under a grant awarded under this Section shall be used to establish supervised visitation centers and for the purposes described in Section 3.

(2) Applicant Requirements. – The Secretary shall award grants, under this Act in accordance with such regulations as the Secretary may promulgate. The Secretary shall give priority in awarding grants under this Act to local government units that consider domestic violence in making a custody decision.

SECTION 5. Reporting and Evaluation. –
(A) Not later than sixty (60) days after the end of each fiscal year, the Secretary shall submit to Congress a report that includes information concerning —

1. The number of individuals served and the number of individuals turned away from services categorized by local government units and the type of presenting problems that underlie the need for supervised visitation or visitation exchange, such as domestic violence, child abuse, sexual assault, emotional or other physical abuse, or a combination of such factors;
2. The numbers of supervised visitations or visitation exchanges ordered during custody determinations under a separation or divorce decree or protection order, through child protection services, or through other social services agencies;
3. The process by which children or abused partners are protected during visitations, temporary custody transfers and other activities for which the supervised visitation centers are created;
4. Safety and security problems occurring during the reporting period during supervised visitations or at visitation centers including the number of parental abduction cases;
5. The number of parental abduction cases in a judicial district using supervised visitation services, both as identified in criminal prosecution and custody violations; and
6. Any other appropriate information designated in regulations promulgated by the Secretary.

(B) Evaluation. – In addition to submitting the reports required under paragraph (1), a local government unit receiving a grant under this Act shall have a collateral agreement with the court, the child protection social services division of the government, and local domestic violence agencies or national and local domestic violence coalitions to evaluate the supervised visitation center operated under the grant. The entities conducting such evaluations shall submit a narrative evaluation of the center to both the center and the grantee.

SECTION 6. Appropriation. – To carry out the provisions of this act, such sum as may be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the sum necessary for the continuous operation of the programs shall be included in the annual appropriation of the Department of Social Welfare and Development.

SECTION 7. Separability Clause. – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law of the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,