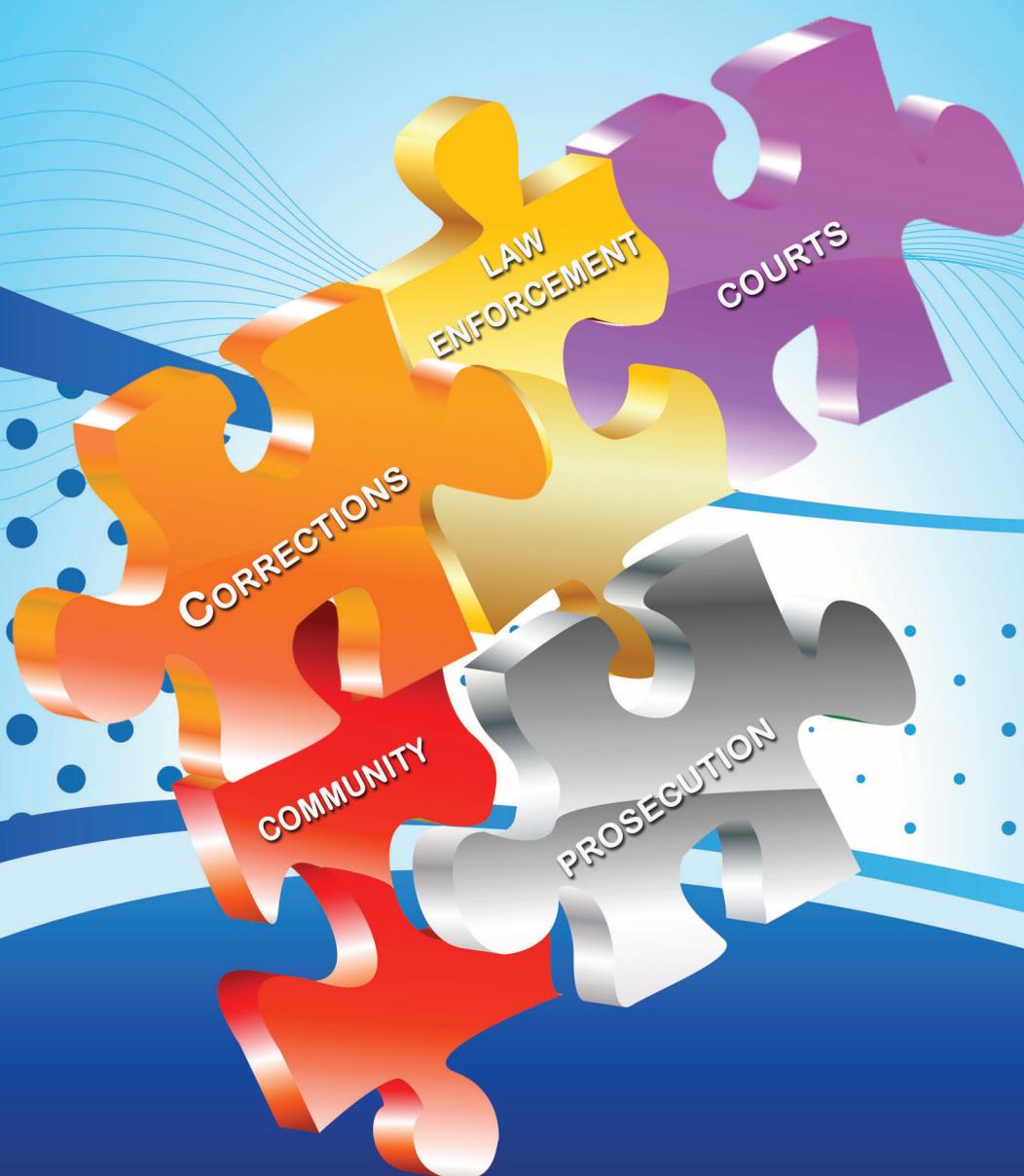


MEDIUM-TERM DEVELOPMENT PLAN FOR THE PILLARS OF THE PHILIPPINE CRIMINAL JUSTICE SYSTEM (2010-2016)



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EXECUTIVE SUMMARY

The project, the *Formulation, Adoption and Advocacy of Medium-Term Development Plan for the Pillars of the Criminal Justice System 2010-2016* (MTDP for the CJS 2010-2016), was undertaken to incorporate the goal of enhancing access to justice in the development plans of the pillars of the Criminal Justice System. This is an express recognition of the link between access to justice and economic development.

The report does not only outline the development programs of each agency comprising the pillars of the Criminal Justice System. It likewise looks back and examines the *Medium-Term Development Plan for the Criminal Justice System 2007-2010* to determine the actual accomplishments of the pillars with respect to the identified goals. In addition, the issues raised during the four Summits were further integrated into the enhanced MTDP for the CJS 2010-2016.

The law enforcement pillar has for its primary objective the provision of a crime-free and safe environment for private sector investment by enforcing the rule of law and ensuring the effective and efficient delivery of public service. Collectively, the different agencies in the law enforcement pillar intend to work towards producing such outcome by implementing the following strategies: (1) strengthen organizational capacity; (2) institutionalize adequate package of benefits and remuneration; (3) entice and recruit the most qualified applicants; (4) maintain reservoir of highly capable and committed workforce to oversee and nurture a world class PNP; (5) ingrain PNP core values, train and develop a well-motivated and competent police service; (6) professionalization programs; (7) sustain public information and dialogue with the stakeholders; (8) develop and improve facilities; (9) develop systems and procedures; and (10) institutionalization and enforcement of Human Rights (HR) Law and International Humanitarian Law (IHL).

The medium-term development plan of the prosecution pillar is geared towards the effective and efficient delivery of public service, which in this case is the increased access to justice, among the activities involved in increasing access to justice is the reduction of the cost of litigation. The prosecution pillar plans to intensify efforts to render public assistance, in terms of legal aid, and education of vulnerable and marginalized sectors both on their rights and responsibilities. To declog court dockets, the National Prosecution Service (NPS) and Public Attorney's Office (PAO) will continue the referral of cases to Alternative Dispute Resolution (ADR) even prior to the commencement of the court proceedings. In terms of jail decongestion, the PAO will continue its program on Jail Decongestion and Visitation.

The courts pillar aims to achieve the goal of having a more efficient and responsive justice system. With this in mind, it is hoped that investor confidence will be raised and thus lead to increase of investments in the country. Despite budget constraints, the judiciary will continue to support and complete the projects under the Action Program for Judicial Reform (APJR) which consist of the following: docket decongestion; review of judicial systems and procedure; human resource development projects; improvement of functional administrative and operating structures in the judiciary; providing the public with information; collaboration with society; increased access to justice for the poor; advocacy on Alternative Dispute Resolution; improvement of free legal services; and enhancement of integrity and competence of judges, court personnel and all other officers of the court. As part of the plans of the SC, Chief Justice Renato Corona has said that he

“intends to focus on declogging court dockets and speed up the seemingly slumberous pace of adjudication.”

The agencies in the corrections pillar seek to promote their rehabilitation programs for the offenders. The Bureau of Corrections (BUCOR) campaigns for the approval of its modernization to cope with the increasing needs of its clients. The agencies also plan to undergo modernization to build their respective capacities.

The agencies in the community pillar seek to adopt the following strategies: legislative agenda; enhance assistance and protection of the poor from human rights abuse; make more lawyers available for free legal counsel and services to the poor to augment PAO; require Barangay Human Rights Action Centers (BHRAC) in all barangays; creation of child-friendly local-government units (LGUs); make barangays gender-sensitive; and enforce the provisions of Republic Act No. 9344.

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PART ONE

OVERVIEW

A. Introduction

“Effective criminal justice systems can only be developed based on the rule of law and the rule of law itself requires the protection of effective criminal justice measures.”¹

In December 2006, representatives of government and non-governmental agencies, through the assistance of the United Nations Development Programme (UNDP), the Program Management Office of the Supreme Court and the University of the Philippines National College of Public Administration and Governance-Center for Policy and Executive Development (UP NCPAG-CPED) developed the *Medium-Term Development Plan for the Criminal Justice System (2007-2010)*.

As the year 2010 draws to a close and with the election of a new administration, the time is ripe for the drafting of a new medium-term development plan. Thus, the National Economic and Development Authority (NEDA) has issued the *Guidelines for the Formulation of the Medium-Term Philippine Development Plan and Medium-Term Public Investment Program, 2010-2016*² (the NEDA Guidelines).

Under the NEDA Guidelines, the basic task of the Medium-Term Philippine Development Plan, 2010-2016 is to translate President Benigno Aquino III’s development agenda as contained in his “Social Contract with the Filipino People” (the Social Contract).³ The Social Contract envisions “a country with an organized and widely shared rapid expansion of our economy through a government dedicated to honing and mobilizing [the] people’s skills and energies as well as the responsible harnessing of x x x natural resources.”⁴ Furthermore, the Social Contract aims to develop “a truly impartial system of institutions that deliver equal justice to rich or poor.”⁵ Considering these, any medium-term development plan for the Criminal Justice System 2010-2016 must be within the framework of the Social Contract.

¹ UN Economic and Social Council [ECOSOC], *Strengthening the Technical Cooperation Capacity of the United Nations Crime Prevention and Criminal Justice Programme in the Area of the Rule of Law and Criminal Justice Reform*, UN Doc. E/2005/30 and E/2005/SR.36 (July 22, 2005).

² Guidelines for the Formulation of the Medium-Term Philippine Development Plan and Medium-Term Public Investment Program, 2010-2016 <http://www.neda.gov.ph/Plans_and_Reports/MTPDP/2010_2016/planning_guidelines_oct2010.pdf> (last accessed on Nov. 7, 2010.)

³ *Id.*; Office of the President, Directing the Formulation of the Medium-Term Philippine Development Plan (MTPDP) and the Medium-Term Public Investment Program (MTPIP) for 2010-2016, Memorandum Circular No. 3 (Sept. 2, 2010).

⁴ Social Contract with the Filipino People, Nov. 26, 2009 <http://www.neda.gov.ph/Plans_andReports/MTPDP/2010_2016/MTPDP%20Reference%20Docs/01_Social%20Contract.pdf> (last accessed on Nov. 7, 2010).

⁵ *Id.* at 3.

Incidentally, the formulation of an access to justice medium-term plan is one of the activities under the 2010 Annual Work Program, which is a second component of the *Fostering Democratic Governance Programme under the Country Programme Action Plan 2009-2011* (the “Programme”).⁶ This is an express recognition that access to justice is essential for poverty reduction and human development,⁷ thus, the inception of the current project on the *Formulation, Adoption and Advocacy of Medium-Term Development Plan for the Pillars of the Criminal Justice System 2010-2016* (the “Project”).

To enhance access to justice, the Medium-Term Development Plan for the Criminal Justice System 2010-2016 (MTDP for the CJS 2010-2016) builds primarily on the previous MTDP for CJS 2007-2010. Furthermore, it identifies specific problems and formulates new strategies on the following summits: (1) Summit on Extrajudicial Killings; (2) Forum on Environmental Justice; (3) Forum on Access to Justice; and (4) National Summit on Family Courts.

Under the NEDA Guidelines, the MTDP for CJS will fall under the chapter on “Good Governance and the Rule of Law.” This is an acknowledgment of the importance of the rule of law in strengthening the financial sector and capital mobilization – the effective enforcement of the rule of law, coupled with the efficient delivery of public service, is an essential ingredient to maintaining economic development, social order and political stability.

B. Objectives

The project seeks to update/improve the MTDP for CJS 2007-2010 drafted in December 2006. The project is also expected to identify specific problems in the Criminal Justice System and formulate new strategies to address them, giving special focus on:

1. Access to Justice by the Poor and Marginalized Sectors;
2. Environmental Justice;
3. Extrajudicial Killings; and
4. Violence against Women and Children.

Specifically, the project aims to:

1. *Describe* the context by analyzing existing literature on the access to justice situation of the Philippine Criminal Justice System, including an assessment and an analysis of how lack of full access to justice impacts on the state of poverty in the country;
2. *Develop* capacities and ensure participation by engaging the active participation of the key stakeholders (“pillars”) of the Criminal Justice System in the formulation of a new Medium-Term Development Plan;

⁶ The Programme is between the Government of the Republic of the Philippines, represented by the National Economic and Development Authority, and the UNDP. The other components of the Programme include: (1) Strengthening the Human Rights Infrastructure; (2) Building Integrity in the System of Governance; and (3) Promoting the Practice of Good Citizenship and Inclusive Participation.

⁷ UNITED NATIONS DEVELOPMENT PROGRAMME, PROGRAMMING FOR JUSTICE: ACCESS FOR ALL, A PRACTITIONER’S GUIDE TO A HUMAN RIGHTS-BASED APPROACH TO ACCESS TO JUSTICE 3 (2003).

3. *Define* the scope of the problem by determining challenges to full access to justice specific to the Criminal Justice System, formulating a set of goals and strategies to address such challenges, in the process adopting the rights-based approach to development programming, and identifying capacities necessary to address the challenges or execute strategies;
4. *Characterize* levels and means of participation by identifying levels of challenges in the hierarchies inherent in the Criminal Justice System, defining proper responses to these challenges through both intra-pillar and inter-pillar actions described in the plan, and identifying obstacles and incentives to participation by the stakeholders;
5. *Specify* strategies and programs to ensure participation in various levels of governance by formulating a coordinated development plan which maps out the issues, challenges and recommended actions for the pillars of the Criminal Justice System, including proposals for nationally and locally driven programs consistent with a national development framework;
6. *Provide* the implementation and monitoring framework by preparing a timetable for implementation of the identified development goals and defining indicators of success for each level of concern;
7. *Build* partnerships by securing serious commitment and active involvement of the pillars of the Criminal Justice System in the implementation of the plan and its inclusion in the national development plan;
8. *Monitor* and document agreements reached and initiatives undertaken during the (a) Summit on Extrajudicial Killings (EJK); (b) Forum on Access to Justice; (c) Forum on Environmental Justice; and the (d) National Summit on Family Courts, for integration into the revised and updated MTDP; and
9. *Ensure* the mainstreaming of gender dimension in all the phases of project implementation (e.g., gathering sex and age disaggregated data and ensuring the participation and gathering of views and perspectives of both men and women in the FGDs).

C. Methodology

The Medium-Term Development Plan for the Criminal Justice System, with a plan horizon of six years (2010-2016), was developed after a series of structured consultations with the members of the previous Technical Working Group (TWG) and representatives of the five pillars of the CJS.

First Round of Consultations with Various Agencies

The research team made various consultation meetings with the following agencies comprising the five pillars from August 29, 2010, until September 22, 2010:

Law Enforcement	Philippine National Police (PNP) National Bureau of Investigation (NBI) Philippine Drug Enforcement Agency (PDEA) National Police Commission (NAPOLCOM) Armed Forces of the Philippines (AFP)
Prosecution	National Prosecution Service (NPS) Office of the Ombudsman (OMB) Public Attorney's Office (PAO)

Courts	Supreme Court (SC) Court of Appeals (CA) Court of Tax Appeals (CTA) Sandiganbayan (SB)
Corrections	Bureau of Corrections (BUCOR) Bureau of Jail Management and Penology (BJMP) Board of Pardons and Parole (BPP) Parole and Probation Administration (PPA) Department of Social Welfare and Development (DSWD) Department of the Interior and Local Government (DILG) for provincial and sub-provincial jails, Philippine National Police (PNP) for district, city, and municipal jails
Community	Commission on Human Rights (CHR) Department of Social Welfare and Development (DSWD) Public Attorney's Office (PAO) National Commission on Indigenous Peoples (NCIP), Department of the Interior and Local Government – National Barangay Operations Office (DILG-NBOO)

During those meetings, it was made known to the research team that most of the agencies were not given a copy of the Final Report of the MTDP for the CJS 2007-2010. Hence, there was no conscious effort on the part of the latter to align their projects and programs with the outputs of the plan.

Focus Group Discussion

On September 23, 2010, the research team conducted a Focus Group Discussion (FGD) at the Fr. Bernas Center for Continuing Legal Education, Ateneo Professional Schools, Rockwell, Makati City. The FGD aimed to confirm and verify the preliminary data gathered by the research team. To contextualize the discussion on the MTDP and the CJS, Dr. Victor Venida lectured on the interplay between economic development and the CJS. Afterwards, intra-pillar and inter-pillar workshops were facilitated for the purpose of gathering data for the MTDP.

Second Round of Consultations

After the FGD, the NEDA Guidelines were issued. The research team set another round of consultation meetings with the various agencies composing the pillars of the CJS. This time, discussion included the directives in the NEDA Guidelines.

Validation Workshop

On October 28, 2010, the Validation Workshop brought together senior level officials of the agencies of the five pillars and participants of the FGD at the Justitia Room, Ateneo Professional Schools, Rockwell, Makati City. During the Validation Workshop, each agency was required to present their respective medium-term development plans, which were already in sync with the NEDA Guidelines and the Social Contract.

Review of Related Literature

In addition, a review of related literature was undertaken by the researchers. These included materials from the four Summits identified earlier, data from the National Statistical Coordination Board, annual reports of the various agencies, and other related materials.

D. Outputs

The project produced two outputs: (1) the *Medium-Term Development Plan for the Pillars of the Philippine Criminal Justice System 2010-2016* which defines and updates the strategies and programs adopted by the agency to achieve its priority goals, the key result areas or outputs of the strategies and programs, and the cross-cutting issues or the problems that each pillar has with other pillars which affects the pillar's effectiveness in performing its functions; and (2) the *Assessment of the Capacity of the Pillars of the Philippine Criminal Justice System*, which assesses the capacities necessary to address the issues and execute the strategies identified in the Medium-Term Development Plan.

This Report adopts the framework for national development agenda as stated in the NEDA Guidelines. It is divided into four parts: Part One: Introduction; Part Two: Update on the Medium-Term Development Plan for the Criminal Justice System 2007-2010; Part Three: The Medium-Term Development Plan for the Criminal Justice System 2010-2016; and Part Four: Update on Inter-Pillar MTDP.

Part Three of the Report concretizes the agenda of the pillars into specific and measurable goals, programs and targets that can serve as basis for medium term development planning, investment and implementation; for use mainly of the government as input for the MTPDP. This can also be used by international partners and civil society groups as guide for designing support and defining convergence areas.

The Report on the Assessment of the Capacity of the Pillars to implement the MDTP – the companion document to this report – will be published separately.

PART TWO

UPDATE ON THE MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM

In this section, actual accomplishments are enumerated to evaluate if targets and expected outputs were achieved. Accordingly, this part of the Report looks at the status of implementation of the MTDP for CJS 2007-2010 after the Final Report was published four years ago. In addition, the concerns raised during the four Summits are added to the matrices attached at the end of this chapter.

As previously mentioned, most of the agencies involved were not given copies of the previous Final Report. No commitment was also undertaken by all the agencies. Consequently, they were not able to consciously adopt the recommended activities in the policies, programs, and plans.

A. Law Enforcement Pillar

Legislative Activities

Although the Philippine National Police (PNP) had indicated in the previous MTDP for the CJS that there was a need to revisit and amend the PNP Law which allowed appointments through local chief executives (and thus a possible issue of having law enforcers “beholden” to them), no amendment was made.

However, there was a move for other law enforcement agencies to strengthen their organizational capability. PNP pushed for the enactment in 2009 of Republic Act No. 9708.⁸ This gave the police an additional five years to comply with the education requirement for police officers. The law also removed as a bar to promotion pending service-related cases filed against police officers before the Office of the Ombudsman that have remained unsolved after two years from determination of probable cause. The Philippine Drug Enforcement Agency (PDEA) created a Technical Working Group to review RA No. 9165 and was able to make a proposal of amendments to be submitted to Congress.

However, because not all the planned or desired legislative changes were accomplished, the different law agencies instead have undertaken different courses of action to address their respective needs. For example, these agencies have sought to institutionalize support for law enforcers through free legal assistance and witness protection in lawsuits filed against them in the performance of their duties. The National Police Commission (NAPOLCOM) has issued Memorandum Circular 2008-014⁹ which aims to provide free legal assistance to its members. PDEA and PNP have also extended similar assistance to their personnel through the Legal and Prosecution Service and Legal Assistance Division, respectively. Additionally, PDEA has formed a Committee on Decorum and Investigation which may recommend the filing of sexual harassment cases. PDEA has likewise

⁸ “An Act Extending for Five Years the Reglementary Period for Complying with the Minimum Educational Qualification for Appointment to the Philippine National Police and Adjusting the Promotion System Thereof, Amending for the Purpose Pertinent Provisions of Republic Act No. 6975 and Republic Act No. 8551 and for Other Purposes,” Republic Act No. 9708 (2009).

⁹ Implementing Rules and Regulations on Section 49 of RA No. 6975, as amended, as prescribed by the Joint Memorandum Circular dated February 2, 2000, of the DOJ, NAPOLCOM, and PNP.

implemented a Court Watch Project, which allows its agents and legal staff to have case conferences and prepare agents for trial. PDEA also manages a database of cases in coordination with the Dangerous Drugs Board.

Furthermore, PNP has installed a Performance Governance System, which covers regular promotion, meritorious or special promotion, housing program, scholarship project, health care services, legal assistance program, awards, livelihood program, and personnel enhancement program. PDEA, to augment the lack of benefits for its personnel, has launched a Voluntary Mutual Assistance Program.

Moreover, PDEA has been able to coordinate with the community sector in the establishment of Barangay Drug Councils through agreements with local government units (LGUs).

Administrative Activities

The NAPOLCOM, as part of its mandate, focuses on inter-pillar coordination. One of the flagship programs it is involved with is the Program on Prosecution, Law Enforcement and Community Coordinating Service (PROLECCS) which involves a one-day conference-dialogue in selected provinces and the eventual organization of PROLECCS at the regional level. This conference-dialogue is aimed to provide a regular forum for the police and the prosecutors to identify gray areas on legal and procedural matters affecting case build-up.¹⁰ It is also intended to foster and sustain closer working relationship among prosecutors, law enforcers and members of the community towards speedy disposition of cases.¹¹

The PDEA coordinates as well with prosecutors through its Court Watch Project. The agency has also launched a program called Preventive Education and Community Involvement Service (PECIS) to coordinate with the community.

To showcase best practices, model police officers, and their accomplishments, the NAPOLCOM honors model employees, individual police, police stations, and community partners every year. The PDEA, for its part, has implemented an Awards and Recognition System and has put up an Honor Wall that immortalizes the heroic deeds of PDEA agents killed in action.

Furthermore, the National Bureau of Investigation (NBI) and PDEA have ensured the strict implementation and monitoring of the policy on the posting of workflow charts in their offices.

The NAPOLCOM has issued Memorandum Circular No. 95-017 entitled: "Prescribing Guidelines Governing the Personnel Action of Dropping from the Rolls of Officers and Non-Officers of the Philippine National Police (PNP) for Incurring Absences Without Official Leave/And Unauthorized Absences." The Memorandum Circular required to be published the list of police officers on AWOL and/or separated from the service. The NAPOLCOM also submitted Resolution No. 2008-447 to Congress for the Revised Reorganizational Plan of the PNP. It also pushed for the enactment of RA No. 8551 which amended RA No. 6975 which would grant the NAPOLCOM power to summarily dismiss PNP members with administrative cases. PDEA has a similar program for the publication of blacklisted offenders.

¹⁰ NAPOLCOM 2008 Annual Report <<http://www.napolcom.gov.ph/AnnualReport.htm>> (last accessed Dec. 4, 2010).

¹¹ *Id.*

Another priority administrative activity undertaken by the law enforcement agencies (LEAs) is the improvement of the screening process and the strengthening of recruitment and selection program. The PNP conducts a regular recruitment program and attrition recruitment program. It also provides lateral entry for PNP graduates and lateral entry program for technical services. The NBI has made available in its website a Personnel Corner which includes information on trainings, designations, transfers/reassignments, and special task forces of NBI personnel. It also imposed stringent requirements for agent and special investigator applicants. NAPOLCOM, on the other hand, has issued several circulars dealing with recruitment and selection, namely, Memorandum Circular No. 2008-006 on Lateral Entry, Memorandum Circular No. 2007-009 on Recruitment, Resolution No. 2010-261 on Qualification Standards, and Memorandum Circular No. 2007-008 on Promotion and Placement for Third Level Ranks. PDEA has created a merit and promotion board and a merit and selection board. It has also conducted an examination called PROMEX, which consists of a promotional examination: neurological, agility and medical examinations, including a panel interview.

Aside from recruitment and selection, the law enforcement agencies also aim to strengthen their training program. As part of the PNP's Integrated Transformation Plan – PGS for 2005-2030, it has conducted and continues to conduct the following programs: an individual training program on job enhancement project and specialized training; a unit training program on internal security operations, character and aptitude development, human rights and international humanitarian law seminar, firearms proficiency training, other programmed courses, gender sensitivity and development, and physical fitness and sports development; and a foreign training program.

The PNP also procured and installed a criminal intelligence and analysis IT equipment and a biometric system for the PNP Training Service personnel and students. As of July 2010, the Office of the Chief PNP and its line offices, as well as its crime laboratory and training service, are already ISO 9001:2008 certified. It has also undertaken the revision of its Investigation Manual and the publication of its Revised Police Operational Procedures. The Investigation Unit also enhanced PNP's case management system.

Additionally, PNP's Human Rights Affairs Office (HRAO) has set up Human Rights Desks. PNP HRAO has attempted to mainstream human rights policies, programs and projects, and trust building through multi-sectoral and inter-agency cooperation.

For its part, the NBI has sent investigators and technical personnel to local and foreign trainings and has provided training to their counterparts from other agencies.

The PDEA also boasts of an extensive training program. It has commenced programs for capability enhancement, both local and foreign. For instance, it has sent its technical personnel for continuous training at the International Law Enforcement Academy (ILEA) in Bangkok, Thailand. It has also provided training to technical personnel as Subject Matter Experts (SMEs) to conduct regular seminars and workshops for PDEA agents and employees, and for Trainor's Enhancement programs. PDEA also teamed up with PNP for a Joint PDEA-PNP Negros Oriental and NORDAPC Anti-Illegal Drugs Training for police officers. PDEA has regularly participated in seminars on RA No. 9165 for judges, prosecutors, and law enforcers.

The NAPOLCOM has undertaken the institutionalization of a training service in the proposed PNP Reorganization Plan and, as mentioned, conducts the PROLECCS.

Lastly, all law enforcement agencies have already published their respective Citizen's Charter.

Programs/Agency Activities

Recognizing the importance of disseminating information to the public to heighten their awareness of the Criminal Justice System, the agencies have engaged in an aggressive information campaign and media relations program.

The PNP has implemented a Doctrine Development Program that covers a wide array of undertakings such as human resource development, competency framework, law enforcement administration of juvenile justice, personal accounting information system, and daily PNP personnel accounting report. In addition, the PNP has conducted A Purpose-Driven Life Seminars, S-Leadership: The Potter's Way, recollections, gender workshops, and Badge of Honor Ceremony. The program has also included administrative tasks such as the publication of the PNP Ethics Manual and Citizen's Charter, issuance of PNP Memorandum Circular No. 2009-08, printing of posters on the rights of accused, inspection of detention cells, and provision of security escorts. There are also projects such as Women and Children Protection Program, Arbor Day Tree Planting, Earth Hour 2009, Takbo para sa Kalikasan, and PNP Scubasurero.

The NBI has carried out its own Moral Renewal Program and has put up a Public Assistance Center and Hotline. The NAPOLCOM regularly conducts seminars on crime prevention in the CJS in schools and barangays.

Likewise, PDEA has its own Moral Renewal Plan. Aside from this, it has published a Code of Conduct for its agents and a Manual of Anti-Illegal Drug Operations. It has also launched Operation "Private Eye" to encourage citizens to report illegal drugs operation, and the Online Licensing System in 2008.

The agencies have also strived to establish linkages and networking with LGUs, government organizations (GOs), and non-governmental organizations (NGOs) in Information, Education, and Communication (IEC) activities and to intensify the information drive on remedies available against erring public officers. The PNP has accomplished several programs and projects in this regard. It has set up public information and advocacy on Integrated Transformation Program (ITP) for external stakeholders from LGUs, academe, student sector, media, NGOs, and other sectors. Its programs include the Transformation Caravan, Transformation Forum, PRO/NSU PMO ITP, Implementation Handholding Seminar, The Public Safety Mutual Benefit Fund, Inc., ITP Comics, PNP Journal and Digest, PNP Mascot Officer, a radio program entitled "Pulis at Your Serbis," a television program entitled "Talakayan sa Isyung Pulis; Interfaith Dialogue Forum," Islamic Awareness Forum Radio Program, and Salaam Police Center Activities.

The PNP has also participated in religious, health/physical fitness and environmental protection activities and has launched projects such as Takbo Breakfast Friend, Alay Lakad 2009, Grand Bida March and Medical and Dental Outreach Program. It was also involved in programs focusing on family, juvenile, and gender issues. Thus, it held a Women's Month Celebration, a Roundtable Discussion on Intervention for Children Who Sexually Abuse Other Children, and Men Opposed to Violence Against Women Everywhere Seminar.

The PNP has also published a Manual on Barangay Peacekeeping Operation (BPO) and has set up Human Rights Desks. It has moreover implemented TOP COP, Gun-Free Tourist Destination and Integrated Area-Community Public Safety Plan.

The PNP has also created a Human Rights-Based Policing Committee and a Project Management Team. Also, special teams tasked to assist the Commission on Human Rights-led Multi

Agency Task Force were activated. Mandatory assistance was extended to all congressional hearings and other public inquiries related to human rights. The Citizen's Charter was institutionalized. There was also the integration of complaint centers and the organization of job fairs. Other Police Community Relations (PCR) activities included the 14th Police Community Relations Month, PNP Museum Enhancement, Alay ni Tsip na Salamin Para sa Malinaw na Paningin, Tanging Ina Project, Balik-Eskwela Gift Giving Activity, One-Day Special Passport Processing, and get-together activities.

The PNP has also carried out community assistance and development programs, particularly on disaster preparedness and management. It has also signed a memorandum of agreement with the Rotary Club for the establishment of Anti-Crime Rotary Watch.

As part of its effort to intensify its information drive, PDEA started Campaign Plan "Bandila," which raises the people's awareness on illegal drugs and mobilizes the citizenry to participate in PDEA's activities. It has also established an NGO Accreditation System and signed a Memorandum of Understanding with 12 countries and 121 local partners.

The NAPOLCOM, in turn, has issued two circulars in relation to these activities: a circular Prescribing Guidelines for the Annual Nationwide Observance of the Police-Community Relations Month; and a circular Prescribing Guidelines and Procedures Governing the Deputation of Barangay Tanods as Members of Police Auxiliary Units and Authorizing the Deployment of PNP Uniformed Personnel to Act as Supervisor of PAU Members. NAPOLCOM has also acted as a consultant to the People's Law Enforcement Boards that hear and decide citizen's complaints or cases filed before them against erring officers and members of the PNP.

As for the NBI, it has created a Foreign Liaison Division.

To ensure that claimholders will avail of their services, the PNP has created a Quality Service Lane in seven pilot police stations, and Alert 24/7, which is the legal hotline for inquiries regarding police operations.

The NAPOLCOM has also put up national and regional action centers to receive complaints from citizens. It has also established a composite group placed under the supervision of the Department of the Interior and Local Government.

NBI has also set up a similar Public Assistance Center and a hotline. It has also created a Complaints and Recording Division Alert Duties.

B. Prosecution Pillar

Legislative Activities

Prohibitive Cost of Justice

To address the issue on the prohibitive cost of justice, the Department of Justice (DOJ) released the Revised Manual for Prosecutors which provides for a standard number of copies of complaints and annexes. The Public Attorney's Office (PAO) has also approved the PAO Manual and Legal Forms.

Because of the need to review the filing fee rates, the DOJ has rationalized the number of copies of complaints and has set out a policy of limiting the number of pleadings received during preliminary investigation. It has also provided exemptions of indigents from legal fees.

Seeing the need to redefine the term "indigent," the PAO has issued Memorandum Circular No. 02, Series of 2010 which provides for the Merit and Indigency Test. Under the circular, the new

basis for the determination of indigency is the net individual income in the amounts: P14,000 for Metro Manila; P13,000 for other cities; and P12,000 for the rest. Previously, the basis was the gross family income. An applicant is required to execute an Affidavit of Indigency and submit other documents. In certain cases, pending verification of an applicant's indigency and evaluation of the merit of the case, PAO lawyers can provisionally accept a case if it involves Violence Against Women and Children (VAWC) and Children in Conflict with the Law (CICL).

PAO clients are also exempted from the National Prosecutions Service (NPS) filing fees, per DOJ Circular No. 46 dated June 25, 2010.

In the case of the Office of the Ombudsman (OMB), a clarificatory reply may be required by an investigator in lieu of a clarificatory meeting after the filing of a reply in cases where parties reside in distant places. This procedure, however, is optional.

Lack of Information and Negative Information

Negative information has been considered a problem by the prosecution pillar. To correct this, the NPS developed a Code of Conduct for prosecutors and staff, and has established performance standards as well. It also included, as part of its Basic Orientation Program for New Prosecutors the Anti-Graft Practices Act and RA No. 6713, and, in connection with such Program, conducted a trainor's training.

The OMB has continued its orientation of new OMB government entrants. It has also issued orders regarding Code of Conduct and Gifts Policy and has established an Internal Affairs Board.

The PAO has likewise given orientation programs focusing existing PAO policies, including civil service rules and RA No. 6713. This is conducted not only for new employees, but also for promotion purposes.

The media plays a vital role in seeking to correct negative information. Both prosecutors and public attorneys have engaged in media guestings and issued press releases.

For public relations, the OMB has designated spokespersons/media relations persons. It has partnered with USAID for a project geared to advance capacity building of its public relations officers. The OMB has also utilized the media in the performance of its duties. It has a radio program on DZRB and DXFE called "Magsumbong sa Ombudsman"; and a television program entitled "Ombudsman: Kakampi mo sa Laban ng Katiwalian" aired on NBN4. Press releases have also been regularly disseminated to different national broadsheets, dailies, and other local newspapers nationwide.

For instance, the OMB has a column called "The Essential Thing" in the Business Mirror. The OMB also publishes their internal newsletter called the OMB Integrity Newsletter, OMB Journal and the Sentinel. Flyers and bulletins are also regularly handed out to better inform both OMB employees and the general public of recent developments on corruption prevention, best practices and success stories, and other important announcements.

Legal advice is circulated widely by the PAO through publications on tri-media, i.e., print, radio, and television. In addition, the PAO also makes use of the internet by making available its legal advice on emailed queries. It has also appeared in television shows such as "Face to Face" and "Public Atorni."

Lack of Legal Services

Immediate appointments and replacement of vacancies must be facilitated for continuous and efficient rendering of legal service. For this, the DOJ, OMB and PAO have improved their hiring and selection process to avoid delays in appointment and replacement. Furthermore, the OMB has implemented a competency-based hiring and selection process. It also included in their manuals, the process and standards for such, including the questions during interview.

Administrative Activities*Prohibitive Cost of Justice*

PAO lawyers are burdened with voluminous workload and this has been detrimental to their performance. This problem can be addressed by the expansion of the jurisdiction of the Katarungang Pambarangay. The DOJ requires prosecutors and PAO lawyers to be resource persons in seminars for local executives of the Katarungang Pambarangay. Moreover, to remedy the problem of heavy caseload, the DOJ established the Office of Alternative Dispute Resolution.

Aside from the voluminous work load, the PAO also faces the problem of inadequate number of PAO lawyers. The PAO has pushed for the enactment of RA No. 9406 or the PAO Law, and its implementing rules and regulations. The PAO Law upgrades the salaries and allowances of public attorneys to equal that of their counterpart in the NPS. The law also calls for the creation of 359 new lawyer positions and 164 new support personnel positions to complement the present 1,047 public attorneys and 802 support personnel.

Existing laws relating to rights of the accused and witness protection must be reviewed for amendments and modifications. The OMB has been actively involved in the House deliberations on the proposal of the Whistle Blowers (WB) Law. The NPS enhanced its own Witness Protection, Security and Benefit Program and its Victims Compensation Program.

The previous MTDP also raised the issue of the creation of a school for interpreters. This was seen to address the language barrier between the claimholders and the duty-bearers.

Coordination with other private legal groups such as the Integrated Bar of the Philippines (IBP), Free Legal Assistance Group (FLAG), and legal aid centers in law schools was also targeted for handling of cases. The PAO has initiated the practice of endorsing to other legal aid organizations applicants who fail to meet the PAO requirements on indigency. PAO has amplified this linkage with other legal groups by conducting training with them.

To formalize such coordination, the OMB has established an initial memorandum of agreement with professional groups, like accountants and civil engineers, to engage them in case buildup and prosecution of corruption-related cases.

A better service entails competent skills achievable through the improvement of capability and knowledge of PAO and NPS lawyers.

To enhance its personnel's capability and knowledge, the PAO has released Manuals for CICAL and VAWC. It has also devoted resources for various seminars and trainings such as the PAO-UNICEF Seminar on VAWC Act (RA No. 9262); Comprehensive Juvenile Justice and Welfare System Act (RA No. 9344) and Other Related Laws; Regionwide Seminar on Crime Scene Investigation and Reconstruction for the Public Attorney; Forensic Evidence and Medico-Legal Issues; National Convention for Public Attorneys (2006 and 2009); Advanced Training/Workshop in Forensic Medicine

and Science; and Competency and Skills Development Training-Workshop/Seminar for Public Attorneys in Handling Cases Involving CICL and Women and their Children Victims of Violence. The PAO has also participated in the 10th Training Course on Corruption Control in the Criminal Justice System (2007) and Forum on Increasing Access to Justice: Bridging Gaps, Removing Roadblocks.

The NPS has similarly engaged in trainings and seminars particularly on special laws. It has conducted basic orientation seminars given in all regions and has come up with a trainer's guide for these seminars.

The OMB spearheaded the establishment of the Center for Asian Integrity in addition to its participation in anti-corruption conferences, fora, symposia, and workshops. Scholarships and capacity-building interventions are other areas of involvement for the OMB.

Programs/Agency Activities

The PAO held the National Convention for Public Attorneys in 2006 and 2009 aside from the seminars and workshops previously mentioned.

Information dissemination at the barangay level was also done, especially those which focused on topics like rights of the accused, children's rights, and other basic human rights. To accomplish this, the PAO launched an intensified nationwide Free Legal and Medical Jail Visitation and Decongestion. Furthermore, to take advantage of the tri-media and the internet, the PAO has appeared in conferences and local fora, delivered related lectures, and rendered on-air legal counselling.

There was also a need to develop an integrated criminal justice monitoring and database system. The NPS established the Organizational Development Program, which includes a Management Systems Improvement Project and NPS Information Technology Infrastructure and Electronics Prosecution Case Management System (ePCMS).

The OMB likewise developed its own monitoring system – the Case Registry System (CARESYS) and Case Monitoring System (CASEMON). In addition, it has presented the Integrated Complaint and Case Monitoring System and has participated in the proposed project of setting up a National Justice Information System and National Crime Information System (NCIS).

To broaden awareness on pressing concerns and issues, the members of the prosecution pillar have participated in various regional or international conferences geared towards the enhancement of cooperation among relevant agencies.

C. Courts Pillar

Legislative Activities

In an effort to de-clog court dockets, the Supreme Court (SC) has moved towards the decriminalization of certain offenses. Accordingly, the SC issued two administrative circulars: (1) Administrative Circular No. 12-2000 dated November 21, 2000 and in relation thereto, A.M. No. 00-11-01-SC dated February 13, 2001, laying down a rule of preference for fines over imprisonment in the application of the penalties provided for in Batas Pambansa Blg. 22 or the Bouncing Checks Law; and (2) Administrative Circular No. 08-2008 dated January 25, 2008 directing all courts and judges to impose the penalty of a fine instead of imprisonment in libel cases. The issuance of A.M. No. 08-8-7-SC dated October 27, 2009 dealing with the amendment of the Rules of Procedure for Small Claims

Cases is also in line with this objective, which gives claimholders an option to file a civil suit rather than a criminal suit for money claims involving P100,000 or below.

Although there has been a clamor for the creation of additional courts, bills need to be refiled in Congress. Nonetheless, the Sandiganbayan was able to construct a courthouse and housing quarters in Baguio City and Cebu.

Administrative Activities

The review and improvement of the Rules of Court and the other rules of procedure were seen as a necessary measure to increase access to justice by the poor. The following discussion will show the programs implemented by the courts pillar towards such end.

Rules of Court

The SC, through A.M. No. 07-7-12-SC dated December 4, 2007, has amended Rules 41, 45, 58 and 65 of the Rules of Court. It has also issued A.M. No. 99-8-09-SC dated November 17, 2009, which is the Amended Rules on Who Shall Resolve Motions for Reconsideration of Decisions or Signed Resolutions in Cases Assigned to the Divisions of the Court, and A.M. No. 10-4-20-SC dealing with the Internal Rules of the Supreme Court.

The Court of Tax Appeals (CTA) also focused on improving its rules on procedure through additional amendments to the 2005 Revised Rules of the Court of Tax Appeals and Internal Rules of the CTA. Because of the amendments, practitioners are now more aware of the procedure in filing cases, thus doing away with having to resort to the clerk of court for clarification. A memorandum of agreement was also forged among the Office of the Solicitor General (OSG), Bureau of Internal Revenue (BIR), and Bureau of Customs (BOC) deputizing BIR and BOC lawyers and specifying the authority of said lawyers per stage of the CTA proceedings.

In early 2010, the Court of Appeals (CA) released the new Internal Rules of the Court of Appeals. It has also implemented the practice of conducting a single raffle of cases to achieve a speedy trial.

Meanwhile, the Sandiganbayan (SB) has initiated revising its Internal Rules, which is currently being reviewed by the Justices.

Access to Justice by the Poor

The SC undertook the amendment of the Rules of Procedure for Small Claims Cases, which not only aims to de-clog court dockets but also seeks to lessen expenses for complainants securing a ruling on small claims cases. Moreover, free legal assistance has been extended through Bar Matter No. 2012 dated February 17, 2009 or the Rule on Mandatory Legal Aid Service. However, its implementation has been placed on hold pending the issuance of the Implementing Rules and Regulations of the IBP.

Additionally, the SC has issued the following resolutions and circulars aimed to capacitate the poor in securing justice through exemption from legal fees and resorting to alternative dispute resolution: (1) A.M. No. 08-11-7-SC (IRR) dated September 10, 2009, or the Rule on the Exemption from the payment of Legal Fees of the Clients of the National Legal Aid Committee (NCLA) and of the Legal Aid Offices in the Local Chapters of the IBP; (2) A.M. No. 07-11-08-SC dated September 1, 2009, or the Special Rules of Court on Alternative Dispute Resolution (ADR); (3) A.M. No. 05-2-01-SC

dated March 13, 2007 approving the Access to Justice for the Poor Project IEC Guidelines For Municipal Court Information Officers; and (4) OCA Circular No. 67 dated December 11, 2007 mandating the unconditional exemption of PAO clients from payment of docket and other fees.

Aside from improving its rules and procedures for better access to justice, the SC has also carried out several projects in line with this. The Enhanced Justice on Wheels (EJOW) and Access to Justice for the Poor Project Component 1 (A2J 1) are among these. Another project called Enhancing Access to the Pillars of Justice is an ongoing Project of the SC through its Program Management Office in partnership with the Philippine Government represented by NEDA and in partnership with the UNDP. The Supreme Court has been acting as its Implementing Partner since 2009 responsible for the delivery of identified outputs.

VAWC and Those Related to Gender and Access to Justice by Women and Children

Giving special attention to the rights and concerns of women and children, the SC has issued the Rules on Juveniles in Conflict with the Law (A.M. No. 02-1-18-SC, November 14, 2009); the Rules on Children Charged under the Comprehensive Dangerous Drugs Act (A.M. No. 07-8-2-SC, November 5, 2007); and the Rules on Court-Annexed Family Mediation and Code of Ethical Standards for Mediators (A.M. No. 10-4-16-SC).

Recently, in a bid to augment government efforts to meet conviction targets on human trafficking, the SC has issued Circular No. 151-2010 ordering all trial courts in the country to fast-track the resolution of cases involving violations of RA No. 9208, the Anti-Trafficking in Persons Act of 2003.¹² In said Circular, “unless special circumstances require xxx cases involving violation of RA No. 9208 shall be heard continuously, with hearing dates spaced no more than two weeks apart,” thus avoiding unnecessary delays, and strictly taking into consideration the Speedy Trial Act and SC Circular No. 38-98 dated August 11, 1998. As such, pending human trafficking cases should be given priority and decided as soon as possible.

Extrajudicial Killings (EJK) and Other Related to Human Rights Issues

As a response to the pressing issue of extrajudicial killings and the increase in unexplained killings of political activists, media practitioners, and other advocates, the SC has issued the Rule on the Writ of Amparo (A.M. No. 07-9-12-SC) and the Rule on the Writ of Habeas Data (A.M. No. 08-1-16-SC). The SC also tasked its Integrity Development Review (IDR) Committee to submit a draft Rule of Procedure for Whistle Blowing, Comprehensive Procurement Plan, and Performance Management System for Court Personnel (PMS COUPER), which said Committee has already accomplished.

Environmental Justice

The responsibility of the courts has evolved to encompass concern for the environment. Last April 2010, the SC issued the Rules of Procedure for Environmental Cases (A.M. No. 09-6-8-SC); and as early as January 2008, has already designated 117 “green” courts to handle environmental cases and give them proper attention (Administrative Circular No. 23-2008). Various multi-sectoral capacity building activities on environmental laws and Rules of Procedure for Environmental Cases were also accomplished in 2010.

¹² Edmer Panesa, Supreme Court orders courts to give priority to cases of human trafficking, Manila Bulletin, Nov. 10, 2010 <<http://www.mb.com.ph/node/286789>> (last accessed Nov. 20, 2010).

Others

To monitor the performance of their duties and the decorum of justices and judges, the SC has undertaken the Strengthening the Integrity of the Judiciary (SIJ) and Integrity Development Review (IDR).

Programs/Agency Activities

Lack of Information

The courts pillar resolved to address the problem on lack of information through a Public Information Campaign. First, activities were held aimed at educating the media on legal processes and matters. A media forum, for instance, was hosted by the PIO under the supervision of the SC to open up channels, define terminology, and formalize the system with major media networks. The SB regularly gives copies of its decisions to media practitioners.

Second, pursuant to the Access to Justice for the Poor Project, the IEC Guidelines for Municipal Court Information Officers were issued which included as one of its subjects the duty on public information. Also, the SC designated the Clerks of Court as Municipal Court Information Officers (OCA Administrative Circular No. 16-2007).

Various seminars and symposia were also conducted in schools. The SC, CA, CTA, and SB conducted court tours for students. The SC, in addition, has an ongoing project called Public Education on the Rule of Law Advancement and Support (PERLAS) for which it has completed field testing of exemplars.

Access to Justice by the Poor

The SC has worked for the integration of the informal sector concerns in public administration and law subjects. It also spearheaded a Forum on Increasing Access to Justice by the Poor and the EJOW project. The EJOW, in particular, serves as a tool for information dissemination, mediation, and jail decongestion.

Further, and as part of the 2009 UNDP Project, the SC has conducted capacity assessments and has supported the development of public interest lawyers such as the Alternative Law Groups (ALG). It has also supported the advocacy of non-governmental organizations for the inclusion of informal sector concerns in public administration, law school curricula and PHILJA; and the legal empowerment of said informal sector like the fisherfolk, street vendors, and small transport workers. To better protect the rights of the informal sector from violations, the SC developed and pilot-tested documentation tools.

VAWC and Those Related to Gender and Access to Justice by Women and Children

The Supreme Court has undertaken aggressive public information campaigns for the protection of the rights of women and children. Among these were the Regional Multi-Sectoral Stakeholders Seminar Workshop on Increasing Access to Family Courts; Seminars on CEDAW and Gender Sensitivity Training for Court Attorneys; and a National Summit on Family Courts.

To provide better structure for this objective, the SC has also developed a Strategic Gender and Development (GAD) Mainstreaming Plan for the Philippine Judicial System.

EJK and Others Related to Human Rights Issues; Environmental Justice

The SC has similarly utilized seminars and workshops to foster public information and awareness on human rights and environmental issues. It has organized a Forum on the Rule of Habeas Data, a National Consultative Summit on Extrajudicial Killings and Enforced Disappearances, a seminar-workshop entitled Multi-Sectoral and Skills Building Seminar-Workshop on Human Rights Issues: Extralegal Killings and Enforced Disappearances, and a Forum on Environmental Justice: Upholding the Right to a Balanced and Healthful Ecology.

Others

The SB has joined in the effort for this public information campaign through the conduct of walking tours and lectures for a wide range of sectors – barangay treasurers, local government officers, NGOs, and various government agencies. For its own staff and personnel, the SB has conducted seminars on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and VAWC.

The CA contributes to the campaign by co-organizing Mandatory Continuing Legal Education (MCLE) Seminars with the Philippine Judicial Academy (PHILJA).

Aside from the aggressive public information campaign concerning the various areas of concern and issues previously mentioned, the courts pillar has also produced and distributed information materials for the public in English and in the local dialect. The SC has also utilized tarpaulins, flow charts, and its website as tools for information dissemination. It has also distributed pamphlets in English and Filipino on the procedure in the filing of civil and criminal cases and, in coordination with PHILJA, pamphlets on case management system. Again with PHILJA, it has embarked on the Filipinization of the judicial dispute resolution.

Awareness is better begun in schools and thus integration of these vital issues must be done in the educational curriculum. As mentioned, the SC has implemented the PERLAS Project.

Private practitioners and new bar passers are also encouraged to render *pro bono* services. The SC issued Bar Matter 2012 or the Rules on Mandatory Legal Aid Service directing the mandatory rendition of legal aid. As an incentive to rendering said aid, RA No. 9999 has given an incentive to lawyers – a tax deduction from their gross income up to 10 percent exclusive of the 60 hours required by Bar Matter No. 2012.

Law students have also been tapped for education and paralegal services. In this connection, the SC has issued Bar Matter 1552-A dated March 9, 2010, or the Guidelines on the Legal Apprenticeship Program in the Supreme Court and other Collegiate Appellate Courts. The Committee on Legal Education and Bar Matters (CLEBM) meanwhile has drafted the proposed guidelines on the Pilot On-the-Job Training (OJT) Program for Law Students in the First and Second Level Courts, and submitted the same for the approval of the Supreme Court En Banc during the time of Chief Justice Artemio Panganiban. The SB, for its part, has offered, and continues to offer, on-the-job training for legal management majors.

High Cost of Justice

To address the issue of the “high cost of justice,” it was proposed that the number of paper pleadings may be reduced by computerization and e-documentation of pleadings and annexes. It has also been proposed that presentation of evidence by means of CD-ROM should be accepted especially

in cases where the accused are in prison for offenses committed in other places besides the territorial jurisdiction of the court where they are being prosecuted; or accused who are being simultaneously prosecuted in different courts distant from each other. The pilot for this activity is in Lapu-Lapu City.

The SC has launched two computerization rollout programs in 2007. First was the Court Administration Management Information System (CAMIS) implemented in the NCR, Regions 4, 7 and 10. The training on the use of the CAMIS was completed in the same year. Second was the Enhanced Case Flow Management System (eCFM), which was piloted in Pasay City, Lapu-Lapu City, and Quezon City Halls of Justice. Currently, the computerization program of the Court is under the auspices of the Judiciary Case Management System (JCMS), one of the SC's judicial reform programs aimed to declutter court dockets and help in case management. Under this program, the e-payment system has been launched and is set to be implemented in all Metro Manila courts by December 2010. The SC also initiated the development of an e-Library.

The CA set about the inventory of all its cases and also delved into the computerization of its system. It first conducted a Basic Training for Computer Operations in October 2007. Subsequently, the CA had a Case Management Information System (CMIS) developed in 2008, wherein the CMIS version 1 was implemented in July 2009. The CMIS version 2 is now fully operational in Manila and Cebu with the assistance from the American Bar Association (ABA). The CA has also installed a network cabling infrastructure for its One Stop Processing Center.

The SB, designated as the pilot court for CMIS, has trained its staff on CMIS and established CMIS Kiosks. The CTA has done the same.

Negative Perception

As a way to combat negative perception, transparency through the Case Management System has been sought through the implementation of the eCFM and CMIS by the different Courts. The SC is also implementing the JCMS.

Language Barrier

Language barriers have been seen as a hurdle to access to justice by the poor. However, not much has been done in this regard. Court interpreters for languages other than Filipino have not been hired. Instead, courts like the SB have resorted to tapping their existing personnel to translate.

As an additional effort to remove the language barrier, the Commission on the Filipino Language has produced a legal dictionary in Filipino, albeit the contents have been very limited.

The position of Information Officer is also needed for a functional information centre. As mentioned, the SC included this in its IEC Guidelines for Municipal Court Information Officers, with the designation of the clerks of court as Municipal Court Information Officers. Proposals for the creation of, and upgrade to, such position have been made by the Sandiganbayan as well.

D. Corrections Pillar

Administrative Activities

The corrections pillar has implemented activities in relation to the following undertakings: effective inter-agency records check and information management; conduct of IEC campaign; provision of reintegration services; revitalization of the Volunteer Program; establishment of partnerships and networking; and jail decongestion.

The Bureau of Corrections (BUCOR) has adopted a MOA with Japan International Cooperation Agency (JICA) on the Technical Cooperation Project entitled “Community-Based Treatment of Offenders through the Holistic Approach to Volunteer Resource Development” (2008-2009) and a MOA with the Dangerous Drugs Board for investigation and supervision of first-time minor offenders. It has also launched Oplan Decongestion and put into effect the Policy on Law Student Appearing as Counsel for Detainees through a Memorandum dated March 15, 2010 to help decongest jails through the speedy disposition of cases. It has also established a Reception and Diagnostic Center (RDC) where inmates are first diagnosed to determine which institution they will be placed.

To address the problem of overcrowding in jails, the Board of Pardons and Parole (BPP) has acted on a number of applications and has issued *carpetas* for the release on parole or probation of certain offenders. The Bureau of Jail Management and Penology (BJMP) has made available paralegal services and has built a closer working relationship with the other pillars of the justice system, particularly the Parole and Probation Administration (PPA), the PAO and the courts. It also has a program called “Bail Now, Work, Pay Later” to prevent unnecessary and prolonged detention. The BJMP has also supervised the transfer of inmates to other institutions and the construction of additional facilities and of separate cells for female and juvenile inmates.

Program/Agency Activities

Internal service must be enhanced as well by building the capacity of Corrections personnel to ensure the effective delivery of services to claimholders. For this purpose, the BUCOR held a Juvenile Justice and Welfare Training for Probation and Parole Officers and a Wellness Program for its employees. The BJMP, in turn, has adopted a Comprehensive Policy on the Implementation, Monitoring and Evaluation of the Therapeutic Community Modality Training of the BJMP.

As for the PPA, it has revitalized its program on Volunteer Probation Aide and has launched its Rehabilitation and Livelihood Program.

With the establishment of a Researcher’s Guild, the BJMP undertakes the promotion of correctional services and the IEC campaign.

To manage the records of their clients, the BUCOR has issued Special Order No. 390, Series of 2007 which created a Security Survey Team. It has also established a Virtual Private Network (VPN). The PPA has launched an Information Systems Strategic Plan (ISSP) for 2007-2009.

E. Community Pillar

Legislative Activities

To help the prosecution pillar decongest jails, the members of the community pillar have exerted efforts to extend their own legal assistance to their clients. This legal assistance is independent from those rendered by the PAO. The Commission on Human Rights (CHR) has a Legal and Investigation Office of its own. The National Commission on Indigenous Peoples (NCIP) also has its own roster of lawyers rendering legal services to the IPs. The Department of Social Welfare and Development (DSWD) also set up the Child Justice League.

The CHR, apart from its coordination with existing Barangay Human Rights Action Centers (BHRACs) and Barangay Human Rights Action Officers (BHRAOs), has also included in its legislative agenda the Senate Bill on the creation of BHRAC in all barangays. In relation to this, the CHR has also monitored the conduct of the recent barangay elections.

The DILG has issued a mandate for LGUs for the creation of Barangay Councils for the Protection of Children (BCPCs). This started in the mid-1990s. The DILG, however, recognized that the functions of the BCPC should not overlap those of the BHRAO in barangays. To make the functions and purposes of these local councils more effective, the DILG has also fostered awareness on human rights among the barangays.

Aside from those mentioned above, the DSWD has prepared a legislative agenda covering a three-year period. Through its contributed efforts, RA No. 9775 or the “Anti-Pornography Act of 2009” and RA No. 9851 or the “Philippine Act on Crimes Against International Humanitarian Law, Genocide and Other Crimes Against Humanity, Organizing Jurisdiction, Designating Special Courts and for Related Purposes” were enacted on November 18, 2009, and December 11, 2009, respectively. The DSWD has also drafted Senate Bill No. 370 on the prohibition of commercialization of human organs and provided inputs to Social Welfare and Development bills focusing on health and crimes against International Humanitarian Law.

The DSWD also prepared position papers on various legislation and congressional resolutions: House Bill Nos. 275, 575, 705, 970, 2290, 3469 and 5662 on Anti-Prostitution Act; House Bill No. 682 on the Anti-Corporal Punishment Act; House Bill Nos. 999, 5672 and 7820 on Anti-Marital Infidelity Act; House Bill Nos. 1748, 2591, 3002, 4244 and 4272 on Providing Protection, Security and Benefits to Whistleblowers and Providing Funds Therefor; and Senate Bill No. 2657 on Strengthening the Functional and Structural Organization of the Commission on Human Rights, Extending Its Investigative Jurisdiction and Conferring Prosecutorial Powers.

Aside from the submission of position papers, the DSWD was also part of the Technical Working Group which has supported bills concerning sexual consent, corporal punishment, and children in armed conflict. Additionally, on issues regarding children, the DSWD has attended an Inter-Agency Council Against Child Pornography in Subic.

The CHR has also drafted the human rights legislative agenda for the 15th Congress. It likewise issued a resolution on the policy regarding extrajudicial killings.

The NCIP, on the other hand, has focused its attention on the issue on anti-discrimination based on religion and race.

Administrative Activities

The community pillar also joined efforts in the extension of free legal counselling and assistance to barangays and their constituents. This is vital for the NCIP because not all IP groups have councils of elders. The NCIP also recognized the need to strengthen local councils of elders in dispute resolution to increase access to justice especially by the poor and indigenous groups. The NCIP has issued Administrative Order No. 1 on the Rules of Procedure Governing Traditional Conflict Resolution and signed a Memorandum of Agreement with the DOJ regarding filing of cases before the latter.

The DSWD has created project proposals for the institutionalization and nationwide implementation, with the DILG as lead agency and in cooperation with the DOJ, DILG, SC, and PNP, of the Access to Justice project.

Programs

The community pillar has also advocated the immediate implementation of RA No. 9344 and the passage of local ordinances by the LGUs in support of the law. There was also a need to advocate the implementation of community-based services for CICL.

To achieve this, the DSWD has proposed amendments to RA No. 9344 and prioritized the promotion of Local Social Welfare. It has also trained its Social Welfare and Development Officers regarding CICL. The DSWD, moreover, developed modules on Social Workers Handling Children in Conflict with the Law and Training on Recovery and Reintegration of Trafficked Victims and Survivors (VIII); a Case Management Tool for Children Recovering from Substance Use and Abuse (Modified Social Stress Model); Discernment Tool for RA No. 9344; Guidelines of Social Workers in Handling CICL; Guidelines in Conduct of Diversion for CICL; and Manual on Referral System for Recovery and Integration of Trafficked Persons.

The DILG, through the National Barangay Operations Office (NBOO), has conducted an Orientation on the Barangay Council for the Protection of Children. It has also issued a Manual for the Orientation Team. In addition to the Manual, the DILG-NBOO has also developed other materials in relation to RA No. 9344, such as Mainstreaming Child Rights in LDP: A Guide to Localizing Children 21, which is an inter-agency output; Guidebook on Child-Friendly Legislation; and Compendium on Good Practices on Children.

The DILG-NBOO has also issued related rules and regulations such as MC No. 2008-126 or the Revised Guidelines in Monitoring the Functionality of the Local Council for the Protection of Children (LCPC) at All Levels and for Other Purposes; and MC No. 2009-59 or the General Guidelines and Procedures in Handling Children at Risk and CICL by the Barangay Council for the Protection of Children.

To guide the LGUs, the DILG has released the Model Ordinance to Implement the Intervention and Diversion Program Pursuant to RA No. 9344 and the Model Ordinance on How to Make Child-Friendly Barangays. The DILG furthermore released a List of Child-Friendly Barangays to better encourage the transformation of barangays into such.

As for the efforts made by the CHR, a Children's Rights Center was established. The NCIP meanwhile conducts paralegal trainings.

Besides Juvenile Justice, the implementation of RA No. 9262 or Violence Against Women and Children is another concern of the Community Pillar. The DSWD has lobbied for House Bill No. 683 on Modifying the Crime of Rape Involving Minors and has launched several programs such as the Community-Based Rehabilitation Program for Perpetrators of Domestic Violence (2008-2009); Comprehensive Pilot Intervention Plan Against Gender Violence in CARAGA Region (2008-2009); and Rape Crisis Center Project (2009). The DSWD also initiated a referral system of cases to the Philippine Commission on Women.

Implementation of RA No. 9262 has been directed by the DILG, through the NBOO, with the issuance of MC No. 2004-118. The NBOO has also been monitoring the implementation of the VAWC law by recording the number of VAWC cases at the barangay level. The DILG also has released a primer regarding the issuance of a Barangay Protection Order to guide barangay officials. A joint circular was issued by the DILG and the Liga ng mga Barangay, the MC No. 2005-02 on the Nationwide Conduct of Orientation Conference on RA No. 9262.

The CHR has also served as the focal office for the creation of Implementing Rules and Regulations of RA No. 9262. It has also conducted trainings and institutional capacity building together with the PCW. It likewise led the establishment of women centers for the acceptance of complaints on violations of VAWC. In recognition of its function as the focal office, the CHR has been appointed as the Gender Ombudsman.

With regard to Indigenous Peoples children, the NCIP undertakes the monitoring, documentation, and reintegration of IP children involved in armed conflict or Children Involved in Armed Conflict (CAC). Presently, 12 such cases have been submitted to the DSWD.

The NEDA also joins in the implementation of RA No. 9262 by its inclusion in the National Human Rights Action Plan (NHRAP), which highlighted the accomplishments of concerned agencies.

The issue on trafficking of persons is another concern of the community pillar. In this regard, the DSWD drafted the Implementing Rules and Regulations for Section 4(g) of RA No. 9208. It also launched in 2008 its program on the Recovery and Reintegration for Survivors of Trafficking. This is to continue until 2011. It has also put into effect the national rollout of a referral system for traffic victims, complementing the initiative with training for social workers conducting the recovery and reintegration.

The DILG has also issued circulars for RA No. 9208: MC No. 2005-26 on the Strict Implementation of RA No. 9208 and, as a supplement, MC No. 2006-172 on Strengthening LGU's Efforts to Combat Trafficking in Persons.

The NCIP has evolved an IP Master Plan which covers all plans and programs for each IP community. It has also overseen the implementation of RA No. 8731 or the Indigenous Peoples Rights Act of 1997, its NCIP Process and Omnibus Rules, and the NHRAP.

Agency Activities

The previous MTDP recognized the need to disseminate information at the grassroots level. The NCIP has engaged in IEC campaigns geared towards the promotion of awareness on IP rights. The CHR has conducted related programs in all regions. The DILG supervised information dissemination at the barangay level.

To increase awareness and discussion of human rights issues in the community, the DSWD, in support of the implementation of laws relating to pressing human rights issues such as the laws mentioned above (RA No. 9344, RA No. 9262, and RA No. 9208), has issued Administrative Order No. 17 dated September 18, 2009, or the Guidelines in the Pilot Testing of Community-Based Rehabilitation Program for Perpetrators of Domestic Violence. It has also organized symposia for updates on community efforts and challenges to be surmounted, such as on the Local Government Units' Compliance with RA No. 9344 or the Juvenile Justice and Welfare Act of 2006 held in June 2009 and the Challenges in Mainstreaming Women's Rights in Nation Building held in November 2009.

Partnerships with LGUs, NGOs, and POs to create greater awareness and better solutions to CJS issues were also strengthened. The CHR has maintained continuous partnerships with NGOs, such as the ALG, for the conduct of community-based dialogues. Going beyond local partnership, the DSWD has delved into international cooperation and special projects like its partnership with the UNDP. Its current list of partners includes the *Agencia Española de Cooperación Internacional para el Desarrollo* (AECID), United Nations Population Fund (UNFPA), International Labour Organization (ILO), and United Nations Children's Fund (UNICEF).

Gender-related issues were also raised in the previous MTDP. The NCIP has undertaken to “genderize” all its activities and the DSWD has strictly implemented the GAD Plan.

The DSWD has also released a Guide for Media Practitioners on the Reporting and Coverage of Cases Involving Children, which was developed and revised by the Special Committee for the Protection of Children to help protect the privacy and identity of children from abuse and exploitation emanating from media reports and coverage.

The CHR, NCIP, and DILG have utilized the internet and have created their respective websites as a means for public service. The DILG also has a weekly publication which it uses to collect feedback.

Another concern was with respect to the Witness Protection Program. The CHR is in the process of implementing this project and has arranged for the provision of a house for witnesses and their families.

The community pillar has also paid attention to the plight of overstaying detainees and prisoners and has aimed for a joint effort among the five pillars of the CJS, with the cooperation of the barangays, to obtain the release of said detainees and prisoners. The CHR has participated in discussions on Release on Recognizance, visited detention centers, and received reports on complaints of prolonged detention by detainees and prisoners.

The provision of after-care services by the respective LGUs in coordination with civic and religious groups are additional concerns. Advocacy work, hence, must be pushed for projects such as skills training, livelihood and other productive projects. To carry this out, the DILG engages in research for after-care services such as family and livelihood programs, and youth homes, among others.

**MATRIX 1: UPDATE ON THE MEDIUM-TERM DEVELOPMENT PLAN FOR THE
PHILIPPINE CRIMINAL JUSTICE SYSTEM (2007-2010)
STRATEGY PLANNING MATRIX**

SPECIFIC ACTION PLANS

A. Law Enforcement Pillar

Legislative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>Revisit and amend the PNP Law which allows appointments through local chief executives to address the issue of having law enforcers “beholden” to local chief executives.</p> <ol style="list-style-type: none"> 1. Review PNP Law. 2. Draft amendment. 3. Submit to Congress. 	<p>Draft amendment of the PNP Law removing/revising provision on LGU chief’s role on appointments.</p>	<p>DILG, PNP, Congress</p> <p>Lobby groups</p>	
<p>Revisit and amend law to strengthen the capability of law enforcement pillars.</p>			<p>PNP:</p> <ul style="list-style-type: none"> • RA No. 9708, Education and Promotion System (2009) <p>PDEA:</p> <ul style="list-style-type: none"> • Creation of TWG on RA No. 9165 – Amendments composing mostly of the legal counsels with the participation of the concerned services. <ul style="list-style-type: none"> ➤ Tasked to review RA No. 9165 and proposed amendments which are submitted periodically to members of Congress.

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>Institutionalize support for law enforcers.</p> <ol style="list-style-type: none"> 1. Submission of a draft bill for congressional approval. 2. Continuing advocacy until a law is passed. 	<p>Enhanced law which would provide LEA personnel free legal assistance and witness protection for lawsuits filed against them in relation to the proper performance of their functions.</p>	<p>PNP, NPS, DILG</p>	<p>NAPOLCOM:</p> <ul style="list-style-type: none"> • MC No. 2008-014 – Free Legal Assistance: “Implementing Rules and Regulations on Section 49 of RA No. 6975, as amended, as prescribed by the Joint Memorandum Circular dated Feb 2, 2000 of the DOJ, NAPOLCOM, and PNP.” <p>PDEA:</p> <ul style="list-style-type: none"> • Legal and Prosecution Service (LPS), upon recommendation of the Internal Affairs Service (IAS), provides legal assistance to all employees particularly its agents charged or counter-charged in relation to or in the course of their performance of official duties.
<p>Creation of a unit that would render legal assistance to law enforcers with meritorious cases against harassment suits, and assist in providing legal expenses incurred by them.</p> <ol style="list-style-type: none"> 1. Consultations 2. Draft proposal. 3. Submit draft to Congress. 	<p>Draft amendment of the PNP law particularly the provision for Support Units of PNP to include a Legal Service Unit tasked to render legal assistance. The amendment should allow the hiring of more lawyers to be members of the PNP.</p>	<p>PNP, DILG</p> <p>Lobby groups</p>	<p>NAPOLCOM:</p> <ul style="list-style-type: none"> • MC No. 2008-014 – Free Legal Assistance: “Implementing Rules and Regulations on Section 49 of RA No. 6975, as amended, as prescribed by the Joint MC dated Feb 2, 2000 of the DOJ, NAPOLCOM, and PNP.”

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<p>PDEA:</p> <ul style="list-style-type: none"> • Court Watch Project • Database • Committee on Decorum and Investigation – sexual harassment cases, recommends whether to file a case. • Legal Division – renders legal assistance upon recommendation of Internal Affairs Office, provides assistance and even bail, etc. <p>PNP:</p> <ul style="list-style-type: none"> • PNP Legal Service – Legal Assistance Division
<p>Legislate more punitive laws against obstructing and unduly influencing or intervening in criminal investigations using RA 9165 as model.</p> <p>1.Consultations 2.Draft proposal. 3.Submit draft to Congress. 4.Continuing advocacy.</p> <p>1.Draft MOA. 2.Signing of MOA.</p>	<p>Legislation which will punish or increase penalties for obstructing and unduly influencing or intervening in criminal investigation.</p> <p>Draft amendment of the PNP Law revising provision on LGU Chief’s role on appointment of Directors.</p> <p>MOA between LEAs and NPS to increase participation of prosecutors in training law enforcers.</p>	<p>DILG, PNP, Technical Committee</p> <p>Lobby groups</p> <p>PNP, NPS</p>	
<p>Rationalize compensation package for law enforcers (10% higher compensation for those directly performing actual law enforcement).</p>	<p>Passage of the law.</p>	<p>PNP (DPL-NHQ)</p>	<p>PNP:</p> <p>Performance Governance System: Promotions</p> <ul style="list-style-type: none"> • Regular Promotion • Meritorious or Special Promotion

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
1.Preparation of draft bill . 2.Identify “champion/s” of the bill and submit to Congress. 3.Continuing Advocacy.			<ul style="list-style-type: none"> • Housing Program • Scholarship Project • Health Care Services • Legal Assistance Program • Awards • Livelihood program • Personnel enhancement program <p>PDEA:</p> <ul style="list-style-type: none"> • Voluntary Mutual Assistance Program
Make LGU Peace and Order Fund accessible to the police. 1.Consultation 2.Bill Preparation. 3.Submit to Congress. 4.Continuing advocacy.	Draft bill that allocates or sets up a certain percentage of their budget to the local PNP. Enacted law	DILG, PNP, Congress	<p>PDEA:</p> <ul style="list-style-type: none"> • Barangay Anti-Drug Council • Percentage of IRA for Anti-Drug campaign • MOA with LGUs – establishment of drug councils

Administrative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>DOJ Memo Circular on institutionalizing coordination between the prosecutor and police (for active participation of the prosecutor).</p> <p>1. Require site investigation. 2. Completion of DOJ Memo 3. Implementation.</p>	DOJ Memo	DOJ, Office of the Prosecutor, PNP	<p>NAPOLCOM:</p> <ul style="list-style-type: none"> • Program on Prosecution, Law Enforcement, and Community Coordinating Service (PROLECCS) • NAPOLCOM honors model employees, individual police, police stations, and community partners every year. <p>PDEA:</p> <ul style="list-style-type: none"> • PDEA Awards and Recognition System. The PDEA Honor Wall which immortalizes the heroic deeds of KIA PDA agents. • PECIS
Institutionalize visits to agencies in the law enforcement pillar.	Executive Order from the Office of the President to institutionalize agency visits and inclusion of values awareness in the school curriculum	DepEd, CHED, Office of the President	
Inclusion of values awareness/ rights and responsibilities in the Elementary and High School curriculum.	Revised school curriculum that includes basic human rights and responsibilities of the citizens in the CJS.	DepEd, CHED	
<p>Aggressive information campaign to showcase best practices and model police officers and their accomplishments.</p> <p>1. Collation 2. Dissemination 3. Continuing program 4. Identification and Recognition of and Awards for Model Officers <i>(continuing)</i></p>	Feature stories, Primer on Law Enforcement, and Role of Police series, etc.	Law Enforcement Agencies, Government Mass Media, Private Networks	

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>Strict implementation and monitoring of the policy on posting of workflow charts</p> <p>1. Reimplementation</p> <p>Publication of lists of police officers on AWOL and/or separated from the service.</p> <p>Improve the screening process.</p> <p>1. Urgent issuance of a directive.</p> <p>Strengthening of LEA Recruitment and Selection program.</p> <p>1. Revisit PNP Recruitment Program.</p> <p>2. Revision</p> <p>Rationalization of LEA Personnel Deployment.</p>	<p>100% compliance (posting of workflow charts in the agencies).</p> <p>Inventory of personnel and publication of lists.</p> <p>Directive to be issued by NHQ for an extensive background check/ investigation on PNP recruits.</p> <p>Policy professionalizing PNP Recruitment, Assignment and Promotion Program.</p> <p>LEA Policy regarding redeployment.</p>	<p>All agencies in the pillar</p> <p>PNP (DPRM-NHQ)</p> <p>Chief PNP and DI</p> <p>PNP, NAPOLCOM, LGU</p>	<p>PNP:</p> <p>Financial Management Program:</p> <ul style="list-style-type: none"> • Salary Increase for Uniformed Personnel and Non-Uniformed personnel • Increase in Initial Clothing Allowance • Resource Mobilization Project <p>PNP Recruitment Program</p> <ul style="list-style-type: none"> • Regular Recruitment Program • Attrition Recruitment Program • Lateral Entry for PNP Graduates • Lateral Entry Program for Technical Services • Individual Training Program <ul style="list-style-type: none"> ➤ Job Enhancement Project ➤ Specialized Training • Unit Training Program <ul style="list-style-type: none"> ➤ Internal Security Operations ➤ Character and Aptitude Development ➤ Human Rights and International Humanitarian Law Seminar ➤ Firearms Proficiency Training ➤ Other Programmed Courses ➤ Gender Sensitivity and Development ➤ Physical Fitness and Sports Development

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			<ul style="list-style-type: none"> • Foreign Training Program <ul style="list-style-type: none"> ➢ In-country training ➢ Foreign Country Training <p>NBI:</p> <ul style="list-style-type: none"> • Personnel Corner available in the website which includes trainings, designations, transfers/ reassignments, and special task forces of NBI personnel. • Stringent requirement for agent and special investigator applicants. • Citizen’s Charter • Posting of workflow charts. <p>NAPOLCOM:</p> <ul style="list-style-type: none"> • MC No. 2008-006: Lateral Entry • MC No. 2007-009: Recruitment • Res. No. 2010-261: Qualification Standards • MC No. 2007-008: Promotion and Placement for Third Level Ranks • Resolution No. 2008-447 submitting to Congress the Revised Reorganizational Plan of the Philippine National Police (PNP). • Republic Act No. 8551 which amended RA No. 6975 grants the National Police Commission the

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			<p>summary dismissal power over PNP members with administrative cases.</p> <ul style="list-style-type: none"> • Memorandum Circular No. 2010-001 amending Sections 9 and 10 of NAPOLCOM • Memorandum Circular No. 95-017 entitled: "Prescribing Guidelines Governing the Personnel Action of Dropping from the Rolls of Officers and Non-Officers of the Philippine National Police (PNP) for Incurring Absences Without Official Leave/and Unauthorized Absences." <p>PDEA:</p> <ul style="list-style-type: none"> • Merit and promotion board, and merit and selection board • PROMEX –promotional exam, neuro, agility and medical exams, panel interview • Every service has a workflow • Publish blacklisted offenders (employees)
<p>Strengthen training program for law enforcers.</p> <p>1.Part of compliance option</p> <p>2.Continuing activity</p>	<p>SC Resolution to include the training of law enforcers by prosecutors, in cooperation with NPS and IBP, and credit it to MCLE.</p>	<p>SC, IBP, NPS</p>	<p>PNP:</p> <ul style="list-style-type: none"> • PNP Integrated Transformation Plan-PGS (2005-2030) • Logistics Training: <ul style="list-style-type: none"> ➤ Training on Preventive Maintenance

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<p>1. Drafting of MOA. 2. Signing of MOA.</p>	<p>MOA between Law Enforcement Agencies (LEAs), IBP and NPS to increase participation of prosecutors in training for law enforcers.</p>	<p>PNP, NPS</p>	<ul style="list-style-type: none"> ➤ 5th PNP Logistics Management Course ➤ Petroleum and Oil Lubricant • The Office of the Chief PNP and line offices, PNP Crime Laboratory and the Training Service are already ISO 9001:2008 certified as of July 2010. • Installation of biometric system for the PNP Training Service personnel and students attending class inside the Training Service compound.¹³ • Revision of Investigation Manual • Publication of the Revised Police Operational Procedures. • PNP Investigation Unit: Enhancement of the case management system. • Procurement of Criminal Intelligence and Analysis IT Equipment. <p>PNP HRAO:</p> <ul style="list-style-type: none"> • Strengthening of HR Desks. • Mainstreaming of HR (policies, programs, and projects). • Trust Building (multi-sectoral and inter-agency cooperation).

¹³ PNP Training Service: Major Improvements <<http://www.pnpts.org/majorupdates>> (last accessed Dec. 4, 2010).

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			<p>NBI:</p> <ul style="list-style-type: none"> • Deployment of investigators and technical personnel to local and foreign trainings. • Provision of training to counterparts and other agencies. <p>PDEA:</p> <ul style="list-style-type: none"> • Programs for capability enhancement (local and foreign). • Creation of the Local and Foreign Schooling Board. • Continuous training for technical personnel at the International Law Enforcement Academy (ILEA), Bangkok, Thailand. • Training of technical personnel as Subject Matter Experts (SMEs) to conduct regular seminars and workshops to PDEA agents and employees. • Regular participation at seminars on RA No. 9165 for Judges, Prosecutors and Law Enforcers. • Joint PDEA-PNP Negros Oriental and NORDAPC Anti-illegal Drugs Training for Police Officers. • Trainors' Enhancement programs (technical personnel like chemists, lawyers).

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			<p>NAPOLCOM:</p> <ul style="list-style-type: none"> • Institutionalization of a Training Service in the Proposed PNP Reorganization Plan • Program on Prosecution, Law Enforcement and Community Coordinating Service (PROLECCS). • MC No. 2007-9: Recruitment Standards and Procedures.
Publication and Posting of Citizen's Charter.			<p>All LEAs have published their respective Citizen's Charter.</p> <p>NAPOLCOM: Compliance with Citizen's Charter and Code of Conduct.</p>

Programs/Agency Activities

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ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>Seminars for barangay officials and citizens on CJS, especially law enforcement functions/agencies (to be part of compliance option by Feb. 2007, and should be a continuing activity).</p> <p>Aggressive information campaign on the Criminal Justice System. 1. Produce and collate material. 2. Dissemination</p> <p>Enter into agreements with media regarding engagements in law enforcement operations (media relations program).</p> <p>Conduct of continuing training in the Moral Recovery Program for Law enforcers.</p>	<p>MCLE credits provided lawyers for the seminar in cooperation with the SC and IBP.</p> <p>Informational materials collated from existing resources on law enforcement mandates and procedures (Citizens' Charter).</p> <p>The designated personnel (point person) of each office should be the only one to interact with the media.</p> <p>Revise current MRP for law enforcers to make it more responsive to the times and more comprehensible for the ordinary law enforcer to understand.</p>	<p>Supreme Court, IBP, DILG, LGUs, DOJ, Media, Government Networks, Government Media Groups</p> <p>DILG, LGUs, DOJ, PIA, Media, Government Media Groups</p> <p>Heads of Law Enforcement Agencies</p> <p>DILG, PNP, with the Community, Church, Schools</p>	<p>PNP: Doctrine Development Program:</p> <ul style="list-style-type: none"> • PNP Ethics Manual • Human Resource Development • PNP Competency Framework • Law Enforcement Administration of Juvenile Justice • PNP Memorandum Circular No. 2009-08 • Citizen's Charter • Personnel Accounting Information System • Daily PNP Personnel Accounting Report • Purpose-Driven Life Seminars • S-Leadership: The Potter's Way • Recollection • Gender Workshops • Badge of Honor Ceremony • Women and Children Protection Program • Inspection of Custodial Detention Cells • Provision of security escorts • Poster on Rights of Accused • Arbor Day Tree Planting • Earth Hour 2009 • Takbo para sa Kalikasan • PNP Scubasurero

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			<p>NBI:</p> <ul style="list-style-type: none"> • Moral Renewal Program • Public Assistance Center and Hotline <p>PDEA:</p> <ul style="list-style-type: none"> • PDEA Online Licensing System launched in 2008¹⁴ • Operation “Private Eye” encourages citizens to report illegal drugs operation. • Publication of the Manual of Anti-Illegal Drug Operations • PDEA Moral Renewal Plan¹⁵ • PDEA Code of Conduct • PECIS (problem on monitoring due to abolition of PAGC) <p>NAPOLCOM:</p> <ul style="list-style-type: none"> • Conduct of Crime Prevention on CJS Seminars to Schools and Barangays
<p>Establish linkages and networking with LGUs, GOs and NGOs in IEC activities.</p> <ol style="list-style-type: none"> 1. Coordination with stakeholders. 2. Implementation <p>Intensify information drive on remedies available against erring police officers</p> <ol style="list-style-type: none"> 1. Follow-up to ensure compliance of field offices regarding implementation of past directives regarding the matter. 	<p>Directive reiterating PNP policy for field offices to partner with LGUs, GOs and NGOs in IEC activities.</p> <p>Reviewed institutional directives.</p>	<p>Chief PNP and DPCR-NHQ, PNP Field Offices, PNP (DPRMNHQ)</p> <p>PNP (DPL-NHQ)</p>	<p>PNP:</p> <p>Public Information and Advocacy on ITP for external stakeholders from LGUs, academe, student sector, media, NGOs, and other sectors. Programs include:</p> <ul style="list-style-type: none"> • Transformation Caravan • Transformation Forum • PRO/NSU PMO ITP • Implementation Handholding Seminar • The Public Safety Mutual Benefit Fund, Inc.

¹⁴ Timeline of the Drug Problem and Drug Enforcement in the Philippines <<http://www.pdea.gov.ph/images/documents/timeline%20of%20the%20drug%20problem%20and%20drug%20enforcement%20in%20the%20philippines.pdf>> (last accessed Dec. 4, 2010).

¹⁵ PDEA: Administrative Accomplishments <<http://www.pdea.gov.ph/images/documents/administrative%20accomplishments.pdf>> (last accessed Dec. 1, 2010).

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2. Review of existing remedies, processes and overlapping jurisdictions of multiple entities exercising disciplinary authority over police officers and drafting of proposal/s for process simplification.	Policies on: <ol style="list-style-type: none"> 1. Over-layering/ multiple jurisdictions 2. Disciplinary actions 3. Process simplification 		<ul style="list-style-type: none"> • ITP Comics • PNP Journal and Digest • PNP Mascot Officer • PNP Radio Program, "Pulis at your Serbis" • TV Program, "Talakayan sa Isyung Pulis" • Interfaith Dialogue Forum • Islamic Awareness Forum, Radio Program; • Salaam Police Center Activities <p>PNP's participation in Religious, Health/Physical Fitness and Environmental Protection Programs/Activities:</p> <ul style="list-style-type: none"> • Sunday TV Mass Program; • <i>Takbo</i> Breakfast Friend; <i>Alay Lakad</i> 2009; • <i>Grand Bida</i> March; Medical and Dental Outreach Program <p>Family, Juvenile, and Gender and Development Program:</p> <ul style="list-style-type: none"> • Women's Month Celebration • RTD on Intervention for Children Who Sexually Abuse other Children • Men Opposed to Violence Against Women Everywhere Seminar

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			<p>Institutionalization of Barangay Peacekeeping:</p> <ul style="list-style-type: none"> • Manual on BPO • Implementation of TOPCOP • Implementation of Gun-Free Tourist Destination • Implementation of the Integrated Area-Community Public Safety Plan • Institutionalization of Human Rights Desk <p>Institutional Policy Development:</p> <ul style="list-style-type: none"> • Creation of the Human Rights-based Policing Committee • Activation of Special Teams to Assist CHR-led Multi-Agency Task Force • Mandatory Assistance in all Congressional Hearings and other public inquiries related to human rights • Creation of Project Management Team for HR-Based Policing • Institutionalization of Citizen’s Charter • Integration of Complaint Centers • Jobs Fair

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			<p>Other Police-Community Relations (PCR) Activities:</p> <ul style="list-style-type: none"> • 14th Police-Community Relations Month • PNP Museum Enhancement • “Alay ni Tsip na Salamin Para sa Malinaw na Paningin” • Tanging Ina Project • Balik-Eskwela Gift Giving Activity • One-Day Special Passport Processing • Get-together activities <p>Community Assistance and Development Program:</p> <ul style="list-style-type: none"> • Disaster Preparedness and Management <p>MOA with Rotary (establishment of Anti-Crime Rotary Watch).</p> <p>PDEA: PDEA Campaign Plan “Bandila” which raises people’s awareness on illegal drugs and mobilizes the citizenry to participate in PDEA’s activities.</p> <p>NGO Accreditation System</p> <p>MOUs with 12 countries and 121 local partners.</p>

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			<p>NAPOLCOM:</p> <ul style="list-style-type: none"> • Circular: Prescribing Guidelines for the Annual Nationwide Observance of the Police-Community Relations Month. <p>Prescribing Guidelines and Procedures Governing the Deputation of Barangay Tanods as Members of Police Auxiliary Units and Authorizing the Deployment of PNP Uniformed Personnel to Act as Supervisor of PAU Members. NAPOLCOM acts as a consultant to the People's Law Enforcement Boards which hear and decide citizen's complaints or cases filed before them against erring officers and members of the PNP.</p> <p>NBI: Creation of a Foreign Liaison Division.</p>
Ensure that claim holders can avail of services of law enforcement agencies.			<p>PNP: Quality Service Lane (pilot 7 police stations) Alert 24/7 (legal hotline for inquiries for police operations)</p>

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			NAPOLCOM: <ul style="list-style-type: none">• Established NAPOLCOM action centers to receive complaints (national and regional).• Established composite group of DILG family to receive complaints (placed under DILG). NBI: <ul style="list-style-type: none">• Public Assistance Center• Hotline• Complaints and Recording Division Alert Duties (24/7)

SUMMIT ISSUES AND RECOMMENDATIONS TO THE CRIMINAL JUSTICE SYSTEM

LAW ENFORCEMENT PILLAR

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>Change of Paradigm from Anti-Communist to Pluralist view of society.</p> <p>1. Proscribe “orders of battle” that all communists and activists are enemies of the State.</p> <p>2. Proscribe communist or terrorist labelling: victims are indiscriminately labelled as communists or terrorists in order to explain their deaths.</p> <p>3. Proscribe the reward system where soldiers are rewarded for killing labelled communists and terrorists.</p>	AFP, PNP	<p>The AFP incorporates Human Rights and International Humanitarian Law in its Internal Security Operations (ISO). OPLAN BANTAY LAYA II contains coordinating policies that deal with Human Rights and IHL which are embodied in the Standing Rules of Engagement (SROE). (OPLAN BANTAY LAYA is currently suspended.)</p> <p>Guidelines incorporating HR and IHL:</p> <ol style="list-style-type: none"> Guidelines on the Protection of Civilians Affected by Counterinsurgency Operations; Guidelines on Human Rights and the AFP/NPA to reaffirm their adherence to the Principles of HR and IHL and directing that Commanders shall be responsible for the conduct and behavior of subordinates; 	<p>PNP maintains “Watch List”</p> <p>Reward system case by case basis; monetary reward not given to people in government service; rewards in the form of medals and recognition/ promotion for the accomplishment.</p> <p>AFP</p> <ul style="list-style-type: none"> Drafting a new ISO Campaign and Peace and Development Plan to include stakeholders. J3 formulating new Rules of Engagement to be UN standards compliant. J2 has directives on labelling of those who take up arms. In-house or in-service troop information and education (TI&E) sessions. Creation of an AFP HR/IHL Handbook. 	<ul style="list-style-type: none"> Lack of coordination/ initiative AFP only to augment and/or support police in terms of concerns of security of the populace.

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
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		<ul style="list-style-type: none"> 3. Safety of Innocent Civilians and the Treatment of the Wounded and the Dead; 4. Presidential Memorandum Order No. 393 mandating the AFP and PNP to adhere to the Principles of HR and IHL in the Conduct of Police Operations; 5. Joint Circular No. 2-91 implementing Presidential Memorandum Order No. 393; 6. GHQ, AFP Memorandum of Handling and Treatment of Children in Armed Conflict; 7. GHQ, AFP Directive directing Commanders to investigate personnel charged with criminal offense; 8. GHQ, AFP Directive delineating the functions of the AFP investigative offices and units such as the TIG, OESPA, TPMG and TJAG and strengthening the investigative function of the 		

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
		<p>Provost Marshall which includes investigation of human rights.</p> <p>Institutions and efforts to strengthen HR and IHL:</p> <ol style="list-style-type: none"> 1. AFP Human Rights Office (AFP HRO), with functions provided for in Memorandum; 2. Office of the Provost Marshall which instills discipline among all AFP personnel; 3. Office of the Inspector General (TIG) which inquires into mission performance; 4. Office of the Judge Advocate General which advises the Commander on legal matters and files cases against military personnel; 5. Office of Ethical Standards and Public Accountability which ensures the implementation of the AFP Code of Ethics. 		

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
		<p>Presidential Memorandum No. 256 which mandated the inclusion of HR and IHL in training of AFP and PNP personnel.</p> <p>Publication of AFP Handbook on HR and IHL and complete packages of the “AFP Trainers IHL Manual for the Libraries of AFP Training Institutions and IHL Trainers.”</p> <p>AFP continues to institutionalize HR and IHL with the use of the AFP Code of Ethics through weekly troop information and education (TI&E) sessions.</p>	Currently being implemented in close coordination with the other pillars and CHR.	
Exercise of police function of the AFP should be declared illegal.	Congress			
Disciplining erring soldiers and police: 1. The AFP must convene a general court martial if cases are filed against personnel found to be involved in EJK.	AFP, PNP	AFP personnel are cleared by the CHR first before being promoted. Training programs include HR modules conducted by NGOs like the ICRC. AFP also established a human rights office as a special staff of the Chief of Staff.	PNP: Internal Disciplinary Machineries Simplify Disciplinary mechanisms (currently 8 bodies)	

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>2. Stricter qualifications for admission to and promotion in the AFP and PNP.</p> <p>3. Amend RA No. 8551, or PNP Law, to provide for the preventive suspension or summary dismissal.</p>		<p>NAPOLCOM: Acts as administrative disciplinary machinery of the police</p>	<p>PNP: Promotional and physical exams</p> <p>PNP has a mechanism for preventive suspension and summary dismissal. Adjudicatory functions of IAS (because now IAS is merely recommendatory).</p>	
<p>Imputing liability to superiors:</p> <p>1. Presumption of knowledge of subordinates under EO No. 226, S. 1996 be promulgated as a rebuttable presumption;</p> <p>2. Adopt and codify the Command Responsibility Doctrine;</p> <p>3. Abolish or circumscribe the immunity of the President as regards EJK.</p>	AFP, PNP, Congress	<p>Provisions of Command Responsibility have been incorporated in OPLAN BANTAY LAYA.</p> <p>Under Anti-Torture law, Command Responsibility has been adopted.</p> <p>NAPOLCOM: MC No.1995 on Command Responsibility.</p>	<p>Re-file Bill on Command Responsibility.</p> <p>NAPOLCOM: Review and update MC No. 1995.</p>	Under the EO, only administrative liability not criminal.
<p>Forensic capability and technology must be utilized/developed:</p> <p>1. Upgrade existing forensic laboratories, establishment of</p>	PNP, NBI, PDEA, NAPOLCOM		<p>NBI:</p> <ul style="list-style-type: none"> Ongoing Forensic Capability Enhancement Program at the national and regional level. 	

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>Crime Laboratory Office in all provinces and cities to extensively make use of forensic technology.</p> <p>2. Direct Municipal Health Officers to take DNA samples of unidentified cadavers for preservation by the PNP forensic laboratory.</p>			<ul style="list-style-type: none"> • Enhancement of Disaster Victim Identification. • Procurement of modern technical equipment (DNA machine, video spectral comparator 4) 	
<p>For identification of perpetrators:</p> <p>1. Procurement and training of investigators on a software program for composite sketches of suspects.</p> <p>2. Evidence stating that the perpetrators wore uniforms with blank nameplates or without any mark or insignias shall be presumed to be members of the police or military unit so identified within a 30-km. radius from the place of incident.</p> <p>3. There should be additional markings on all</p>	PNP, NBI, NAPOLCOM	<p>PNP:</p> <ul style="list-style-type: none"> • Use of CCTVs • Ongoing (part of Forensic Capability Enhancement Program) at the national and regional level • PNP OPLAN “Tamang Bihis” • PNP Operational Procedures 	<p>NBI:</p> <ul style="list-style-type: none"> • Ongoing (part of Forensic Capability Enhancement Program) at the national and regional level • PNP OPLAN “Tamang Bihis” • Strict Implementation of the PNP Operational Procedures • More procurement (e.g. equipment for digital sketching, etc.) 	

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>motorcycles and riders for easy recognition/ identification. Prohibit any material or obstruction that will conceal the face of the motorcycle rider.</p> <p>4. Establishment of a national ID System.</p>			<p>PNP: Larger plates and two plates for motorcycles plus markings on helmets plus vests with markings (proposal: should be implemented by the LTO).</p> <p>National ID system should be established.</p>	<p>Opposition to the National ID System.</p>
<p>Improve coverage, facilities, and resources of Witness Protection Program.</p>	<p>DOJ, NBI</p>	<p>NBI:</p> <ul style="list-style-type: none"> • Halfway House for Witness Protection <p>AFP:</p> <ul style="list-style-type: none"> • Attended Senate Hearing. • Does not provide witness protection unless directed by the President or the law. 	<p>NBI:</p> <ul style="list-style-type: none"> • Continuing program: Halfway House for Witness Protection. • Expansion of the coverage of the Witness Protection Program (dependent on Congress). • Whistleblower Protection Act (dependent on Congress). 	<p>Availability of funds</p> <p>DOJ must lobby for this.</p>
<p>Improve facilities and resources: (forensic, mobility, and communication equipment).</p>	<p>PNP, NBI, NAPOLCOM</p>	<p>NAPOLCOM:</p> <p>Review of logistics and purchases in the PNP.</p>		

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>Training of soldiers and police:</p> <ol style="list-style-type: none"> 1. Conduct appropriate training on first responders, crime scene investigation, forensic investigation (anthropology, pathology, entomology, etc.), case profiling/records keeping, murder/homicide, cold case investigation and Information Technology (IT). 2. Police should be apprised of the proper court procedures to avoid dismissal due to technicality. 3. The act of Mirandizing must be established beyond reasonable doubt. 4. Adopt the three-day rule: concrete action (investigation, evidence gathering, prosecution, etc.) on reported incidents within three days. 	<p>PNP, NBI, NAPOLCOM</p>		<p>Proper turnover of evidence (because cases are dismissed due to technicalities) (for PNP: Already part of Police Operational Procedures).</p>	

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>5. Close cooperation of law enforcement and prosecution.</p> <p>6. Establishment and maintenance of human development program for forensic specialists. Include increase in quota allocation, training, incentives, and other fringe benefits like specialist pay.</p>		<ul style="list-style-type: none"> • DOJ MC No. 04 (2010) – At the start of the investigation prosecutors will assist the investigators for media, activists killings and other forms of political killings (Part of PNP’s Capability Enhancement Program). <p>NBI:</p> <ul style="list-style-type: none"> • Basic Training Course of Agents and Special Investigators on Law Enforcement 		
<p>Improve information management:</p> <ol style="list-style-type: none"> 1. Set up National Crime Information System. 2. Require and maintain up-to-date registers of detainees and prisoners. 3. Establishment, development and maintenance of central database on ballistics, missing persons, recovered unidentified cadavers, and 	PNP, NBI, NAPOLCOM	<p>PNP:</p> <ul style="list-style-type: none"> • Electronic crime reporting system. • Established the Directorate for Information Communication Technology Management (DICTM). <p>NAPOLCOM:</p> <ul style="list-style-type: none"> • PNP Disciplinary Information System (PDMIS) • Women and Children Complaint Standard Reporting System 	<p>NBI:</p> <ul style="list-style-type: none"> • Electronic crime reporting • Information Management on Clearance Database. 	

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>case monitoring specifically adoption and acquisition of Integrated Ballistics Identification System (IBIS) and corresponding firearms identification equipment by amending RA No. 6975 wherein specialists like fingerprint examiner, ballistic examiner, information technologist, computer scientist, computer engineer, among others, are qualified for lateral entry officers positions.</p>		<ul style="list-style-type: none"> • Inspection and Audit Information System • Benefit Claims Management Information System • PNP Promotional and Entrance Examinations System <p>PNP:</p> <ul style="list-style-type: none"> • Firearms Ballistics Database (on-going project) (IBIS). • Firearms Database has been in place for more than 10 years (since 1996). • Consolidation of database for missing persons (DIDM). 		
<p>Enforce gun control.</p>	<p>PNP, NBI, NAPOLCOM</p>	<p>PNP:</p> <ul style="list-style-type: none"> • Establishment of National Firearms Control Program (May 2009). <p>NBI:</p> <ul style="list-style-type: none"> • Permits to carry issued to organic personnel. 		

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
Revive the peace talks with the CPP-NPA-NDF. There must be a three-year bilateral ceasefire or suspension of military operations.	AFP, PNP, OPAP	PNP: <ul style="list-style-type: none"> • Presidential Directive to conduct peace talks in October 2010. 		
Improving the perception of the AFP.			AFP <ul style="list-style-type: none"> • Creation of HR desk at lower levels of command • Strengthening the AFP HRO by upgrading the office and relocating it to a more accessible area • Embarked on trust-building activities • Community-based dialogues 	

FORUM ON INCREASING ACCESS TO JUSTICE				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<p>Knowledge:</p> <ul style="list-style-type: none"> • Police authorities not knowledgeable of the Miranda warning. • Incompetent investigation and/or lack of modern and appropriate forensic tools, including weak case build-up. • Lack of training of police in preparing affidavits of complainants and witnesses. 	PNP, NBI, PDEA	<p>PNP:</p> <ul style="list-style-type: none"> • Integrated Transformation Plan 	<p>Inclusion in the Regular Police Information and Continuing Education</p> <p>Regular Inspection of the “Miranda Warning” card</p> <p>PNP and NBI will be procuring AFIS/IBIS and other forensic tools under the Capability Enhancement Program.</p> <p>Annual general inspection/ORSITE</p> <p>NBI:</p> <ul style="list-style-type: none"> • Specialized training on investigation. <p>PDEA:</p> <ul style="list-style-type: none"> • Will ask about procurement. 	Lack of forensic tools.
<p>Juvenile Offenders:</p> <ul style="list-style-type: none"> • Juvenile offenders involved in petty crimes are maltreated by authorities; police would ask for “ransom” or “kotong” from the juvenile’s parents in exchange for their children’s liberty. 	PNP, DSWD	<p>DSWD:</p> <ul style="list-style-type: none"> • Guide for Media Practitioners on the Reporting and Coverage of Cases Involving Children, also developed and revised by SCPC to help protect the privacy and identity of children from abuse and exploitation emanating from reports and coverage of them by media. 	<p>DSWD should provide for the availability of SW 24/7 and establishment of Youth Center in every municipality/city.</p> <p>Provision of facilities for CICL at the LGU level (strict implementation of the JJWA).</p>	<p>PNP:</p> <p>At the police station level, juvenile cases considered as police concern when the lead agency should be DSWD.</p> <p>PNP, PDEA, and NBI: Lack of separate detention facilities/halfway houses for juvenile offenders.</p>

FORUM ON INCREASING ACCESS TO JUSTICE				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
<ul style="list-style-type: none"> Child soldiers presented to media and pre-judging them, in violation of their right to presumption of innocence. 		<p>NAPOLCOM:</p> <ul style="list-style-type: none"> Prepared a Police Manual on the Management of Cases of CICL. NAPOLCOM launched PNP Manual on Dealing with Juvenile Offenders. <p>PNP:</p> <ul style="list-style-type: none"> Issued a Directive Prohibiting the Presentation of Suspects to Media including CICL. <p>PDEA:</p> <ul style="list-style-type: none"> Holds children temporarily while waiting for DSWD. 	<p>For CICL involved in drugs, separate rehabilitation centers.</p> <p>PNP:</p> <ul style="list-style-type: none"> Amendment to the provision on the law regarding lowering of age of criminal responsibility (SB pending). <p>NAPOLCOM:</p> <ul style="list-style-type: none"> Reproduction/ reprinting of the Manual and dissemination to police stations (<i>needs funding</i>). <p>PDEA:</p> <ul style="list-style-type: none"> In communication with DSWD for a desk for children. 	<p>PNP: No definite institution that would cater to the rehabilitation of CICL.</p> <p>All agencies: budget allocation</p> <p>NBI: No separate detention facility for juvenile offenders.</p>

FORUM ON ENVIRONMENTAL JUSTICE			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Lack of knowledge on environmental laws and gathering evidence.	PNP, AFP, NBI, NAPOLCOM		<p>PNP and NBI:</p> <ul style="list-style-type: none"> Seminars on environment-related laws <p>NAPOLCOM:</p> <ul style="list-style-type: none"> Making employees environmentally sensitive (<i>suggestion: DENR should initiate seminars</i>)
Overlapping institutional roles	PAB, BFAR, LLDA, other administrative agencies		
Non-implementation of certain provisions of environmental laws.	PNP, AFP, NBI, NAPOLCOM		<p>Concerned persons must request for police assistance (to implement environmental laws).</p> <p>NAPOLCOM:</p> <ul style="list-style-type: none"> Legislative agenda: Police should promote environmental awareness among police ranks (ex. during PCR).
Failure to maximize the “beautiful and wonderful” provisions of the Fisheries Code.	LGUs (maritime concern)		
Delays in investigation.	PNP		
Failure of administrative and local government agencies to implement administrative laws.	LGUs, DENR and other agencies	<p>PNP:</p> <p>MOA with LGU and other concerned agencies.</p> <p>NBI:</p> <ul style="list-style-type: none"> MOA with the DENR to protect wildlife. Creation of the Environmental and Wildlife Protection Investigation Division (2010). 	<p>NBI:</p> <ul style="list-style-type: none"> Continuing implementation of current programs.

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Requirement of Certificate to File Action by the prosecution even if not required.	LGU (barangay level)	None	
Gender-insensitive police officers.	PNP	Regular GAD training PNP: <ul style="list-style-type: none"> • Recruitment: Minimum percentage of women to be hired (10 percent present; 50 percent graduated in the next five years). • Standard Reporting System for WCPD (Database available). • Magna Carta for Women 	NAPOLCOM: <ul style="list-style-type: none"> • Training of police officers (in coordination with PNP and Philippine Commission on Women formerly NCRFW). • Information dissemination on the Magna Carta for Women. • Training of police on proper handling of women and children.
Resistance of law enforcers to serve subpoena especially in child abuse cases.	PNP	(Cases may be filed against resisting police. Impose disciplinary action on resisting police officers concerned.)	
"Poseur parents" for release of minor habitual offenders.	PNP		
Need for complainant in criminal cases: PNP memorandum circular directing its women's and children's desks officers to perform dual function of investigator and complainant in cases where none of the child's family and relatives are willing to file a criminal complaint.	PNP, DSWD, DILG	Accomplished	Law Enforcers (NBI, PNP) as Nominal Complainants.

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
No mandatory autopsy in suspicious deaths.	PNP		Already a prescribed procedure.
Training of personnel.		PNP: <ul style="list-style-type: none"> • Para-legal training • Training of Trainors on HR • Top-level Forum • Publication of HR IEC Materials • Seminar-Workshop on Strategic Planning on the Implementation of HR-Based Policing Program. 	
Establishment of woman and child-friendly investigation studio/area.		NBI: <ul style="list-style-type: none"> • Trainings NAPOLCOM: <ul style="list-style-type: none"> • Inspects investigation areas and facilities. 	NBI: <ul style="list-style-type: none"> • Plan to have woman and child-friendly investigation studio/area in regional areas. PNP: <ul style="list-style-type: none"> • Standardize the establishment of women-children friendly investigation area/studio. PDEA: <ul style="list-style-type: none"> • Plan DSWD Children's Desk.

**UPDATE ON THE MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM
(2007-2010)**

STRATEGY PLANNING MATRIX

SPECIFIC ACTION PLANS

B. Prosecution Pillar

Legislative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTD FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<i>A. Prohibitive Cost of Justice</i>			
Pro-forma forms of complaint	Forms designed/ developed patterned after the Cebu Prosecutor's Office. Forms implemented Nationwide.	DOJ-Office of the Chief State Prosecutor DOJ, Local Prosecution Offices	<ul style="list-style-type: none"> • DOJ-NPS issued standard preliminary investigation form, pro-forma complaints and pleadings etc. (see Revised Manual of Prosecutors completed in 2008-DOJ to provide copy of DOJ Circular and Revised Manual of Prosecutors). • PAO Manual and Legal Forms approved but to be implemented.
Reduce required number of copies of complaints and annexes to 5 copies at the Prosecutors' Office or use e-courts.	Amend Manual for Prosecutors. Create a data center/system design. <ul style="list-style-type: none"> • Systems analysis and design • Application Programming • System Testing • Full Implementation 	DOJ-Office of the Secretary	DOJ: Revised Manual for Prosecutors provides for standard number of copies.
Review filing fee rates at Prosecution Offices.	Issue a Department Order.	DOJ-Office of the Secretary	DOJ: <ul style="list-style-type: none"> • Rationalized number of copies of complaints. • Exemption of indigents from legal fees. • Policy limiting the pleadings to be received during preliminary investigation.
Redefine "indigent" litigants to those with monthly family income of P15,000 (gross).	Amend IRR of RA No. 9279.	DOJ-Office of the Secretary	PAO: <ul style="list-style-type: none"> • Applies the Merit and Indigency Test under PAO Memorandum Circular No. 02, Series of 2010.

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Accept any PAO client as indigent as the PAO can do indigency test determined by them.	Strict implementation of the existing memorandum issue by the Secretary of Justice.	DOJ-Office of the Secretary	<ul style="list-style-type: none"> • In certain cases pending verification of applicant’s indigency and an evaluation of the merit of the case, PAO lawyers can provisionally accept a case (e.g., in cases involving VAWC under Republic Act No. 9262, CICL, etc.). • Applicant is required to execute an Affidavit of Indigency and submit other documents. • Under PAO Memo Circular No. 02, Series of 2010, the basis for determination of indigency is NET Individual INCOME (no longer family gross income): P14,000 for Metro Manila, P13,000 for other cities, others P12,000 • PAO clients are exempt from NPS filing fees per DOJ Circular No. 46, June 25, 2010.
Limit last submitted pleading at preliminary investigation to counter-affidavit.	Strict adherence to the Rules on Criminal Procedures and the DOJ Manuals.	Local Prosecution Office	<ul style="list-style-type: none"> • Implemented in the Revised Manual of Prosecutors. • OMB: After the filing of a reply, an investigator may call for clarificatory meeting (similar to those conducted by DOJ prosecutors). But the OMB uses this sparingly. When the parties reside in distant places, the investigator, instead of requesting them to come to their office, asks the parties

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			to send clarificatory reply. This is optional, although part of the OMB Rules.
<i>B. Lack of Information</i>			
Incorporate in the curriculum for law degree courses the need to conduct legal education to the communities as practicum.	Course Syllabus	DOJ, UP Law Center, SC, CHED	
<i>C. Negative Information</i>			
Value formation – refresher/ reorientation on legal ethics.	Conduct of retreats and seminars.	NPS, OMB, PAO	<p>NPS:</p> <ul style="list-style-type: none"> • Development of Codes of Conduct for prosecutors and staff, and performance standards. • Subject on Anti-Graft Practices Act and RA No. 6713 taken up for Basic Orientation Program for New Prosecutors. • Trainors’ training conducted re above. <p>OMB:</p> <ul style="list-style-type: none"> • Orientation for new OMB Government Entrants. • Office Orders Re Code of Conduct and Gifts Policy. • Establishment of Internal Affairs Board • Conduct of “Ehem/Aha!” <p>PAO:</p> <ul style="list-style-type: none"> • Orientation of existing PAO policies, including civil service rules, RA No. 6713 for new employees and for promotion purposes.

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Press releases and media guestings of Prosecutors and Public Attorneys.	Actual press releases and guestings	Local Prosecution Offices	<p>OMB:</p> <ul style="list-style-type: none"> • The office has designated spokespersons or media relations person. The Office of the Ombudsman has a project with USAID that gives them capacity building training on public relations. • "Magsumbong sa Ombudsman" (DZRB, DXFE). • Ombudsman: "Kakampi mo sa Laban ng Katiwalian" (NBN4). • The Essential Thing (Business Mirror) • OMB Integrity Newsletter, OMB Journal and the Sentinel • Press releases disseminated to different national broadsheets, dailies and other local newspapers nationwide. • One-page flyers/bulletins to better inform OMB employees and the general public of recent developments on corruption prevention, best practices/success stories and other important announcements.

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<p>PAO:</p> <ul style="list-style-type: none"> • Publications of legal advice on tri-media (print, radio, TV) plus e-mailed queries on free legal advice. • PAO has its own shows, TV appearances and guestings (e.g. "Face to Face", "Public Atorni").
<i>D. Lack of Legal Services</i>			
Improve and facilitate immediate replacement of vacancies and new appointees by the national office where processing is done.	Submission of qualified applicants to the Office of the President for appointment endorsed by the DOJ.	DOJ and Local Prosecutor's Office concerned	<p>DOJ/OMB/PAO: Improvement in the hiring and selection process.</p> <p>OMB:</p> <ul style="list-style-type: none"> • Implemented a competency-based hiring and selection process and "manualized" the process and standards, including the questions in the interview.

Administrative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<i>A. Prohibitive Cost of Justice</i>			
Pro-forma forms of complaint.	Forms designed/ developed patterned after the Cebu Prosecutor’s Office. Forms implemented nationwide.	DOJ-Office of the Chief State Prosecutor DOJ, Local Prosecution Offices	<ul style="list-style-type: none"> • Not applicable to OMB (RA No. 6770 mandates the OMB to promptly act on complaints filed in any form or manner). <p>DOJ:</p> <ul style="list-style-type: none"> • NPS-issued standard preliminary investigation form, pro forma complaints and pleadings, etc. (see Revised Manual of Prosecutors completed in 2008 – DOJ to provide copy of DOJ Circular and Revised Manual of Prosecutors). • PAO Manual and Legal Forms approved but to be implemented.
Addressing the problem of PAO lawyers’ voluminous work load by expanding the jurisdiction of Katarungang Pambarangay.	Amended RPC decriminalizing other light offenses. Amended Local Government Code: DILG to study and draft laws redefining the jurisdiction of Katarungang Pambarangay, consider other light offenses which may be settled with finality before the KP.	DILG, DOJ	<p>DOJ:</p> <ul style="list-style-type: none"> • Office of Alternative Dispute Resolution established. • Prosecutors and PAO lawyers are resource persons of Katarungang Pambarangay Seminars for local executives.
Addressing the problem of inadequate number of PAO lawyers vis-à-vis voluminous workload.	PAO Bill and the consequent amendments of relevant laws.	Congress (awaiting the plenary presentation).	<p>PAO:</p> <ul style="list-style-type: none"> • Republic Act No. 9406 (PAO Law) and its IRR– upgrading of salaries and allowances for

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			public attorneys equivalent to their counterpart in the NPS; and creation of 359 new lawyer positions and 164 new support personnel positions complementing the 1,047 present public attorneys and 802 support personnel.
Review, amend, modify existing laws relating to Rights of the Accused and Protection of Witnesses.	Expanded the coverage of witness protection program by law.	Congress to study and draft laws. NGOs, GOs, CHR and other affected agencies should introduce the bill and lobby for its passage.	NPS: <ul style="list-style-type: none"> Witness Protection, Security and Benefit Program and Victims Compensation Program. OMB: <ul style="list-style-type: none"> OMB had active involvement in the House deliberations on the proposal of the WB Law.
Law on the creation of a school for interpreters.	Draft bill leading to the eventual passage of a law.	PAO/Courts to study and draft laws. NGOs, GOs, CHR and other affected agencies should introduce the bill and lobby for its passage. Supreme Court to provide guidelines for the qualifications of regional interpreters for local dialects.	OMB: Active involvement of the OMB.
Redefinition of Pauper Litigant to remove barrier to access to justice.	Review court issuances and PAO mandate concerning the definition of Pauper Litigant. Review of legal fees.	Supreme Court and PAO for harmonious determination of Pauper Litigant.	PAO: <ul style="list-style-type: none"> Indigency Test under PAO Memorandum Circular No. 02, series of 2010 (Individual NET Income is now the basis).

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
	Free TSN		<ul style="list-style-type: none"> Applicant is required to execute an Affidavit of Indigency and submit other documents.
MOA with other private legal groups (IBP, FLAG, Legal Aid Centers of different law schools, etc.) for the handling of cases, cognizable by the agency.	Drafting of MOA.	PAO, IBP, FLAG, Law Schools	<p>PAO:</p> <ul style="list-style-type: none"> Applicants who are not qualified for free legal services of the PAO are endorsed to other legal aid organizations for appropriate action. Training with other organizations. <p>OMB:</p> <ul style="list-style-type: none"> Established initial MOA with professional groups. Engaged professional groups (e.g. accountants/civil engineers) in case buildup and prosecution of corruption-related cases.
Improving the capability and knowledge of PAO (and NPS) lawyers.	<p>Foreign and local scholarship grants for PAO lawyers.</p> <p>Organizational studies</p> <p>International conferences, seminars, workshops for PAO lawyers.</p>	DOJAC, PAO, UNDP, CSC, NEDA, SC, foreign institutions	<p>PAO:</p> <ul style="list-style-type: none"> Manuals for CICL and VAWC PAO-UNICEF Seminar on VAWC Act (RA No. 9262), Comprehensive Juvenile Justice and Welfare System Act (RA No. 9344) and other related laws. Regionwide Seminar on Crime Scene Investigation and Reconstruction for the Public Attorney; Forensic Evidence and Medico-Legal Issues National Conventions for Public Attorneys in 2006 and 2009

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> • Participation in the 10th Training Course on Corruption Control in Criminal Justice System (2007) and Forum on Increasing Access to Justice: Bridging Gaps, Removing Roadblocks. • Advanced Training/Workshop in Forensic Medicine and Science. • Competency and Skills Development Training-Workshop/Seminar for Public Attorneys in Handling Cases Involving CICL and Women and their Children Victims of Violence. <p>NPS:</p> <ul style="list-style-type: none"> • 500 copies of the electronic legal research/reference material “Laws and Jurisprudence for Philippine Prosecutors” produced and distributed nationwide. • Basic orientation seminars conducted in all regions. • Development of basic orientation trainers’ guide for regional seminars. • Conduct of trainings on special laws.

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			OMB: <ul style="list-style-type: none"> • Participation in several international anti-corruption conferences, fora, symposia, and workshops, scholarships, capacity building interventions. • OMB spearheaded the establishment of the Center for Asian Integrity.
Allocate the hearing of cases on a regular eight-hours-a-day basis	SC to issue an order directing the conduct of alternate hearings in the morning and afternoon to accommodate the availability of PAO lawyers.	SC	

Programs/Agency Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Conduct seminar workshops for PAO lawyers.	PAO Convention every three years (MCLE)	PAO, DBM	<p>PAO:</p> <ul style="list-style-type: none"> • National Conventions for Public Attorneys in 2006 and 2009 providing complete MCLE credits. • Other seminars and workshops mentioned above.
<p>Information dissemination, barangay level</p> <ul style="list-style-type: none"> • Rights of the Accused • Child’s Rights and other Basic Human Rights • Memo Circular No. 18 	<p>Conduct seminar-workshops for barangay officials.</p> <p>Regular legal counseling, barangay level</p> <p>Free airtime in TV and radio networks.</p> <p>PAO to provide Memo Circular No. 18 and to request radio and TV programs providing legal aid to read relevant provisions.</p>	<p>PAO, DOJ, DILG, DBM, UNDP, UNICEF</p> <p>PIA, KBP, ABS-CBN, GMA-7 and other commercial networks</p>	<p>PAO</p> <ul style="list-style-type: none"> • Intensified nationwide Free Legal and Medical Jail Visitation and Decongestion. • Appearances in conferences, local fora, radio stations and delivery of related lectures (presently adopts tri-media, use of internet). • On-air legal counseling

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Develop an integrated criminal justice monitoring/database system.	Prototype for 2007 criminal cases	PAO, DOJ, DILG, DBM, UNDP, UNICEF	<p>NPS:</p> <ul style="list-style-type: none"> • Organizational Development Program <ul style="list-style-type: none"> ➤ Management Systems Improvement Project ➤ Development of the NPS Information Technology Infrastructure and Electronic Prosecution Case Management System (ePCMS). <p>OMB:</p> <ul style="list-style-type: none"> • Case Registry System (CARESYS) and Case Monitoring System (CASEMON) • Presentation of integrated Complaint and Case Monitoring System. OMB participated in the proposed project to set up a National Justice Information System and National Crime Information System (initiated by NAPOLCOM but never pushed through).

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Attend international conferences. Note: There is a need to rationalize attendance at international conferences – this should be in furtherance of improved competencies through info exchange, best practices sharing, etc.	Allocate funds for attendance to conferences by the grantor or donor agencies in exchange of paper submission.	UNDP, UNICEF	OMB/DOJ/PAO: Attendance in regional or international conferences is geared towards the enhancement of cooperation between relevant agencies in preventing and combating corruption, knowledge sharing, and information exchange, in line with international commitments like the United Nations Convention Against Corruption, etc.
Review of the existing mandate for PAO, including RPC and other Special Penal Laws by concerned agencies.	Draft revision on PAO Mandate.	SC, PAO, other agencies	PAO: <ul style="list-style-type: none"> • Republic Act Nos. 9262 and 9344 and Executive Order No. 633 • Standard office procedures in line with RA No. 9262 • Republic Act No. 9406 (PAO Law) and its IRR

SUMMIT ISSUES AND RECOMMENDATIONS TO THE CRIMINAL JUSTICE SYSTEM

PROSECUTION PILLAR

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
The prosecutors should admit the filing of a criminal complaint even without the perpetrators being identified, but there must be allegation that the EJK was committed with political motivation and/or the victim had a history of political activism and/or threats on his or her life.	DOJ		
<p>Protection of Witnesses:</p> <p>1. Strengthen reward system for informers. Strengthen and increase the budget of the witness protection program.</p> <p>2. A rule on witness protection be made parallel to the law wherein the witness or the applicant for said protection be given the option to whom he shall be placed under protection, which can be any accredited church group or human rights groups and to be funded by money intended for witness protection, to which the court granting the protection shall issue an order for the release of the money to the chosen group.</p> <p>3. Increase budget to provide protection to the families of witnesses.</p>	DOJ	<p>Liberalization of witness protection documentary requirements pending complete submission thereof.</p> <p>Budget increased for 2011.</p>	<ul style="list-style-type: none"> • Partnership w/NGOs and media • Live-link testimony/ depositions

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<p>4. Witnesses shall testify without the press and the adverse party except the counsels.</p> <p>5. Admit electronic, remote testimonies to allay fear of witnesses.</p> <p>6. That a sanctuary be established where the violation thereof would constitute contempt of Court.</p>			
<p>There should be assigned prosecutors in the regional offices who will handle EJK cases.</p>	NPS	<p>The DOJ issued Department Order No. 257 on March 27, 2007 designating prosecutors to conduct inquest/preliminary investigation/reinvestigation of alleged human rights violations and EJK and if evidence warrants, to initiate the prosecution.</p> <p>There was created a Task Force of Special Prosecutors.</p> <p>Department Issuance directing prosecutors to assist police in case build-up provided that they do not participate or be involved in the preliminary investigation so as not to affect their impartiality.</p>	<p>There should be a RTD with the police on the protocols of implementing police-prosecutor case build-up.</p>

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Close cooperation between law enforcement and prosecution from the time of inquest without sacrificing their impartiality by gathering evidence together from the very start of investigation.	NPS		
<p>Expand the powers of the prosecutors:</p> <ol style="list-style-type: none"> 1. The power to issue orders for production of documents, ocular inspection, entries into and examinations of camps without limits, safe houses, and detention places, physical examination with power of contempt. 2. Power to authorize private prosecutor or any human rights organization accredited by the SC to do investigation with the power to subpoena witnesses and produce documents and to do ocular inspection, order entries to camps, and cite in contempt. 	NPS		

FORUM ON INCREASING ACCESS TO JUSTICE			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Strengthening the witness protection program.	DOJ	DOJ: Budget increased	OMB: To establish a WPP of its own in the context of Whistleblowers Law.
Fisheries cases: Lack of trained prosecutors/policemen capable of effectively prosecuting fisheries cases in the municipal level court.		OMB: Environmental Ombudsman	OMB: Capacity building intervention for investigators/prosecutors. PAO: Provide training for lawyers
Dismissal of numerous rape complaints after preliminary investigation.	NPS		
Lack of legal representation.	PAO		Increase number of plantilla items for lawyers and continuous hiring.
Filing of harassment civil or criminal cases against marginalized groups such as workers and farmers, vendors and rights advocates as a result of labor or agrarian disputes, among others.	NPS		Impartial review of cases filed.
Erring or biased prosecutors and police	NPS, PNP		Creation of internal affairs unit.
Incompetent investigation and/or lack of modern and appropriate forensic tools, including weak case build-up	PAO	PAO: Establishment of forensic laboratory clinic	Provide trainings, seminars for PAO lawyers. Improve compensation and benefits package (especially provision for retirement benefits).
Lack of training by prosecutors in the proper prosecution of cases.	NPS	DOJ: <ul style="list-style-type: none"> • Basic orientation for new prosecutors • Trainings on special laws for incumbents • Retooling of prosecutors 	

FORUM ON INCREASING ACCESS TO JUSTICE			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
		OMB: Varied capacity building interventions conducted. This was discontinued by the USAID.	
Provide PAO with an office in each Hall of Justice.	DOJ	Some Halls of Justice house PAO offices	

FORUM ON ENVIRONMENTAL JUSTICE			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Prosecutors unaware of some of the regulations.	DOJ, NPS, OMB, PAO	OMB: <ul style="list-style-type: none"> Task Force for Environmental Concerns – embarked on Environmental Compliance Assessment DOJ: <ul style="list-style-type: none"> Laws included in the Revised Manual for Prosecutors TF for environmental cases existing 	OMB: <ul style="list-style-type: none"> Continue capacity building interventions for investigators and prosecutors. Engagement of relevant professional groups in case buildup and prosecution of cases.
Difficulties and problems in filing the complaint and the presentation of evidence and witnesses in environmental case.	DOJ, NPS, PAO		
Delay in the prosecution of cases.	DOJ, NPS, OMB	OMB: <ul style="list-style-type: none"> Case Registry System and Case Monitoring System 	OMB: <ul style="list-style-type: none"> Enhance case management system Validation and Updating of the Case Management System

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Wider coverage of the PAO's clientele: peculiar situation wherein PAO represents both accused and complainant.	PAO	Memo Circular re office procedures regarding legal assistance to VAWC and other related laws.	Implement PAO Manual – VAWC not subject to indigency requirement.
Indigency test <ul style="list-style-type: none"> Some Clerks of Court Offices would not accept the petition unless the certificate of indigency is issued by the LGU. Impediment on the speedy disposition of CICAL cases because PAO has no funds for docket fees despite the mandatory requirement of RA No. 9406. 	SC	PAO Regional Directors prepared a memorandum circular to amend the 1990 version on the determination of indigence, specifically amending the net income for Metro Manila and other cities.	
Clarify gray areas PAO can assist in VAWC cases particularly in the preparation of the motion for issuance of temporary protection orders.	PAO	Memo Circular re office procedures regarding legal assistance to VAWC and other related laws	
DOJ Task Force on Women and Children, created in 2009, was abolished. <ul style="list-style-type: none"> Revival of the task force Pending revival, request DOJ to designate a gender and child-sensitive state prosecutor to investigate complaints of women and children who are forced to flee to other areas to escape retaliation from the perpetrator. 	DOJ	Streamlined VAWC cases to family court prosecutors in field offices Pilot women/child-friendly investigation rooms in three areas Retooling of prosecutors in writing child-sensitive resolutions	OMB: Designation of VAWC and sexual harassment officer DOJ/PAO: Specialized re-trainings and re-tooling of lawyers on child- and women-sensitive prosecution.

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<ul style="list-style-type: none"> An inter-agency body to draw up qualifications for the chair and members of the task force. 			
<p>Victims of Children in Conflict with the Law Republic Act No. 7309: Victims' Compensation Program does compensate victims of child abuse under Republic Act No. 7610. -expiry period for filing of claim: 6 months from the date of the incident.</p>	DOJ	A number of minors are recipients of victims' compensation program.	Study possibility of children in conflict with the law who have been incarcerated to avail of the victims' compensation program.
<p>Determination of age of the CICL</p> <ul style="list-style-type: none"> DOJ through its attached agency, NBI, can subject the child to dental examination. Some prosecutors have difficulty re: RA No. 9344 (Juvenile Justice Law) on the definition of a child which has excluded a definition of a person above 18 years of age but with mental capacity of a person below 18 years of age, despite guidance from DOJ Prosecutors' Manual on Handling Child-related Cases 	DOJ	<p>DOJ: Department Circular No. 39, dated August 15, 2007; Prosecutors' Manual on Handling Child-related Cases. This manual covers children with disability during preliminary investigation.</p> <ul style="list-style-type: none"> Conduct of trainings of prosecutors on the implementation of RA No. 9344 Ongoing study on the discernment on CICL below 18 but above 15 	Continuous training of prosecutors.
<p>DOJ prosecutors in family court cases or cases involving minors</p> <ul style="list-style-type: none"> Trainings and strict implementation of the manual on handling child-related cases. 	DOJ	Publication of manual for prosecutors on handling child-related cases	<p>Training of prosecutors on the use of the manual.</p> <p>Impact assessment of all trainings for prosecutors.</p>

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Failure to prosecute; desistance of victims; delay in the prosecution of cases.	DOJ	Strict implementation of Department Circular No. 54 dated September 9, 2002 (Non-dismissal of cases involving RA No. 7610; abolition of DOJ Task Force).	Strengthen coordination on protocols with rehabilitation centers for victims.
Complainant will not appear in court due to fear of retaliation.	DOJ		Expand more court live-link so victim will not have to personally appear and face the abuser/accused. Look into possibility of taking depositions of victims, in lieu of personal appearance in court.
RA No. 9344 (Juvenile Justice Law) is silent on the provision whether the aggrieved party can appeal the findings of the social worker to the prosecutor.	DOJ, DSWD		
Protective custody; Justice Department Circular reiterating Dept. Circular No. 70 (November 7, 2006) and clarifying that LGU social workers are covered by Sec. 10 of the IRR of RA No. 7610.			Reiterate Department Circular No. 70

**UPDATE ON THE MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM
(2007-2010)**

STRATEGY PLANNING MATRIX

SPECIFIC ACTION PLANS

C. Courts Pillar

Legislative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Creation of additional courts.	Bill re-filed at the Congress	Congress (proposal from the SC)	Sandiganbayan: <ul style="list-style-type: none"> • Construction of courthouse and housing quarters in Baguio City and Cebu.
Decriminalization of certain offenses.	Draft bill	Congress (proposal from the SC)	SC: <ul style="list-style-type: none"> • Administrative Circular No. 12-2000 and AM No. 00-11-01-SC – A rule of Preference in the Application of the Penalties Provided for in BP Blg. 22 • AM No. 08-8-7-SC, Amended Rule of Procedure for Small Claims Cases, October 27, 2009 – Gives claimholders an option to file a civil suit rather than a criminal suit for money claims involving P100,000 or below. • Administrative Circular No. 08-2008, January 25, 2008 – Directs all courts and judges to impose the penalty of a fine, instead of imprisonment in libel cases.

Administrative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Review and improve the Rules of Court.	<p>Proposal to the SC En Banc on Revised Rules of Court to indicate the items below:</p> <ol style="list-style-type: none"> 1. Definition of “indigents-litigants”: Indigents-family (average of six members) receiving monthly income of P10,000 and below; no real properties registered in their names. The Certificate of Indigency should be issued by a single agency only (the Barangay) or the PAO as a screening agency for pauper/indigent litigants. 2. Reviewing Filing fees, i.e., remove Appellate Fees, to balance/consider benefits to Court Personnel. 3. Implementation of electronic payment of legal fees, electronic case filing, and electronic delivery of summons, orders and notices (No objection so long as they are properly implemented and the necessary infrastructure is in place.) 	SC Committee on Revision of Rules	<p>RULES OF COURT</p> <p>SC:</p> <ul style="list-style-type: none"> • Amendment of Rules 41, 45, 58 and 65 of the Rules of Court, AM No. 07-7-12-SC, December 4, 2007. • Regional Court Administration Office (RCAO) – launched in 7th, 3rd, and 11th Judicial Regions. • Amended Rules on who shall resolve Motions for Reconsideration of Decisions or Signed Resolutions in Cases Assigned to the Divisions of the Court, AM No. 99-8-09-SC, November 17, 2009. • AM No. 10-4-20-SC, Internal Rules of the Supreme Court <p>CTA:</p> <ul style="list-style-type: none"> • Additional amendments to the 2005 Revised Rules of the Court of Tax Appeals (CTA), as amended, and Internal Rules of the CTA (March 20, 2009) – Practitioners are more aware how to file cases, no need to go to the CoC for clarification. • MOA between OSG and the BIR/BOC deputizing BIR/BOC lawyers and specifying the authority of said lawyers per stage of the CTA proceedings.

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
	<p>4. Adopt teleconferencing as substitute for personal appearances of accused and witnesses (so long as implemented with proper infrastructure) through coordination between court and correction pillars.</p> <p>5. Increase the grounds for motion to quash.</p> <p>6. Section 5(b), Rule 113 on warrantless arrest, for review by legal luminaries/law enforcement experts to protect the constitutional rights of the accused at the same time to give teeth to the powers of the arresting officers.</p> <p>7. Review of the time standards for lower and higher level courts through strict implementation and enforcement.</p> <p>8. Procedures for the litigation process for specific types of cases.</p> <p>9. Encourage judges to assign cases to private practitioners on a pro bono basis.</p>		<p>CA:</p> <ul style="list-style-type: none"> • New Internal Rules of Court of Appeals (2009 IRCA) • Single raffle of cases for speedy trial <p>Sandiganbayan:</p> <ul style="list-style-type: none"> • Draft of the Internal Rules routed to Justices for Comment. <p>ACCESS TO JUSTICE BY THE POOR</p> <p>SC:</p> <ul style="list-style-type: none"> • AM No. 08-8-7-SC, Amended Rule of Procedure for Small Claims Cases, October 27, 2009 • Rule on the Exemption from the Payment of Legal Fees of the Clients of the National Committee on Legal Aid (NCLA) and of the Legal Aid Offices in the Local Chapters of the Integrated Bar of the Philippines (IBP), AM No. 08-11-7-SC (IRR), September 10, 2009 • Special Rules of Court on Alternative Dispute Resolution (ADR), AM No. 07-11-08-SC, September 1, 2009 • Enhanced Justice on Wheels (EJOW)

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> • Implementation of the <i>Enhancing Access to the Pillars of Justice</i>, a Project in partnership with UNDP and NEDA, with SC acting as Implementing Partner • Access to Justice for the Poor Project (A2J 1) • AM No. 05-2-01-SC, March 13, 2007 – Re: SC Access To Justice For The Poor Project Information, Education, Communication (IEC) Guidelines For Municipal Court Information Officers • OCA Circular No. 67-2007, December 11, 2007 – clients of PAO are unconditionally exempted from paying docket fees and other fees. • Rule on Mandatory Legal Aid Service, Bar Matter No. 2012, February 17, 2009
			<p>VAWC AND THOSE RELATED TO GENDER AND ACCESS TO JUSTICE BY WOMEN AND CHILDREN</p> <p>SC:</p> <ul style="list-style-type: none"> • Rules on Juveniles in Conflict with the Law, AM No. 02-1-18-SC, November 24, 2009 • AM No. 07-8-2-SC, November 5, 2007 – Rule on Children Charged under the Comprehensive Dangerous Drugs Act

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> • AM No. 10-4-16-SC, Rules on Court-Annexed Family Mediation and Code of Ethical Standards for Mediators • Circular No. 151-2010, November 2010, ordering all trial courts in the country to fast-track resolution of cases involving violations of RA No. 9208, the Anti-Trafficking in Persons Act of 2003.
			<p>EJK AND OTHERS RELATED TO HUMAN RIGHTS ISSUES</p> <p>SC</p> <ul style="list-style-type: none"> • IDR Committee submitted a draft Rule of Procedure for Whistleblowing, Comprehensive Procurement Plan, and Performance Management System for Court Personnel (PMS COUPER). • Rule on the Writ of Amparo (AM No. 07-9-12-SC) • Rule on the Writ of Habeas Data (AM No. 08-1-16-SC)
			<p>ENVIRONMENTAL JUSTICE</p> <p>SC</p> <ul style="list-style-type: none"> • Rules of Procedure for Environmental Cases (AM No. 09-6-8-SC) (April 2010) • Issuance of SC Administrative Circular No. 23-2008 designating 117 “green” courts (January 2008)

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> Multi-Sectoral Capacity Building for Environmental Laws and the Rules of Procedure for Environmental Cases
			OTHERS SC Strengthening the Integrity of the Judiciary (SIJ) – Integrity Development Review (IDR)

Programs/Agency Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Lack of Information			
<i>Public Information Campaign</i>			
Educate media on legal processes and legal matters	MOA → Media Forum	SC, IBP	SC: <ul style="list-style-type: none"> PIO hosted a media forum in Baguio to open up channels, terminology, addressing the court; and to formalize the system with major networks and media (April 2010). Sandiganbayan: <ul style="list-style-type: none"> Regularly gives copies of decisions to media practitioners.

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Redefine duties of Executive Judge to include public information and creating an office for such.		OCA, Office of the Executive Judge	SC: <ul style="list-style-type: none"> AM No. 05-2-01-SC, Access to Justice for the Poor Project, Information, Education, Communication (IEC) Guidelines for Municipal Court Information Officers OCA Administrative Circular No. 16-2007, Clerks of Court designated as Municipal Court Information Officers (with pilot)
Conduct of seminars and symposia in schools.	Preparation of materials. Training of trainers/ coordinating with schools Concerned. Implementation	SC, IBP, DepEd, NGOs (Bantay- Bata), CHED	SC: <ul style="list-style-type: none"> Public Education on the Rule of Law Advancement and Support (PERLAS) Project – completed field testing of exemplars SC, CA, CTA, Sandiganbayan: <ul style="list-style-type: none"> Court tours
Conduct of seminars and symposia for multiple sectors with the help of NGOs (e.g. women, juvenile, OSY, farmers, etc.).	MOA with DILG Training of at least 2 Barangays per LGU within NCR and the Fifth Judicial Region (Pilot testing in the rural area); evaluation/ finalization. Implementation <ol style="list-style-type: none"> municipal level one barangay LGU to be attended by the <i>Liga of Barangay</i> 	SC, IBP, DepEd, NGOs (Bantay- Bata), CHED	ACCESS TO JUSTICE BY THE POOR SC: <ul style="list-style-type: none"> Capacity assessment and development of Alternative Law Groups (public interest lawyers) (2009 UNDP Project). Advocacy for the inclusion of Informal Sector concerns in public administration, law school curricula and PHILJA (2009 UNDP Project).

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> • Support for the Legal Empowerment of the Informal Sector involving fisherfolk, street vendors and small transport workers (2009 UNDP Project); documentation tools for violations of the rights of the informal sectors developed and pilot-tested. • Forum on Increasing Access to Justice for the Poor • EJOW – Information dissemination proponent on mediation and jail congestion • Integration of the Informal Sector Concerns in Public Administration and law subjects
			<p>VAWC AND THOSE RELATED TO GENDER AND ACCESS TO JUSTICE BY WOMEN AND CHILDREN</p> <p>SC:</p> <ul style="list-style-type: none"> • Regional Multi-Sectoral Stakeholders Seminar • Workshop on Increasing Access to Family Courts • Two-day seminar on CEDAW and Gender Sensitivity Training for Court Attorneys • National Summit on Family Courts • Strategic Gender and Development (GAD) Mainstreaming Plan for the Philippine Judicial System

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<p>EJK AND OTHERS RELATED TO HUMAN RIGHTS ISSUES</p> <p>SC:</p> <ul style="list-style-type: none"> • Multi-Sectoral and Skills Building Seminar-Workshop on Human Rights Issues: Extralegal Killings and Enforced Disappearances • Forum on the Rule of Habeas Data • National Consultative Summit on Extrajudicial Killings and Enforced Disappearances
			<p>ENVIRONMENTAL JUSTICE</p> <ul style="list-style-type: none"> • Forum on Environmental Justice: Upholding the Right to a Balanced & Healthful Ecology (April 2009) • Rules of Procedure for Environmental Cases – Provision on citizen’s suit
			<p>OTHERS</p> <p>Sandiganbayan :</p> <ul style="list-style-type: none"> • Walking tours and lectures for barangay treasurers from COA, local government officers, NGOs and other government agencies • Conduct of CEDAW and VAWC for all the members <p>CA:</p> <ul style="list-style-type: none"> • Organizes MCLE with PHILJA
Production, distribution of Information materials for the public in English and local language/dialect (problem: no single policy and umbrella office).	<p>Design and content conceptualization.</p> <p>Editing and approval of dummy materials.</p> <p>Printing and production.</p> <p>Posting in each Hall of Justice (HOJ).</p>	SC, IBP, DepEd	<p>SC:</p> <ul style="list-style-type: none"> • Tarps and Posters of flow charts • SC website • Pamphlets in both English and Filipino re: filing of civil and criminal cases • Pamphlets on case management system (PHILJA)

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<ul style="list-style-type: none"> Flow charts Posters (e.g., Do's and Don'ts, "No Gifts") 			<ul style="list-style-type: none"> Filipinization of judicial dispute resolution (PHILJA) <p>CA:</p> <ul style="list-style-type: none"> Paper recycling
Integration in the educational curriculum	Proposal for integration with school curriculum under MAKABAYAN subject	SC, DepEd	<p>SC:</p> <p>Public Education on the Rule of Law Advancement and Support (PERLAS) Project – Completed field testing of exemplars</p>
Private practitioners and new bar passers should be encouraged to render <i>pro bono</i> services and incentives to be created for such services	Proposal to the Supreme Court and IBP	SC, IBP	<p>SC:</p> <ul style="list-style-type: none"> Rule on Mandatory Legal Aid Service, Bar Matter No. 2012 , February 17, 2009 -- RA No. 9999 (Free Legal Aid Act) entitles tax deduction from gross income up to 10 percent exclusive of the 60 hrs. required by Bar Matter No. 2012
Law students should be tapped for education and paralegal services	Proposal to the Supreme Court and IBP	SC, IBP, Office of the Bar Confidant (OBC)	<p>SC:</p> <ul style="list-style-type: none"> Committee on Legal Education and Bar Matters (CLEBM) drafted the proposed guidelines on the Pilot On-the-Job Training (OJT) Program for Law Students in the First- and Second-level courts and submitted the same for the approval of the Supreme Court En Banc (during the time of CJ Panganiban) Bar Matter No. 1552-A, Guidelines on the Legal Apprenticeship Program in the Supreme Court and other Collegiate Appellate Courts, March 9, 2010 <p>Sandiganbayan:</p> <ul style="list-style-type: none"> OJT for Legal Management Majors

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>High Cost of Justice <i>Reduction of Paper Pleadings</i></p>			
<ul style="list-style-type: none"> • Computerization (ongoing) • E-documentation of pleadings, annexes, presentation of evidence by means of CDROM applicable specifically to accused who are in prison for other offenses in other places other than the court where they are being prosecuted, or the same accused is being prosecuted in different courts distant from each other (<i>pilot testing in Lapu-Lapu City</i>). 	<p>Proposal to the SC</p>	<p>SC-Management Information Systems Office (MISO)</p> <p>OCA (implementation)</p>	<p>SC:</p> <ul style="list-style-type: none"> • Roll-out of Court Administration Management Information System (CAMIS) in NCR, Regions 4, 7, and 10 by 2007; training on the use of the system completed by 2007. • Enhanced Case Flow Management System (eCFM) – Piloted in Pasay City, Lapu-Lapu City, and Quezon City Hall of Justices by the end of 2007. • E-Library – Not updated • Judiciary Case Management System (JCMS) <p>CA:</p> <ul style="list-style-type: none"> • Inventory of all cases ongoing. • Basic Training for Computer Operations in October 2007 • Case Management Information System (CMIS) developed in 2008 – CMIS v. 1 implemented in July 2009. • CMIS v. 2 is fully operational in Manila and Cebu (with assistance from ABA). • Network cabling infrastructure for the One-Stop Processing Center <p>CTA:</p> <ul style="list-style-type: none"> • CMIS • CMIS Kiosk

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			Sandiganbayan: <ul style="list-style-type: none"> • Pilot court for CMIS • Training of staff for CMIS • CMIS Kiosk
Negative Perception			
Transparency through Case Management System			SC: <ul style="list-style-type: none"> • CAMIS & eCFM • JCMS • Administrative Order No. 23-2008, January 28, 2008 – Designation of Special Courts to Hear, Try, and Decide Environmental Cases CA: <ul style="list-style-type: none"> • CMIS • One Stop Processing Center • Litigants can inquire who is the ponente of the case. CTA: <ul style="list-style-type: none"> • CMIS Sandiganbayan: <ul style="list-style-type: none"> • CMIS • Training for CMIS
Language Barrier			
Institutionalize legal forms in both English and Filipino → has to be a multi-branch effort Continuous education of court interpreters → no interpreter with CTA (CoC) → SB taps court personnel to interpret for other languages	Review the legal forms as regards language use. Reproduction of translated legal forms. Study the possibility of translation to Bisaya.	Commission on Filipino Language with the Committee on Rules	Commission on the Filipino Language: <ul style="list-style-type: none"> • Legal Dictionary in Filipino (limited) Sandiganbayan: <ul style="list-style-type: none"> • Taps personnel to interpret other languages/dialects

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Improve selection of judges	Less politicized appointment of judges – Career-oriented appointment of first and second level judges by the SC through a non-political JBC.	JBC	
Enhance the integrity and competence of judges, court personnel and all other officers of the court.	Better (positive) perception by the people especially the poor and the marginalized. Lifestyle check of court officials (<i>may require legislative action</i>). Courts of different levels should follow strictly the time standards set forth in the Constitution and other laws.	SC	Sandiganbayan & SC: <ul style="list-style-type: none"> Strengthening the Integrity of the Judiciary (SIJ) – Integrity Development Review
Creation of an Information Officer position.	Functional information center		SC: <ul style="list-style-type: none"> AM No. 05-2-01-SC, Access to Justice for the Poor Project, Information, Education, Communication (IEC) Guidelines for Municipal Court Information Officers OCA Administrative Circular No. 16-2007, Clerks of Court designated as Municipal Court Information Officers (with pilot) Sandiganbayan: <ul style="list-style-type: none"> Made proposals to upgrade and create positions

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Improve procedures in the prosecution of crimes committed against tourists, specifically, the requirement for the appearance of private complainants.	<p>Increased conviction of accused for crimes committed against tourists.</p> <p>Administrative circular by the SC</p>	SC, DOJ	

SUMMIT ISSUES AND RECOMMENDATIONS TO THE CRIMINAL JUSTICE SYSTEM

COURTS PILLAR

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<p>No clear-cut definition of extrajudicial killings. Include provisions on torture.</p> <p>The following may be taken into account for the definition of EJK:</p> <ol style="list-style-type: none"> 1. Killing of media personalities must be work-related. 2. Killing of those who are critical of the government. 3. Killing of people by reason of their political ideologies. 4. Killing may be perpetrated by vigilante groups or by members of the Communist party. 	Congress	<ul style="list-style-type: none"> • Republic Act No. 9745 – Anti-Torture Act of 2009 • Republic Act No. 9851 – Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity • NGO fora on EJK 	<p>Refile:</p> <ol style="list-style-type: none"> 1. Bills on EJK and ED: HB No. 566 – Stiffer penalties for extrajudicial killings; HB Nos. 1748, 2591, 3002 – Designating Special Courts for crimes against international humanitarian laws; HB No. 2263 – Involuntary Disappearance Act 2. Bill on Expansion of CHR powers: SB No. 1437, HB No. 1420 3. Bill on Command Responsibility: SB Nos. 1427, 983 <p>Ratify:</p> <ol style="list-style-type: none"> 1. Additional Protocol to the Geneva Conventions of August 12, 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) of June 8, 1977 2. Protocol to the Convention against Torture 3. Hague Convention on the Protection of Cultural Properties 4. International Convention for the Protection of All Persons from Enforced Disappearances

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<p>Protection of Victim/Complainant:</p> <ol style="list-style-type: none"> Afford Temporary Protection Order similar to those given to women and children. Allow transfer of venue. Victim-focused Victim compensation; medical and psychological treatment 	SC	<ul style="list-style-type: none"> Rule on the Writ of Amparo (A.M. No. 07-9-12-SC) Rule on the Writ of Habeas Data (A.M. No. 08-1-16-SC) 	
<p>Protecting the Rights of the Accused: Amend Rule 112 of the Rules of Court to include award of P100,000 for damages to falsely accused respondents</p>	SC		
<p>Improve the remedy of habeas corpus:</p> <ol style="list-style-type: none"> More permissible presentation of evidence and counter-evidence. Abduction or any form of restraint of liberty shall be sufficient for the issuance of habeas corpus. Petition for habeas corpus shall not be dismissed even if there is a charge filed before the office of the prosecutor, or information before the court. 	SC	<ul style="list-style-type: none"> Rule on the Writ of Amparo (A.M. No. 07-9-12-SC) Rule on the Writ of Habeas Data (A.M. No. 08-1-16-SC) 	

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
4. If the return of the writ of habeas corpus is denied, it shall be automatic of the court to order immediately the entry and examination of all military and police camps, safe houses, etc.			
Use of Modes of Discovery by encouraging judges to use perpetuation of evidence of conditional examination of witnesses.	SC		
Amendment of the Rules of Evidence: 1. Amend “personal knowledge” in the Rules of Court to “reasonable ground” since the officer is not always present at the crime scene. 2. SC should allow newly discovered evidence in EJK even if it’s not a trier of facts. 3. Affidavits or statements of witnesses and facts sheets or reports of human rights organizations to EJK shall be exempt from the hearsay rule.	SC		

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<p>4. Refusal to comply with the order of production of evidence establishes the presumption that said documents are adverse to the party refusing to comply.</p> <p>5. There is prima facie presumption of custody when there is a verified allegation or an attached sworn statement of personal knowledge of the abduction.</p> <p>6. The presumption of regularity in the performance of official functions shall not be applicable in cases having political implications or involving EJK. Disputable presumption must be established.</p>			
Suspend rules on prescription in EJK cases.	SC		
<p>Improve the issuance of search and arrest warrants:</p> <p>1. Search warrants should apply to entries into military camps, offices, safe houses and detention areas; and directed to a private complainant or any human rights organization.</p>	SC		

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<p>2. One-year validity of arrest warrants to ensure immediate and active compliance.</p> <p>3. Amend Rule 113 of the Rules of Criminal Procedure, providing for the strict monitoring of warrantless arrest by both police and judges.</p> <p>4. Examine <i>Umil v. Ramos</i> ruling that rebellion is a continuing crime in relation to warrantless arrest.</p>			
Invite representatives from international community in mixed tribunal or foreign-local posts.	SC		
The acquittal of a respondent in EJK shall not bar the findings of guilt by command responsibility.	SC		
Expensive court processes (e.g. docket fees).	SC		
The Human Security Act, especially on arrest without warrant should be declared unconstitutional.	SC		

NATIONAL CONSULTATIVE SUMMIT ON EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<p>Slow disposition of cases:</p> <ol style="list-style-type: none"> Administrative sanctions shall be imposed on judges and justices delaying the issuance of resolutions and the renditions of decisions. Inadequate and vacant courts and judges: There should be a special court for EJKs. 	SC	<ul style="list-style-type: none"> Administrative Order No. 150-2007 (October 7, 2007) —All branches of the RTC shall take cognizance of the extralegal killings and enforced disappearances or threats, whenever such cases are raffled/assigned to them. 	

FORUM ON INCREASING ACCESS TO JUSTICE		
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS
<p>High cost of litigation:</p> <ul style="list-style-type: none"> Disallowance of the practice of selling TSNs by the page inasmuch as this contributes to cost High/excessive cost of litigation like photocopies of court documents. Exemption of indigent clients of PAO from payment of docket and other fees. Issuance of circulars providing for exemption/reduction of legal fees, liberalization of requirements for proving that one is an indigent litigant. 	SC	<p>SC:</p> <ul style="list-style-type: none"> Rule on the Exemption from the Payment of Legal Fees of the Clients of the National Committee on Legal Aid (NCLA) and of the Legal Aid Offices in the Local Chapters of the Integrated Bar of the Philippines (IBP), A.M. No. 08-11-7-SC (IRR), September 10, 2009 Roll-out of Court Administration Management Information System (CAMIS) in NCR, Regions 4, 7, and 10 by 2007; training on the use of the system completed by 2007. Enhanced Case Flow Management System (eCFM) – piloted in Pasay City, Lapu-Lapu City, and Quezon City Halls of Justice by the end of 2007. E-Library JCMS E-payment system Rule on Small Claims ADR and Mediation Initiatives

FORUM ON INCREASING ACCESS TO JUSTICE		
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS
		<p>CA</p> <ul style="list-style-type: none"> • Inventory of all cases ongoing. • Basic Training for Computer Operations in October 2007. • Case Management Information System (CMIS) developed in 2008 – CMIS v. 1 implemented in July 2009 and currently undergoing systems upgrade and groundwork for CMIS v. 2 started. • Network cabling infrastructure for the One Stop Processing Center. <p>CTA</p> <ul style="list-style-type: none"> • CMIS <p>Sandiganbayan</p> <ul style="list-style-type: none"> • CMIS • Training of staff for CMIS
<p>Venue to file torture cases:</p> <ul style="list-style-type: none"> • Permission to file torture cases in any court, regardless of the identity/residence of the defendant. 	SC	Rule on the Writ of Amparo (A.M. No. 07-9-12-SC) – all courts
<p>Sufficient Number of Family Courts:</p> <ul style="list-style-type: none"> • Establish family courts and designation of judges outside of Cebu City. 	SC	Proposed memorandum re: Constitution and Organization of Family Courts ¹⁶
<p>Language Barrier:</p> <ul style="list-style-type: none"> • Address the language barrier between indigenous peoples and law enforcers, lawyers and judges. • Use of English presents a communication barrier. • Allow and promote the use of local languages/dialects in proceedings from barangay to court level. 	SC, DOJ	

¹⁶ National Summit on Family Courts: Strengthening the Multi-Sectoral Framework in the Protection of Family, Women, and Children (Family Court Summit), March 12, 2010.

FORUM ON INCREASING ACCESS TO JUSTICE		
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS
Use of Paralegals: <ul style="list-style-type: none"> Institutionalization of paralegal system and continuing paralegal education. 	SC	
Dress Code: <ul style="list-style-type: none"> Clients in slippers and sleeveless shirts, and those without any IDs cannot enter the courts depriving them of total access to courts. 	SC	
Liberalize rules on standing to permit ordinary fisherfolk and fisherfolk organizations to act as complainants in fishery cases and environmental cases.	SC	Rules of Procedure for Environmental Cases, A.M. No. 09-6-8-SC (Citizen's Suit or Writ of Kalikasan)
Scrapping of the rule on automatic transfer of venue to RTC Manila of cases concerning Abu Sayyaf Group and Moro Islamic Liberation Front.	SC	
Inventory and prioritization of all detention prisoner cases	SC, BJMP, NPS, PAO	Enhanced Justice on Wheels (EJOW)
Coordinate with other government agencies (PAO, DILG, BJMP) relative to outreach efforts for jail decongestion and visitation (PAO).	PAO, DILG, BJMP, BUCOR	EJOW
Resolve swiftly motions for release of CICL pending in courts.	BJMP, DSWD	EJOW

FORUM ON INCREASING ACCESS TO JUSTICE		
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS
Observance of periods for deciding cases – set up of turn-around time for case disposition.	SC, CA, CTA	CMIS , eCFM, CAMIS, EJOW
Centralized monitoring system of cases related to the implementation of economic, social, civil and political rights.	SC	
Revisit the Rules of Court, technical rules of evidence should give way to accommodate marginalized sectors.	SC	
Ensure balance between restorative and punitive justice.	SC	
Designation of “Saturday Courts” throughout the Philippines for the issuance of warrants and posting of bail.	SC	Sandiganbayan <ul style="list-style-type: none"> • Institutionalized Saturday Courts for bail purposes • Duty of CoC to arrange which Justice is assigned
Facilities for witnesses: <ul style="list-style-type: none"> • Lack of facilities for child witnesses such as waiting areas for child, screens, one-way mirrors, live-link television. • Set up private waiting areas in court buildings to prevent intimidation, harassment, or trauma by the accused and/or his supporters. 	SC, DSWD	<ul style="list-style-type: none"> • Rules of Court covers child witnesses • Judicial education

FORUM ON INCREASING ACCESS TO JUSTICE		
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS
Issuance of a memo to remind lower court judges that a Court Appointed Special Advocate/Guardian Ad Litem (CASA/GAL) can be appointed in cases involving children per Child Witness Rule.	SC	
“Special Courts” created in connection with extrajudicial killings and enforced disappearances.	SC	<p>SC</p> <ul style="list-style-type: none"> • Rule on the Writ of Amparo (A.M. No. 07-9-12-SC) – all courts
Mainstreaming of gender sensitivity concerns in the judiciary.	SC	<ul style="list-style-type: none"> • Seminars and workshops on Gender Sensitivity • Guidelines • Workplan on gender by the Committee on Gender Responsiveness in the Judiciary
Administrative sanctions on the delay of the issuance of temporary protection orders.	SC	
Give the lawyers option of handling pro-bono cases, hopefully in lieu of complying with MCLE credit units.	SC	<p>SC</p> <ul style="list-style-type: none"> • Rule on Mandatory Legal Aid Service, Bar Matter No. 2012, February 17, 2009 – whether the hours served could be counted as MCLE, hours served to include preparation of pleadings.

FORUM ON ENVIRONMENTAL JUSTICE			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Judges not aware of some of the regulations.	SC, PHILJA	<p>SC</p> <ul style="list-style-type: none"> • Forum on Environmental Justice: Upholding the Right to a Balanced and Healthful Ecology • Administrative Order No. 23-2008, January 28, 2008 – Designation of Special Courts to Hear, Try, and Decide Environmental Cases • Three Multi-Sectoral Capacity Building for Environmental Laws and Rules of Procedure for Environmental Cases held (June to Sept 2010). 	<p>SC</p> <ul style="list-style-type: none"> • Targeted Judges Training • Include in the MCLE for judges
Some provisions of the rules may give rise to problems implementing environmental law itself (e.g., lack of full scientific certainty should prompt precautionary principle, indeterminacy of the law, precautionary principle inapplicable in determining criminal liability, etc.).	SC	<p>SC</p> <ul style="list-style-type: none"> • Rules of Procedure for Environmental Cases (A.M. No. 09-6-8-SC) 	<ul style="list-style-type: none"> • Refine reporting system of environmental concerns • Expansion of the green courts • Submission of Concerns and Proposed Amendments to the Rules Committee of the SC
No mitigating circumstance of poverty.	Congress		
Lack of standing to sue.	SC	<p>SC</p> <ul style="list-style-type: none"> • Rules of Procedure for Environmental Cases (A.M. No. 09-6-8-SC) – Citizen’s Suits 	<ul style="list-style-type: none"> • Proposed amendment – precautionary principle (no personal harm needed for citizen’s suits).

FORUM ON ENVIRONMENTAL JUSTICE			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Lack of courts which would specialize in cases involving the environment.	SC	SC <ul style="list-style-type: none"> Forum on Environmental Justice: Upholding the Right to a Balanced and Healthful Ecology Administrative Order No. 23-2008, January 28, 2008 – Designation of Special Courts to Hear, Try, and Decide Environmental Cases 	<ul style="list-style-type: none"> Expansion of the green courts. Continuing judicial education not just rules but also on substance.
Delay in the resolution of cases.	SC, lower courts		<ul style="list-style-type: none"> File administrative case through the OCA Mediation
Monitoring of compliance.	SC		<ul style="list-style-type: none"> Refining reporting systems for environmental cases
Perceived failure of the law to provide adequate funding for the implementation of, as well as materials for information dissemination to all stakeholders.	SC	<ul style="list-style-type: none"> Multi-Sectoral Capacity Building for Environmental Laws and Rules on Procedure 	<ul style="list-style-type: none"> Continuation of Multi-sectoral Capacity Building
Overlapping of jurisdictions of the courts other than that of governmental agencies.	SC, courts	<ul style="list-style-type: none"> Workshops 	
High cost of litigation and securing of technical expertise.	SC	<ul style="list-style-type: none"> Covered in Rules 	
Implementation of Section 3, Rule 9 of the Rules of Procedure for Environmental Procedure which allows special prosecutors to appear in Court (No designated offended party).	Lower courts		

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Regularization of family courts.	SC	Designation of Family Courts	Prioritization
The practice of some clerks of court of assigning a case to the FC even if the child involved is only a witness.			Judicial education and monitoring
Ethical Standards for Mediators	SC	A.M. No. 10-4-16-SC (Re: Rule on Court-Annexed Family Mediation and Code of Ethical Standards for Mediators)	
Qualification of family court judges 1. Draw up stringent qualifications for family court judges. 2. Judicial and Bar Council to short-list only applicants who meet the stringent criteria for family court judge position.	SC		
Proper interpretation of the GAD Law.	SC		For jurisprudence
Speedy disposition of cases • Open Justice on Wheels to cater to women's issues/cases for light offenses only. • Violations of RA No. 7610 cases should be given priority attention for speedy trial to avoid long court proceedings. • Delay in issuance of PPO.	SC		<ul style="list-style-type: none"> Enhanced Justice on Wheels (EJOW) Using existing mechanisms

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
<p>Determination of Discernment</p> <ul style="list-style-type: none"> • Manual and Assessment Tools developed by the DSWD • SC Rule re: Assessment and Determination of Discernment • SC to issue a circular directed to family courts to consider secondary evidence (i.e., dental records) 	SC, DSWD		
<p>Re-victimization of Child-Victim</p> <p>Caution to be taken to avoid re-victimization of the child in the following instances:</p> <ul style="list-style-type: none"> - Court procedures - Medical examinations - Uprooting a child victim from a familiar place of safety and comfort. 	SC		
<p>Different interpretations in the filing of involuntary commitment/ Protective Custody</p> <p>SC to harmonize and clarify application of laws pertaining to cases involving minors (protective custody, parental relinquishment)</p> <ul style="list-style-type: none"> - Examine protective custody portion in child abuse cases. 	SC		

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Adoption, Simulation of Birth, Role of Social Workers in Simulation of Birth Registry of a Child (Extension of amnesty period)	SC		
Handling and treatment by the court of children with disabilities (whether as witness, victim or CICL)	SC	Supreme Court Memorandum Order No. 59-2004 (Authorizing the Court Administrator to Act On and Approve Requests of Lower Courts for the Hiring of Interpreters for the Deaf) – May 19, 2008	
Low appreciation of the testimonies of children with disabilities especially for the blind <ul style="list-style-type: none"> • Review Rule on the Examination of a Child Witness. • Accredited Court-Appointed Special Advocates/Guardians ad litem (CASA/GAL) (see <i>Instruments</i>) • Child witness has the right to have a facilitator. 	SC		
Need to sensitize courts on persons with disabilities.	SC		<ul style="list-style-type: none"> • Change of attitude • Change of structures
15-day validity of BPOs not enough pending filing. <ul style="list-style-type: none"> • Amend SC Rules on VAWC and implement accordingly. • Extend period for effectivity of BPO. 	SC		

**UPDATE ON THE MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM
(2007-2010)**

STRATEGY PLANNING MATRIX

SPECIFIC ACTION PLANS

D. Corrections Pillar

Legislative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Undertake the following legislative proposals: <ul style="list-style-type: none"> • Re-filing of Bill on the Expansion of Probation Law • Corrections Act • Pre-Trial Release Program • Amendments in the Revised Penal Code <ol style="list-style-type: none"> 1. Inter-agency coordination/lobbying 2. Drafting of the bill (for new proposals) 3. Championing/submit proposal to Congress 4. Advocacy work, until passage of the Bill 	Draft or re-filed Bill	All agencies in the corrections pillar with the TWG members and assistance of other involved agencies in other pillars of the CJS Lobby groups	BUCOR: <ul style="list-style-type: none"> • Re-engineering Program (2008 – present)
Revisit Presidential Proclamation on prison lands as inalienable.	Declaration of Prison Lands as inalienable land	BJMP, BUCOR, DILG, PNP, DOJ with TWG heads	

Administrative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>Adopt/undertake a Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU) or Administrative Circulars on the following inter and intra pillar proposals:</p> <ul style="list-style-type: none"> • Minimize fees and charges • More effective interagency records check and information management • IEC Campaign • Reintegration Services • Revitalization of the Volunteer Program • Partnership and Networking • Jail Decongestion (<i>compliance</i>) <ol style="list-style-type: none"> 1. Study proposal/dialogues with stakeholders 2. Preparation of draft MOA/MOU/Circulars 3. Consultation 4. Signing of agreement 5. Implementation 	<p>MOA/MOU/ Administrative Circular</p>	<p>All agencies in the Corrections Pillar with the TWG members</p> <p>Involvement of media groups and members of the community pillar</p>	<p>BUCOR:</p> <ul style="list-style-type: none"> • Reception and Diagnostic Center (RDC) • MOA with JICA on the Technical Cooperation Project entitled “Community-Based Treatment of Offenders through the Holistic Approach to Volunteer Resource Development” (2008-2009) • Oplan Decongestion • MOA with Dangerous Drugs Board for investigation and supervision of first-time minor offenders • Policy on Law Student Appearing as Counsel for Detainees (Memorandum dated March 15, 2010) <p>BJMP: To address the problem of overcrowding:</p> <ul style="list-style-type: none"> • Paralegal services • Transfer of inmates to other institutions • Construction of additional facilities • Construction of separate cells for female and juvenile inmates

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> • Closer working relationships with the other pillars of the justice system, particularly the Parole and Probation Administration (PPA), the Public Attorney's Office (PAO) and the courts • "Bail Now, Work, Pay Later" Program <p>BPP:</p> <ul style="list-style-type: none"> • Jail and Prison Decongestion Program
Establish a coordinating committee that will monitor the status of proposal, implementation of projects and programs, compliance with the MOU/MOA.	An inter-agency monitoring committee (may be headed by the core TWG of the pillar)	All agencies of corrections pillar and the TWG members	<p>BJMP:</p> <ul style="list-style-type: none"> • Existing MOA with DepEd for alternative Learning System • Existing MOA with DSWD for the Council for the Welfare of Children

Program/Agency Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Revitalize partnerships and networking	Expanded partnership or MOA/MOU for new partners, e.g., business persons, expatriates, retirees, civic groups, etc.	Individual agencies in the pillar and concerned partners	<p>BUCOR:</p> <ul style="list-style-type: none"> • MOA with JICA • MOA with Dangerous Drugs Board <p>PPA</p> <ul style="list-style-type: none"> • Volunteer Probation Aide
<p>Capacity building program for personnel for effective delivery of services to claim-holders</p> <ol style="list-style-type: none"> 1. Formulate training modules 2. Sourcing of funds 3. Training 4. Evaluation 5. Re-implementation 	Conduct of inter-corrections pillar training on effective delivery of services	Agencies in the pillar and concerned partners	<p>BUCOR:</p> <ul style="list-style-type: none"> • Juvenile Justice and Welfare Training for Probation and Parole Officers (2008) • Wellness Program for Employees (Unnumbered Memorandum dated April 3, 2007) <p>BJMP:</p> <ul style="list-style-type: none"> • Comprehensive Policy on the Implementation, Monitoring and Evaluation of the Therapeutic Community Modality Training of the BMJP (Memorandum dated February 17, 2010) <p>PPA:</p> <ul style="list-style-type: none"> • Rehabilitation and Livelihood Program

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>Promotion of Correctional Services and IEC Campaign</p> <ol style="list-style-type: none"> 1. Program preparation 2. Implementation 3. Evaluation 4. Reimplementation of activities done annually 	<ul style="list-style-type: none"> • Open House activities • Commemorative celebrations • Outreach programs for the community 	Individual agencies in the pillar and concerned partners with the TWG heads	<p>BJMP:</p> <ul style="list-style-type: none"> • Researchers' Guild
<p>Effective utilization of jail farms and penal camps (jail farms being squatted) by adopting more skills development programs for detainees and other vocational activities. This may be done by networking with business sector, LGUs, civic groups, etc. to outsource certain services they provide for the inmates.</p> <p><i>(Continuing activity)</i></p>	Productive commercial use of livelihood and vocational products of inmates for agency improvement of its programs	BUCOR, private sector, LGUs	
NEW ISSUES:			
Protection of Human Rights of Clients			<p>BUCOR:</p> <p>Special Order No. 390, Series of 2007 which created Security Survey Team</p>
Records Management			<p>BUCOR:</p> <p>Virtual Private Network (VPN)</p> <p>PPA:</p> <p>Information Systems Strategic Plan (ISSP) for 2007-2009</p>

SUMMIT ISSUES AND RECOMMENDATIONS TO THE CRIMINAL JUSTICE SYSTEM

CORRECTIONS PILLAR

NATIONAL SUMMIT ON FAMILY COURTS		
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENT
Lack of women detention facilities	BUCOR, BJMP	Female wardens (nationwide 75 percent but below 418 jails) (BJMP: Children should not be placed under BJMP)
Lack of protection for women in detention	BUCOR, BJMP	Programs to contact the family of women inmates.
Pregnant prisoners	BUCOR, BJMP	Ongoing programs separating pregnant prisoners Policy Guidelines on Pregnant Inmates and Their Infants Seminar on GAD
Children born to women prisoners	BUCOR, BJMP	Policies on Treatment/Breastfeeding of Pregnant Women Inmates
Indigenous groups	BUCOR, BJMP	

**UPDATE ON THE MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM
(2007-2010)**

STRATEGY PLANNING MATRIX

SPECIFIC ACTION PLANS

E. Community Pillar

Legislative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Make more lawyers available for free legal counsel/services to the poor to augment PAO.	<p>Recommend to the Supreme Court to issue a resolution requiring lawyers to render community legal services to the barangay to be credited as part of their mandatory continuing legal education.</p> <p>- Directory of Lawyers</p>	PMO	<p>CHR:</p> <ul style="list-style-type: none"> Free legal assistance but not in connection with PAO. <p>NCIP:</p> <ul style="list-style-type: none"> Roster of own lawyers to provide better receipt of grievances from IPs <p>DSWD:</p> <ul style="list-style-type: none"> Legal department but administrative only Case conferencing but only for few cases Child Justice League Part-time counsels in regional offices
<p>Barangay Human Rights Action Centers (BHRAC)</p> <ul style="list-style-type: none"> mandatory on all barangays by the year 2007 <p>NCIP – Council of elders</p> <p>Barangay Council for the Protection of Children (BCPC)</p> <ul style="list-style-type: none"> It should include MCPC <p>Local Council for the Protection of Children- (LCPC)</p> <ul style="list-style-type: none"> covers barangay, municipal, provincial 	<p>Bill creating BHRAC in all barangays</p> <p>Statistics on barangays with BHRAC</p>	<p>CHR, community</p> <p>Lobby groups, community, NGOs</p>	<p>CHR:</p> <ul style="list-style-type: none"> Included BHRAC bill in legislative agenda Coordination with the BHRACs and BHRACOs Monitoring of election Establishment of BHRAC office. <p>DILG:</p> <ul style="list-style-type: none"> If there is no BHRAC, the secretary does the work Barangay Council for the Protection of Children (BCPC) (PD No. 603) – a mandate for LGU and was started in mid-1990s Fostering awareness among barangays

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ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<p>DSWD: This is not just barangay level, but also municipality level (but barangay level is indeed critical).</p>
Legislative Agenda	DILG, DSWD		<p>DSWD:</p> <ul style="list-style-type: none"> • Republic Act No. 9775 or the “Anti-Pornography Act of 2009” on November 18, 2009 • Republic Act No. 9851 or the “Philippine Act on Crimes Against International Humanitarian Law, Genocide and Other Crimes Against Humanity, Organizing Jurisdiction, Designating Special Courts and for Related Purposes” on December 11, 2009 • Drafted Senate Bill No. 3170 on the prohibition of commercialization of human organs. • Provided inputs to various SWD bills focusing on health and crimes against the International Humanitarian Law (2009). • Prepared position papers on legislations and congressional resolutions: <ul style="list-style-type: none"> ➤ House Bill Nos. 275, 575, 705, 970, 2290, 3469 and 5662 on Anti-Prostitution Act ➤ House Bill No. 682 on the Anti-Corporal Punishment Act ➤ House Bill Nos. 999, 5672 and 7820 on Anti-Marital Infidelity Act

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTD P FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> ➤ House Bill Nos. 1748, 2591, 3002, 4244 and 4272 on Providing Protection, Security and Benefits to Whistleblowers and Providing Funds Therefor ➤ Senate Bill No. 2657 on Strengthening the Functional and Structural Organization of the Commission on Human Rights, Extending Its Investigative Jurisdiction and Conferring Prosecutorial Powers • Attended Inter-Agency Council Against Child Pornography in Subic • Preparation of a legislative agenda good for three years • Support for bills concerning Sexual Consent, Corporal Punishment, and Children in Armed Conflict through position papers and joining TWG <p>CHR:</p> <ul style="list-style-type: none"> • Resolution on policy on EJKs • Drafted HR legislative agenda for 15th Congress. <p>NCIP:</p> <ul style="list-style-type: none"> • Anti-discrimination (religion, race)

Administrative Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Increase free legal counselling/assistance to barangays/constituents.	Issuance and implementation of SC Resolution for IBP to provide free legal services to the poor.	Supreme Court, IBP	NCIP: <ul style="list-style-type: none"> Resort to barangay justice system because not all groups have council of elders.
Increase access to justice especially by the poor and indigenous groups by recognizing and strengthening the local 'council of elders' in dispute resolution.	Strengthen the role of councils of elders among Indigenous People in the settlements of disputes and conflicts. Documentation of proceedings by certified experts like socio-anthropologists.	Community	DSWD: <ul style="list-style-type: none"> Improving Governance to Reduce Poverty: Access to Justice for the Poor Project (AJPP) (2008) Creation of project proposals for institutionalization and nationwide implementation with DILG as lead agency with DOJ, DILG, SC, and PNP as co-partners for the project receiving funding A2J. NCIP: <ul style="list-style-type: none"> A.O. No. 1 (Rules of Procedure Governing Traditional Conflict Resolution) MOA with DOJ re filing of cases with the DOJ
Community evaluation system to assess the performance of key agencies and the pillars of the CJS.	Adopt a monitoring group or scorecard system	Community with the TWG Heads	DSWD: Integrity Development Review (IDR) (IAS-Internal Audit Service of DSWD)

Programs

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
<p>Advocacy for the immediate implementation of RA No. 9344 and in the passage of local ordinance of LGUs to support this law, and implementation of community-based services for CICL.</p> <p>NCIP – Capacitating field officers to handle cases</p>	<p>Establishment of Juvenile Justice Network</p>	<p>SC, NGOs, JJWC, LGUs, POs</p>	<p>DSWD:</p> <ul style="list-style-type: none"> • Social Welfare and Development Officers (SWDOs) were trained regarding RA No. 9344 concerning Children in Conflict with the Law (CICL) • Modules developed: Social Workers Handling Children in Conflict with the Law; Training on Recovery and Reintegration of Trafficked Victims and Survivors (VIII) • Case Management Tool for Children Recovering from Substance Use and Abuse (Modified Social Stress Model) (2008) • Amendment of RA No. 9344 • Local Social Welfare • Discernment Tool for RA No. 9344 • Guidelines of Social Workers in Handling CICL • Guidelines in Conduct of Diversion for CICL • Manual on Referral System for Recovery and Integration of Trafficked Persons <p>DILG (NBOO):</p> <ul style="list-style-type: none"> • Mainstreaming Child Rights in LDP: A Guide to Localizing Child 21 (Inter-agency output [2001]) • Guidebook on Child-Friendly Legislation

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> • Orientation on the Barangay Council for the Protection of Children – A Manual for the Orientation Team (2009) • Compendium on Good Practices on Children • List of Child-Friendly Barangays nationwide • Model Ordinances to Implement the Intervention and Diversion Program Pursuant to RA No. 9344 • MC No. 2008-126: Revised Guidelines in Monitoring the Functionality of the Local Council for the Protection of Children (LCPC) at All Levels and for Other Purposes (August 21, 2008) • MC No. 2009-59: General Guidelines and Procedures in Handling Children at Risk and CICL by the Barangay Council for the Protection of Children (May 12, 2009) • Model ordinance of BPMP on how to make one. <p>CHR:</p> <ul style="list-style-type: none"> • Child Rights Center (CRC), but no head as of now. <p>NCIP:</p> <ul style="list-style-type: none"> • Paralegal training

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
RA No. 9262 for Violence Against Women and Children	Same	SC, Law Enforcement	<p>DSWD:</p> <ul style="list-style-type: none"> • Supported House Bill 683 on Modifying the Crime of Rape Involving Minors (2008) • Community-based Rehabilitation Program for Perpetrators of Domestic Violence (CBRPPDV) (2008) • Comprehensive Pilot Intervention Plan Against Gender Violence in CARAGA Region (2008-09) • Rape Crisis Center Project (2009) • Community-Based Rehabilitation Program for Perpetrators of Domestic Violence (2009) • Referral System – PCW <p>DILG (NBOO):</p> <ul style="list-style-type: none"> • BPO Primer • MC No. 2004-118: Implementation of RA No. 9262 and Issuance of BPO • Joint DILG-LnB MC No. 2005-02: Nationwide Conduct of Orientation Conference on RA No. 9262 <p>CHR:</p> <ul style="list-style-type: none"> • Focal office for the creation of the IRR • Appointment as the Gender Ombudsman • Conduct of trainings and institutional capacity building together with PCW

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<p>DILG:</p> <ul style="list-style-type: none"> • Issuance of Barangay Protection Order (BPO) • Monitoring of VAWC cases <p>NCIP:</p> <ul style="list-style-type: none"> • Monitoring, documenting, and reintegrating of IP children involved in armed conflict or Children Involved in Armed Conflict (CAC) • 12 cases submitted to DSWD <p>CHR:</p> <ul style="list-style-type: none"> • Establishment of women centers which accept complaints on violations of VAWC <p>NEDA:</p> <ul style="list-style-type: none"> • Creation of National Human Rights Action Plan (NRAP) which addressed accomplishments
RA No. 9208 for the Anti-Trafficking of Persons		Law Enforcement	<p>DSWD:</p> <ul style="list-style-type: none"> • Recovery and Reintegration for Survivors of Trafficking (2008) • Drafting of the Implementing Rules and Regulations for Section 4(g) of Republic Act No. 9208 or the Anti-Trafficking in Persons Act (2009) • National roll-out of referral system for traffic victims – training of social workers who will conduct the recovery and reintegration

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTD P FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> • Recovery and reintegration of trafficking victims (continue to 2011) <p>DILG (NBOO):</p> <ul style="list-style-type: none"> • MC No. 2005-26: Strict Implementation of RA 9208 • MC No. 2006-172: Strengthening LGU's Efforts to Combat Trafficking in Persons (supplement to MC No. 2005-26) • Two issuances for LGUs
Enhance assistance and protection of the poor from human rights abuses.	Activate and strengthen BHRAC Passage of the CHRP Charter – Lobby for the 14 th Congress	Lobby groups (POs, NGOs, Church etc.)	NRAP addresses the problem
IP rights			<p>NCIP:</p> <ul style="list-style-type: none"> • IP Master Plan which covers all plans and programs for each IP community • IPRA • NCIP Process • Omnibus Rules • NHRAP

Agency Activities

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Community to provide agencies with information on gaps that they should address and that should be included in the information materials with CHR, DSWD, barangay level and support groups.	Production and dissemination of info materials and agency manuals/primers at barangay and in CJS offices. Distribution of info materials (CHR).		
Continuing information, education, and communication at barangay/public assemblies in the grassroots level.	Regular conduct of barangay/ public assemblies (five pillars of CJS).		<p>NCIP:</p> <ul style="list-style-type: none"> • IEC campaigns to promote awareness of IP rights <p>CHR:</p> <ul style="list-style-type: none"> • Continuing programs in all regions <p>DILG:</p> <ul style="list-style-type: none"> • Establishment of Barangay Assembly as venue for people to ventilate grievances.
Public information on the existence of PNP Public Safety Office.	Information Materials		
Increase awareness/discussion by the community of human rights issues.	Conduct of human rights related fora for Barangay Constituents (CHR, NGOs, LGUs)		<p>DSWD:</p> <ul style="list-style-type: none"> • Administrative Order No. 17 or the Guidelines in the Pilot Testing of Community-Based Rehabilitation Program for Perpetrators of Domestic Violence (September 18, 2009) • Local Government Units' Compliance with Republic Act No. 9344 or the Juvenile Justice and Welfare Act of 2006 (June 16-17, 2009)

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
			<ul style="list-style-type: none"> Challenges in Mainstreaming Women’s Rights in Nation Building (November 27, 2009) Republic Act No. 9208 or the Anti-Trafficking in Persons Act of 2003 and Republic Act No. 9262 or the Anti-Violence Against Women and Their Children Act of 2004 (June 19, 2009) <p>CHR:</p> <ul style="list-style-type: none"> Implementation as a regular activity <p>DILG:</p> <ul style="list-style-type: none"> Implementation as a regular activity
Establish partnerships among LGUs with NGOs/POs in the community on CJS issues.	Formal agreements between LGUs and NGOs/POs on CJS programs		<p>CHR:</p> <ul style="list-style-type: none"> Continuous partnership with NGOs such as ALG for community-based dialogues. <p>NCIP:</p> <ul style="list-style-type: none"> Does not have a good relationship with NGOs because the latter tend to exaggerate situations. <p>DSWD:</p> <ul style="list-style-type: none"> International Cooperation and Special Projects (e.g., Women, UNDP) PDPB - separate agency tasked with looking for partners. Current list of partners: <ul style="list-style-type: none"> - AECID - UNFPA - ILO (for trafficking) - UNICEF (for children) - ASIA AX

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
To encourage all agencies in the CJS for a continuing gender-related program in the action plan (GAD, VAWC, RA No. 7610, Anti-Trafficking in Persons, Juvenile Justice and Welfare Act of 2006).	Continuing development and enhancement of programs.		Required for all agencies. NCIP: <ul style="list-style-type: none"> All activities are gender-sensitive. DSWD: <ul style="list-style-type: none"> GAD Plan
Implementation of elementary and high school curricula with focus on human rights empowerment.	Full implementation in elementary and high school curricula of principles of basic human rights.	Congress and DepEd	Included in AFP workshop. NCIP: <ul style="list-style-type: none"> Alternative learning system IP curricula (on IP concerns only)
Using government-owned media, TV, radio and print media to maximize opportunities for public service through the media.	CJS agencies to develop and implement an IEC Program using government-owned media facilities. More space/airtime in the media		DSWD: <ul style="list-style-type: none"> Guide for Media Practitioners on the Reporting and Coverage of Cases Involving Children, also developed and revised by SCPC, to help protect the privacy and identity of children from abuse and exploitation emanating from reports and coverage of them by media. CHR: <ul style="list-style-type: none"> Creation of website DILG: <ul style="list-style-type: none"> Creation of website Proposed issuances Issuance of publication once a week to get feedback. NCIP: <ul style="list-style-type: none"> Creation of website

MEDIUM-TERM DEVELOPMENT PLAN FOR THE CRIMINAL JUSTICE SYSTEM (2007-2010)			UPDATE ON THE MTDP FOR THE CJS
ACTIVITIES	OUTPUTS	RESPONSIBILITY CENTER	ACTUAL ACCOMPLISHMENTS
Strengthen the Witness Protection Program	DOJ will coordinate the formation of organizations; community to handle the Witness Support Program; and witnesses automatically placed under the physical custody of proper government agencies (the witness including family). More people willing to testify.		CHR: <ul style="list-style-type: none"> • Program implementation (currently with no budget) • Provision of a house for witnesses and their families.
That the five pillars of the CJS, with the cooperation of the barangays and other NGOs, handle the release of overstaying detainees/prisoners.	Integrated program of cooperation among pillars to ensure proper handling and advocacy for release of overstaying detainees. Less overstaying detainees/prisoners		CHR: <ul style="list-style-type: none"> • Participates in discussions on ROR (Release on Recognizance) • Assistance and Visitorial Office • Visits detention centers and receives reports on complaints by detainees like prolonged detention.
Advocacy work on non-discrimination of released offenders and provision of after-care services by the respective LGUs in coordination with civic organizations and religious groups for skills training, livelihood, and other productive projects for them.	Adopt and implement program for non-discrimination of released offenders. Increased work opportunities for released offenders.		DILG: <ul style="list-style-type: none"> • Researches family and livelihood programs, youth homes, etc. (limited to research; implementation tasked with LGUs)
To forge an agreement with civic groups like Chamber of Commerce, Rotary Clubs, etc. for employment opportunities of released offenders.	MOA (DOLE or per agency)		

SUMMIT ISSUES AND RECOMMENDATIONS TO THE CRIMINAL JUSTICE SYSTEM

COMMUNITY PILLAR

FORUM ON INCREASING ACCESS TO JUSTICE				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
Lack of capability or knowledge of barangay officials and <i>lupon</i> who are charged with maintaining peace and order and the settlement of local disputes.	DILG, DOJ	DILG is only helping. DOJ is for training, DILG is for rewards. <ul style="list-style-type: none"> What can be settled, what cannot be settled. Guidelines issued. Katarungang Pambarangay. (DOJ should be the one concerned.) 		<ul style="list-style-type: none"> No copy of laws Sustainability Political will
Access to public information is not as dynamic in the local level.	DILG	Advocacy, capacitating, monitoring	Increase wages.	

FORUM ON ENVIRONMENTAL JUSTICE				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
Lack of knowledge and information.	DSWD, NCIP, CHR	DILG: <ul style="list-style-type: none"> Inter-agency protection on women and children Cleanup by the MMDA Segregation MRN CHR: <ul style="list-style-type: none"> Advisories during time of Ondoy, Angat hydroelectric plant 	Rendering technical assistance to social workers for immediate protection.	DSWD <ul style="list-style-type: none"> Absence of data and information. CHR Implementation- There are already a lot of laws today.

FORUM ON ENVIRONMENTAL JUSTICE				
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS	OBSTACLES/ CHALLENGES
		<p>MDG:</p> <ul style="list-style-type: none"> • Disaster risk <p>NCIP:</p> <ul style="list-style-type: none"> • Incorporation of climate change awareness in our Ancestral Domain Development Plan. • Climate Change Proofing • Harmonization of IPRA with the Mining Law <p>DSWD:</p> <ul style="list-style-type: none"> • Risk and Vulnerability Assessment 		
Need for legal assistance.	PAO, CHR	<p>CHR:</p> <ul style="list-style-type: none"> • Investigation on toxic waste. <p>NCIP:</p> <ul style="list-style-type: none"> • Need for amendments of the Mining Law 		<p>NCIP:</p> <ul style="list-style-type: none"> • Lack of funding and resources • Lack of data <p>DSWD:</p> <ul style="list-style-type: none"> • No monitor and evaluation component
Filing of numerous harassment suits against community and civil society group members.		<p>NHRAP:</p> <ul style="list-style-type: none"> • Aerial spraying <p>NCIP:</p> <ul style="list-style-type: none"> • Non-recognition of LGUs on IP rights. <p>NEDA:</p> <ul style="list-style-type: none"> • Assessment and challenges • Updated planning matrix 		

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Not all convicted children need to be at the DSWD Regional Rehabilitation Center for the Youth.	DSWD	<p>DSWD:</p> <ul style="list-style-type: none"> • Accepts everyone. As a rule, there must be a court order. But even without a court order, acceptance is made on the following conditions: <ul style="list-style-type: none"> - There is no other facility. - The crime committed by the child was heinous. - There is threat from the community. - The child is abused or abandoned by parents. There are periods when they could stay. • Establishment of Bahay Pag-asa (no crime committed) and detention homes (those with crimes on trial) <ul style="list-style-type: none"> - Under LGUs. Children can go there instead of RRCY. - This is a specific program. - LGU level should have their own centers for youth, children. <p>DILG:</p> <ul style="list-style-type: none"> • Contact those who have shelters (1%). 	<p>DILG: Concentrate on private entities. Provide incentives, such as tax exemptions and other privileges for private owners. Juvenile Justice Welfare fund</p>
Establishment of VAWC desks in barangays.	DILG	<p>Juvenile Justice and Welfare Council:</p> <p>Community-based services: intervention, deviation</p> <p>Councils, IACAT, VAWC, Pornography, Juvenile should spearhead the advocacy on information about all laws applicable.</p> <p>Continue to strengthen councils because they are the ones mandated by law to implement and monitor programs.</p>	<p>DILG/DSWD (inter-agency):</p> <ul style="list-style-type: none"> • Magna Carta for Women, barangay level = VAW desk.
Lack of drug rehabilitation centers.	DOH, DOJ	<p>DSWD:</p> <p>There is no specific division on drugs.</p>	

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
No social worker in the municipality to handle CICAL cases.	DSWD, DILG		Capacity building of social worker/psychologist
Problems with recidivists: <ul style="list-style-type: none"> • Conduct seminar and training at barangay level to discuss women's and children's rights. • Conduct livelihood programs and other proactive schemes. 	DSWD, DILG	DSWD: Livelihood assistance	
Need for complainant in criminal cases: <ul style="list-style-type: none"> • DSWD/PSWDO/CSWD O/MSWDO memorandum circular directing the handling social worker to act as complainant. • Executive Order from the LGU head directing the provincial/ city/municipal legal counsel to assist and defend LGU social workers against kidnapping and other retaliatory suits lodged against them by parents/family/relatives of children placed under protective custody. • Local legislative action creating local defense fund and appropriating funds for the defense of LGU social workers facing harassment and retaliatory suits. 	PNP, DSWD		Strengthen legal assistance at the barangay level.

NATIONAL SUMMIT ON FAMILY COURTS			
ISSUES	RESPONSIBILITY CENTER	ACCOMPLISHMENTS	STRATEGIES, REFORMS, PROPOSED INSTRUMENTS
Need to train barangay officials/members of the <i>Lupong Tagapamayapa</i> on VAWC Law and BPO.	DILG	DILG: <ul style="list-style-type: none"> • Conduct of trainings upon request of LGUs, but as initial only; the rest is up to LGUs. If they have plans, they provide funds. • Inter-agency • Change (i.e., elections) 	
Protective Custody 1. Executive order from the LGU head directing the provincial/city/municipal legal counsel to assist and defend LGU social workers against kidnapping and other retaliatory suits lodged against them by parents/family/relatives of children placed under protective custody. 2. Local legislative action creating local defense fund and appropriating funds for the defense of LGU social workers facing harassment and retaliatory suits. 3. Resolution adopted by ULAP enjoining all LGUs to implement items 2 and 3.	DOJ, DSWD, DILG	No issuance on this yet	

PART THREE

ENHANCED MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM

Since the rule of law complements economic growth, the MTDP for CJS 2010-2016 focuses on the provision of an enabling environment for private sector investment. This can be achieved by the effective enforcement of the rule of law and ensuring the effective and efficient delivery of public service. However, even if the focus is on investment, the Social Contract mandates that cross-cutting issues on gender, climate change, and human rights must be taken into consideration in the development of the plan. Thus, while the MTDP for CJS 2010-2016 may at first glance be geared towards investment, it actually seeks to strengthen the capacities of the institutions to deliver basic services, one of which is the improvement of access to justice.

A. Law Enforcement Pillar

Peace and order is an essential ingredient to maintaining economic development, social order and political stability.¹⁷ A condition of peace and order facilitates the growth of investments, generates more employment opportunities and attracts more tourists.¹⁸ Sustained economic growth will facilitate the influx of local and foreign investments, as well as tourism, which, in turn, will generate employment opportunities.

The law enforcement pillar is composed of officers and members of the Philippine National Police, National Bureau of Investigation, Philippine Drug Enforcement Agency, Anti-Money Laundering Council (AMLC), Armed Forces of the Philippines, and 34 other related agencies. Their work consists in the prevention and control of crimes, enforcement of laws, and effecting the arrest of offenders, including the conduct of lawful searches and seizures to gather necessary evidence so that a complaint may be filed at the Prosecution's Office.

1. Assessment and Challenges

Philippine National Police

Under RA No. 6975, the Philippine National Police was established, consisting of members of the police forces who were incorporated into the Integrated National Police (INP) pursuant to Presidential Decree No. 765; the officers and enlisted personnel of the Philippine Constabulary (PC); and the regular operatives of the abolished NAPOLCOM Inspection, Investigation and Intelligence Branch.¹⁹

¹⁷ NEDA, MEDIUM-TERM PHILIPPINE DEVELOPMENT PLAN (2004-2010) 187, Chap. 16.

¹⁸ *Id.*

¹⁹ An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and for Other Purposes, (Department of the Interior and Local Government Act of 1990), Republic Act No. 6975, § 23 (1990).

Among its powers and functions²⁰ are to:

- Enforce all laws and ordinances relative to the protection of lives and properties;
- Maintain peace and order and take all necessary steps to ensure public safety;
- Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution;
- Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws;
- Detain an arrested person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution;
- Issue licenses for the possession of firearms and explosives in accordance with law;
- Supervise and control the training and operations of security agencies and issue licenses to operate security agencies, and to security guards and private detectives, for the practice of their professions; and
- Perform such other duties and exercise all other functions as may be provided by law.

In 2005, the PNP launched the Integrated Transformation Program (ITP), which is the organization's road map for long-term and lasting reforms in the Philippine National Police (until 2030).²¹ The ITP is now being implemented in order to: resolve organizational dysfunctions and improve the quality of police services; strengthen law enforcement capabilities; and enhance the welfare and benefits of personnel and dependents.²²

The PNP ITP identifies 12 key result areas that, when completed altogether, aim to achieve PNP transformation, namely: national policy and institutions development; police operations; facilities development; human resources development and management; administrative and financial management; strategic planning and performance management; information and communication technology; demonstration of excellence through development of best practices; public information and advocacy; reform management; anti-corruption; and promotion of human rights.²³

The PNP ITP has the ultimate goal of applying an integrated institutional framework, strategy, and process that will transform the PNP into a more capable, effective, and reliable police force. Through the transformation process, the PNP would be able to enhance the quality of its services and relationships with the community, improve the peace and order situation, and maintain a safe environment that is conducive to socio-economic growth.²⁴

²⁰ *Id.* § 24.

²¹ PNP, Integrated Transformation Program <http://www.pnptransformation.org/index.php?option=com_content&view=article&id=49&Itemid=138> (last accessed Nov. 20, 2010).

²² *Id.*

²³ *Id.*

²⁴ PNP, Goals and Objectives <http://www.pnptransformation.org/index.php?option=com_content&view=article&id=49&Itemid=138> (last accessed Nov. 20, 2010).

Currently, the PNP is facing challenges and problems in the delivery of police services:²⁵

- 92 percent of the PNP Annual Budget goes to personnel services or salaries and allowances of PNP personnel. Less than 8 percent goes to maintenance and other operating expenses, and less than 1 percent is set aside for capital outlay. This has been the situation for the past five years.
- 80 percent or 1,282 police stations all over the country are considered illegal settlers on lands or buildings owned by local government units or private individuals. Police precincts are made of inferior materials making both the station and its personnel vulnerable to hostile enemy action or to the forces of nature.
- The PNP is still 65 percent short of land patrol vehicles, 80 percent short of aircrafts and 75 percent short of watercraft. Limited fuel supply limits the PNP from doing continuous patrols. Inadequate communication equipment leads to poor coordination among police personnel, while most police stations lack proper equipment for the execution of their duties.
- 57 percent or 67,489 of PNP personnel are still in dire need of decent shelter. This explains why 60 percent from PO1 to PO3 personnel actually live below the poverty line.
- PNP uniformed personnel are also not covered by social security or government service insurance system; and only half of the pension budget requirement is allotted to the PNP.
- The PNP has only one tertiary hospital situated in Camp Crame and 16 dispensaries nationwide. Health equipment and facilities are old and outmoded. The AFP Medical Center allots P935.80 for every patient; the Quirino Medical Center allots P410.29 for every patient; while the PNP General Hospital spends a measly P125.92 for every patient confined in the hospital.
- In terms of educational assistance, only 7 percent or 5,071 of the total 73,541 PNP personnel with dependents are receiving scholarship grants and assistance from the PNP.
- The PNP also has to contend with the low public perception of the integrity and competency of the police. This is evidenced by the fact that only 15 percent of the victims of crimes file cases/complaints at the police station level or other law enforcement agencies. The victims' decision not to report their encounter with crime is because most of them see crime reporting to be a waste of time, citing slow police action and a cumbersome process of reporting. Low percentage of crime reporting is an indication of diminishing public trust and confidence in the police and the criminal justice system with many saying they would rather depend on "praying" for protection.

With the implementation of the ITP, the number of police officers actually increased. However, since population grew as well, the ratio decreased from the previous years as shown in the following table:

²⁵ PNP, Realities in the PNP <http://www.pnptransformation.org/index.php?option=com_content&view=article&id=63> (last accessed Nov. 20, 2010).

**TABLE 3.1: PHILIPPINE NATIONAL POLICE
RATIO OF POLICE OFFICERS TO POPULATION (1987 TO 2009)²⁶**

Year	Number of Police Officers	Ratio
1987	50,810	1:1,129
1988	53,374	1:1,100
1989	53,300	1:1,128
1990	55,072	1:1,127
1991	89,296	1:696
1992	100,917	1:630
1993	97,263	1:669
1994	95,534	1:697
1995	95,109	1:722
1996	102,098	1:683
1997	104,401	1:684
1998	108,772	1:672
1999	109,722	1:681
2000	108,786	1:707
2001	105,784	1:743
2002	112,944	1:710
2003	112,508	1:728
2004	118,100	1:708
2005	113,566	1:751
2006	116,405	1:747
2007	119,914	1:740
2008	122,679	1:737
2009	124,752	1:739

The public approval rating of the PNP registered a high of 67.44 percent in 2009. The September to October survey revealed that 73 percent of the probability sample of 4,400 respondents nationwide felt the positive changes that resulted from the PNP's transformation initiatives.

The P10 billion fund for the PNP's Capability Enhancement Program enhanced police services on the ground. Police visibility was reinforced with the recruitment of police officers. Public services were improved with the construction and repair of police station buildings and other facilities, and acquisition of move, shoot, communicate and investigate equipment.²⁷

Technical innovations supported police operations through the state-of-the-art Regional Tactical Operation and Intelligence Center (RTOIC) at the NCRPO that serves as the main monitoring and dispatch hub of all police operations in Metro Manila.²⁸

²⁶ National Statistical Coordination Board, 2010 Philippine Statistical Yearbook, Chapter 17: Public Order, Safety and Justice, 17-5 (2010).

²⁷ Based on the Executive Summary of the 2009 Annual Accomplishment Report.

²⁸ *Id.*

The Model Police Station Project, the center of the PNP's transformation initiatives, ably provided communities with better police services through the well-equipped police stations manned by disciplined and highly trained personnel.²⁹

Anti-criminality and anti-insurgency efforts were made more responsive through the Local Anti-Criminality Action Programs and LOI Payapa which decentralized the formulation and implementation of strategies to support patrol, investigation, and internal security operations in the local setting.³⁰

The statistical increase in the total crime volume of 111,860 in 2009 resulted from the adoption of the Unit Crime Periodic Report which is a more accurate and efficient system of crime reporting. All PNP units were required to submit the UCPR to the national headquarters for consolidation into the National Crime Reporting System.³¹ The table shows the reported index and non-index crimes using the new system:

**TABLE 3.2: PHILIPPINE NATIONAL POLICE
REPORTED INDEX AND NON-INDEX CRIMES BY REGION³²**

	Index Crimes			Non-Index Crimes			Total Crimes		
	Total	Cleared	Crime Clearance Efficiency (%)	Total	Cleared	Crime Clearance Efficiency (%)	Total	Cleared	Crime Clearance Efficiency (%)
Philippines	301,703	74,519	24.70	200,962	52,148	25.95	502,665	126,667	25.20
NCR	40,969	21,644	52.83	18,713	13,982	74.72	59,682	35,626	59.69
CAR	8,316	1,746	21.00	4,332	756	17.45	12,648	2,502	19.78
I	11,339	3,669	32.36	5,688	2,017	35.46	17,027	5,686	33.39
II	10,774	1,702	15.80	8,257	783	9.48	19,031	2,485	13.06
III	30,512	5,859	19.20	25,909	4,992	19.27	56,421	10,851	19.23
IV-A	28,116	6,536	23.25	19,496	4,266	21.88	47,612	10,802	22.69
IV-B	7,635	2,149	28.15	6,603	1,357	20.55	14,238	3,506	24.62
V	12,564	3,830	30.48	7,461	2,493	33.41	20,025	6,323	31.58
VI	31,413	2,724	8.67	23,612	2,044	8.66	55,025	4,768	8.67
VII	25,333	4,539	17.92	10,429	4,012	38.47	35,762	8,551	23.91
VIII	15,715	2,120	13.49	12,887	1,546	12.00	28,602	3,666	12.82
IX	9,612	2,709	28.18	11,558	2,078	17.98	21,170	4,787	22.61
X	27,240	3,418	12.55	18,000	2,140	11.89	45,240	5,558	12.29
XI	18,652	2,734	14.66	11,781	2,189	18.58	30,433	4,923	16.18
XII	12,337	5,492	44.52	9,326	4,503	48.28	21,663	9,995	46.14
XIII	7,966	1,855	23.29	4,315	1,116	27.02	12,281	3,021	24.60
ARMM	1,228	811	66.04	508	391	76.97	1,736	1,202	69.24
National Support Units	1,982	982	49.55	2,087	1,433	68.66	4,069	2,415	59.35

Source: Philippine National Police

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² NSCB, 2010 YEARBOOK, *supra* note 26, at 17-4.

The next two tables show the (a) crimes committed against children and (b) violence against women:

**TABLE 3.3: PHILIPPINE NATIONAL POLICE
REPORTED CRIMES COMMITTED AGAINST CHILDREN
BY CLASSIFICATION OF OFFENSE (2003 TO 2009)³³**

Classification of Offense	2003	2004	2005	2006	2007	2008	2009
Total	7,300	7,557	6,320	6,114	6,688	8,588	9,787
Rape	3,107	3,099	2,794	2,235	2,501	2,981	3,040
Incestuous rape	290	229	206	183	243	229	211
Attempted rape	293	244	224	169	213	221	251
Acts of Lasciviousness	1,090	1,058	938	719	702	876	918
Physical Injuries/Maltreatment	1,947	1,893	1,212	1,177	1,150	1,450	2,368
Kidnapping	78	110	51	23	26	17	37
Others	–	–	–	326	139	35	90
Violation of RA No. 7610 (Child Abuse)							
Child Trafficking	15	18	45	48	60	70	–
Child Labor	48	22	17	5	6	1	6
Child Prostitution	41	37	8	14	15	13	12
RA No. 9262	–	–	41	51	36	52	60
Other Forms of Child Abuse	135	517	506	786	1,064	2,048	2,040
Other Related Crimes							
Parricide	5	12	26	9	8	6	24
Neglect/Abandonment	35	34	29	14	17	7	5
Sexual Harassment	13	23	11	14	23	31	42
Inducing a Minor to Abandon Home	12	12	4	4	2	2	3
Seduction	84	99	54	60	58	72	67
Murder	29	37	25	34	59	61	47
Frustrated murder	16	20	10	26	5	1	2
Attempted murder	9	3	10	6	23	38	79
Abduction	–	–	36	106	113	96	108
Homicide	21	36	28	41	55	80	119
Abortion	2	2	4	2	–	1	3
Simple seduction	3	3	9	6	4	6	33
Unjust vexation	22	39	16	33	48	65	81
Theft	5	10	16	23	35	112	115
Others (Reckless Imprudence Resulting to Homicide)	–	–	–	–	83	17	26

³³ NSCB, 2010 YEARBOOK, *supra* note 26, at 17-12.

**TABLE 3.4: PHILIPPINE NATIONAL POLICE
REPORTED CASES OF VIOLENCE AGAINST WOMEN
BY CLASSIFICATION OF OFFENSE (2003 TO 2009)³⁴**

Classification of Offense	2003	2004	2005	2006	2007	2008	2009
Total	8,011	7,383	6,505	5,889	6,647	7,864	10,482
Rape	1,045	997	927	670	837	811	770
Incestuous Rape	72	38	46	26	22	28	27
Attempted Rape	275	194	148	186	147	204	167
Acts of Lasciviousness	646	580	536	389	358	445	485
Physical injuries/Wife Battering	4,296	3,553	2,335	1,902	1,505	1,307	1,498
Sexual Harassment	112	53	37	40	46	18	54
RA No 9208	–	–	–	–	24	34	152
RA No. 9262	–	–	924	1,301	2,387	3,599	5,285
Threats	420	319	223	204	182	220	208
Seduction	17	62	19	29	30	19	19
Concubinage	180	121	102	93	109	109	99
Sex trafficking/White Slavery	4	17	11	17	–	–	–
Abduction/Kidnapping	36	29	16	37	23	28	18
Unjust Vexation	101	90	50	60	59	83	703
Other Related Crimes							
Neglect/Abandonment	50	37	18	42	71	75	107
Homicide	45	88	52	73	61	76	60
Slander	135	83	68	57	49	39	18
Murder	66	52	33	53	68	57	57
Attempted Murder	23	38	20	5	10	14	14
Frustrated Murder	29	42	17	44	49	50	45
Oral Defamation	188	149	109	103	117	104	100
Parricide	53	62	35	37	40	73	52
Illegal Recruitment	12	4	14	8	9	7	34
Non-gender Crimes							
Malicious Mischief	36	46	23	21	16	22	17
Theft	68	79	69	80	96	115	103
Estafa	51	26	18	14	3	21	7
Hold up	34	61	21	34	47	39	71
Others	17	563	634	364	282	267	312

Human rights advocacy was also reinforced as the PNP strictly implemented the observance of policies that provide for the protection of basic rights and civil liberties of citizens including criminals. To further improve the PNP's capability in addressing human rights issues and violations committed by its own personnel, police offices nationwide established and now maintain Human Rights Desks in their respective jurisdictions.³⁵

³⁴ NSCB, 2010 YEARBOOK, *supra* note 26, at 17-11.

³⁵ Based on the Executive Summary of the 2009 Annual Accomplishment Report.

In accordance with the Anti-Red Tape Act, the PNP published the PNP Citizen's Charter in August 2009, to improve frontline services for the public and to encourage vigilance against irregularities.

One of the problems encountered by the PNP in the implementation of its ITP is the passive response of the public. To most people, the ITP will not change the "corrupt-ridden" PNP. This negative public perception is among the challenges being faced by the ITP. However, such perception has slowly been improving. In a 2008 Survey of Enterprises on Corruption conducted by the Social Weather Station (SWS), there was an improvement in the ratings of sincerity in fighting corruption for the PNP, compared to a similar SWS survey in 2007.³⁶ From its previous score of -25, the PNP rated -18 in 2008.

Also a major problem for the PNP is budget allocation. The budget of the PNP for 2010 is P49,889,574,000.³⁷ As stated earlier, majority of this budget goes to salaries and allowances for personnel. Fortunately, the PNP has been able to receive funding from non-government organizations, like the Hanns Siedel Foundation, for some of its projects.

While the PNP has strived to modernize, approximately 30 percent of computers in police stations nationwide are actually donations from LGUs and NGOs. Almost 90 percent of the total police stations that do not have computers are from Police Regional Office (PRO) ARMM and PRO 8; 47 percent have no internet access due to financial constraints; and 100 percent have no internet access due to unstable signal or no internet service provider in the area.³⁸ Furthermore, PRO 4B was found to be the most ill-equipped because only 13 percent of its City and Municipal Police Stations have radio communications. Most of the radio equipment issued nationwide have defective battery packs.³⁹

National Bureau of Investigation

In 1936, the National Bureau of Investigation was created with the enactment of Commonwealth Act No. 181 as a Division of Investigation (DI) under the Department of Justice. Patterned after the U.S. Federal Bureau of Investigation, its mandate was to serve warrants and *subpoenas*; to make searches and seizures under legal warrants for violations of the laws of the Philippines; and to make arrests without warrants for a crime committed in their presence or within their view.⁴⁰

On June 19, 1947, RA No. 157 repealed Commonwealth Act No. 181 and converted the Division into the Bureau of Investigation with its functions expanded and the powers of its investigating staff increased. Executive Order No. 94, issued on October 4, 1947, renamed it to the presently known National Bureau of Investigation.

³⁶ Social Weather Station, 2008 Survey of Enterprises on Corruption: Anti-corruption sincerity ratings improved for only 8 out of 30 agencies, Nov. 21, 2008 <<http://www.sws.org.ph/pr081121.htm>> (last accessed Nov. 2, 2010).

³⁷ General Appropriations Act Fiscal Year 2010 [2010 General Appropriations Act], Republic Act No. 9970 (2010).

³⁸ PNP, ICT Management <http://www.pnp.gov.ph/main/index.php?option=com_content&view=article&id=139&Itemid=118> (last accessed Dec. 4, 2010).

³⁹ *Id.*

⁴⁰ Commonwealth Act No. 181, §3 (1936).

The main objective of the NBI is the establishment and maintenance of a modern, effective, and efficient investigative service and research agency for the purpose of implementing fully principal functions provided under RA No. 157, as amended.

Under the supervision of the Department of Justice (DOJ) and headed by a Director, and supported by an Assistant Director and six Deputy Directors, the NBI is tasked mainly to:

1. Investigate crimes and other offenses against the laws of the Philippines, both on its own initiative and as public interest may require;
2. Assist, when officially requested in the investigation or detection of crimes and other offenses;
3. Act as national clearing house of criminal records and other information, for use of all prosecuting and law enforcement entities in the Philippines, of identification records of identifying marks, characteristics and ownership or possession of all firearms and test bullets fired therefrom;
4. Give technical help to all prosecuting and law enforcement offices, agencies of the government, and courts which may ask for its services;
5. Extend its services in the investigation of cases, administrative or civil in nature in which the government is interested;
6. Establish and maintain an up-to-date scientific crime laboratory and conduct researches in furtherance of scientific knowledge in criminal investigation;
7. Coordinate with other national or local agencies in the maintenance of peace and order; and
8. Undertake the instruction and training of a representative number of city and municipal peace officers at the request of their respective superiors along effective methods of crime investigation and detection in order to insure greater efficiency in the discharge of their duties.

Investigative and Intelligence Services

The Investigative and Intelligence Services, including Regional and District Offices of the Bureau, received 12,480 cases in 2009, a slight increase of 3.4 percent from last year's 12,070 cases. It also rendered special and miscellaneous services to 53,335 cases.

The Bureau terminated 12,145 criminal cases, an increase of 6.1 percent from last year. Of these, 4,274 were recommended for prosecution. It has also located 237 subjects/persons by virtue of warrants/orders of arrests issued by different courts nationwide and through requests made to locate missing persons.

NBI experts in the fields of forensic medicine and chemistry, questioned documents, ballistics, polygraphy, dactyloscopy and investigative photography of 16,965 terminated cases with 1,729 court appearances. These include the examination and analysis of 43,954 specimens.

Clearances

In 2009, the NBI received and acted upon 4,677,580 applications for clearance or a daily average of 19,329. The NBI Clearance-on-Wheels has been further extended to universities and colleges of different cities and municipalities nationwide.

Challenges and Constraints

Resource limitations and constraints remain to be challenges such as the inability to replace old and outdated office and technical equipment as well as dilapidated office structures.

The NBI Marikina Satellite Office was not spared by Typhoon Ondoy that flooded Metro Manila in 2009. The records stored thereat were either damaged or destroyed.

Atty. Auralyn Pascual of the NBI's Management Planning and Audit Division likewise confirmed these resource constraints during the Validation Workshop where she cited the effect of insufficiency of funds on the Bureau's personnel. She revealed that in lieu of lawyers, the NBI is forced to hire professors, medical technologists and other professionals to do the Bureau's work due to budget constraints.

Likewise, due to budget constraints, the NBI is unable to construct additional infrastructure projects, or at the very least repair the existing dilapidated structures. In fact, Atty. Pascual related how some NBI offices are not owned by the Bureau and are in danger of eviction.

For 2010, the NBI was appropriated a budget of P851,520,000.00.⁴¹ In rare cases, the NBI receives minimal funding from international organizations such as the Federal Bureau of Investigation (FBI) and the Australian Federal Police (AFP).

Atty. Pascual identified the long queues at the NBI Clearance Section as a major problem despite the decentralization of the clearance processing to field offices and kiosks and the existence of e-payment procedures. Every year, there is an increase in clearance applicants. In Carriedo alone, there are 12,000 applicants on an average day from January to March.

To increase public awareness of the services rendered by the NBI, it has implemented the Citizen's Charter. This is in compliance with the Anti-Red Tape Act of 2007. The NBI's website also provides the public the basic services provided by the Bureau. At present, web enhancements are being undertaken to develop its use and capability to interact with more clients/people. These efforts are however hampered by budgetary constraints.⁴² The Bureau also strives to conduct seminars/trainings on investigative techniques whenever requested by other law enforcement agencies and other government agencies. But the Bureau admits that it cannot pursue a nationwide IEC seminars and trainings due to lack of personnel and financial resources.⁴³

To update its personnel on current human rights issues, the NBI invites resource persons from the CHR during its basic agents/special investigators training. However, the Bureau admits that it sorely lacks periodic/regular trainings on human rights for its agents/special investigators. There is also a need to increase its personnel. It cannot do so, however, because of the government's rationalization plan.

⁴¹ 2010 General Appropriations Act Fiscal Year 2010, Republic Act No. 9970.

⁴² Based on the SWOT Analysis submitted by the NBI.

⁴³ *Id.*

Despite the lack of resources, the NBI has created two divisions tasked to handle human rights cases: first, the Violence against Women and Children Division (VAWCD), which is tasked to handle VAWC-related cases; and second, the Internal Affairs Division (IAD), which is tasked to investigate HR concerns. The NBI is also establishing child-friendly studios in all regional and district offices. It must also be mentioned that the NBI provides the necessary shelter to the beneficiaries of the Witness Protection Program.

The NBI also has organized the Environmental and Wildlife Protection Division, tasked to conduct operations against violations of environmental laws.

The effectiveness of the programs of the NBI is currently being monitored by the Management Planning and Audit Division (MPAD).

Lastly, Atty. Pascual considered as a challenge the pending passage of the NBI modernization and reorganization bill. Such is a very much-needed law which could solve the problems mentioned.

Philippine Drug Enforcement Agency

For 30 years, RA No. 6425, otherwise known as the Dangerous Drugs Act of 1972, had been the backbone of the Philippine drug law enforcement system. Despite the efforts of various law enforcement agencies mandated to implement the law, the drug problem alarmingly escalated. The high profitability of the illegal drug trade, compounded by the then existing laws that imposed relatively light penalties to offenders, greatly contributed to the gravity of the problem.

Recognizing the need to further strengthen existing laws governing the Philippine drug law enforcement system, President Gloria Macapagal-Arroyo signed RA No. 9165, or the Comprehensive Dangerous Drugs Act of 2002, on June 7, 2002, which took effect on July 4, 2002. RA No. 9165 defines more concrete courses of action for the national anti-drug campaign and imposes heavier penalties to offenders.

The enactment of RA No. 9165 reorganized the Philippine drug law enforcement system. While the Dangerous Drugs Board (DDB) remains as the policy-making body, the law created the Philippine Drug Enforcement Agency under the Office of the President. The new law also abolished the National Drug Law Enforcement and Prevention Coordinating Center, Philippine National Police-Narcotics Group (PNP-NARGRP), National Bureau of Investigation-Narcotics Unit (NBI-NU), and the Customs Narcotics Interdiction Office (CNIO). Personnel of these abolished agencies were to continue to perform their tasks on detail service with the PDEA subject to a rigid screening process.

The PDEA is the agency primarily tasked with the enforcement of RA No. 9165. It is an agency playing a major role in the Criminal Justice System. Atty. Valentina Asencio, Attorney III, Legal and Prosecution Service, discussed the strategies deemed necessary to accomplish PDEA's medium-term development plan.

As of December 2009, the PDEA has a total workforce of 1,207 personnel, comprising 3 presidential appointees, 999 organic personnel; 50 detailed PNP personnel; 1 detailed PPSC personnel; 10 detailed AFP personnel; 11 contractual employees; 11 case monitors; and 18 consultants.⁴⁴

In 2009, a total of 9,709 anti-drug operations, 3,765 buy-bust operations, 24 interdictions, 84 marijuana eradications, 469 search warrant servings, 109 warrants of arrest were implemented, and

⁴⁴ *Id.*

5,258 operations were conducted by PDEA.⁴⁵ These operations resulted in the arrest of 9,052 drug personalities and the filing of 7,714 drug cases in courts nationwide.⁴⁶ PDEA has also referred 209 cases to the Anti-Money Laundering Council in connection with its buy-bust operations.

**TABLE 3.5: PHILIPPINE DRUG ENFORCEMENT AGENCY
PROFILE OF REHABILITATED DRUG ABUSERS AND ARRESTED DRUG USERS (2009)⁴⁷**

	Profile of Rehabilitated Drug Abusers	Profile of Arrested Drug Abusers
Average Age	28 years old	30 years old
Ratio of male to female	10:1	8:1
Civil Status	Single	Single
Employment Status	Unemployed	Unemployed/Underemployed
Educational Attainment	High School level	High School level
Residence	Urban	Urban
Minors	24%	20%

The PDEA has identified three major activities related to illegal drugs: cultivation of marijuana; manufacturing of shabu; and drug-trafficking. In February 2009, the Agency formulated and implemented the PDEA's three-year campaign plan from the period 2009-2012 entitled PDEA LOI No. 01-09: PDEA Campaign Plan "Bandila" dated February 27, 2009. The PDEA Campaign Plan "Bandila" provides concrete directions and framework, objectives, target goals and timeline, strategy and plan of action that will orchestrate performance of operational mandates and efforts of the Agency and other government instrumentalities. It aims to significantly reduce the illegal drug problem in the country through relentless neutralization of drug personalities and syndicates; render local drug production infeasible and unsafe for producers; make the availability of illegal drugs discouragingly hard to find and too expensive for the market; make people aware of how the illegal industry thrives as well as the ill-effects of illegal drugs; and mobilize the citizenry to pressure drug personalities and collate towards submission.

The plan took effect in the third quarter of 2009 and became the rallying point of control, orchestration and management of all anti-drug efforts and activities of the Agency and its supporting units in other agencies.⁴⁸

The PDEA also launched its Court Watch Project to monitor the status and developments of drug cases nationwide. This gives the management a better analysis of trends in prosecution, as well as points out specific witnesses, prosecutors or judges with recurring patterns of excuses and possible irregularities. Also included in the project is the strengthening of the legal capabilities of witnesses through the conduct of case conference and moot court activities.

To date, the Agency is monitoring a total of 105,492 drug cases nationwide. Out of this number, a total of 25,192 or 23.88 percent of drug cases have been resolved in courts which consequently led to the conviction of 7,622 drug suspects. The implementation of the project has significantly decreased the dismissal rate by 28.5 percent and the acquittal rate by 20 percent. Also,

⁴⁵ 2009 Annual Report of the PDEA.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

because of this project, 297 drug law enforcement officers are facing administrative and criminal cases.

The PDEA is, however, concerned with a new strategy employed by drug-traffickers: the use of Filipinos as drug couriers. A drug syndicate often offers huge amounts of money to the couriers. The illegal drugs are hidden internally by ingesting or swallowing latex balloons or special capsules filled with illegal drugs. According to this study, this is a common but medically dangerous way of smuggling small amounts of drugs. A courier can die due to overdose if a packet bursts or leaks. Other methods of concealment include: hiding the drugs inside shoes; strapping these to one's body; placing these in books, bottles of shampoo/coffee and parcels. As of November 12, 2010, PDEA has recorded 630 Filipino drug couriers who are already imprisoned abroad.⁴⁹ Out of this number, 75 are in death row in China. The PDEA admits that, in these cases, it is the Department of Foreign Affairs which is tasked to help these people.

There are also cases where children are being used as drug couriers. Drug syndicates have been taking advantage of RA No. 9344, or the Juvenile Justice and Welfare Act of 2006, which takes away the criminal liability of children 15 years old and below, who are caught violating the law.

Similar to other agencies, PDEA is constrained by the insufficiency of funds. In 2010, the Agency was appropriated a P502,474,000.00 budget. This is lower than the Agency's budget the year before. Because of this, PDEA has been creative in looking for sources of funds. They usually look for donors and align their projects with the thrust of such donors so that the programs may receive additional funding. PDEA has also observed that in other countries, properties of those convicted of drug-related cases are presumed to have proceeded from drug-related activities. These properties are then sold and a portion of the proceeds goes to the agency. If this were the case, Atty. De Guzman said that the Agency would have more money to fund its operations. However, here, any proceeds go directly to the national coffers.

National Police Commission

The National Police Commission is mandated by RA No. 6975, as amended, to exercise administrative control and operational supervision over the PNP. It is an attached agency to the Department of the Interior and Local Government for purposes of program and policy coordination. It is a collegial body composed of a Chairperson and four regular commissioners. The DILG Secretary is the ex officio Chairperson of the Commission and the PNP Chief as ex officio member.

NAPOLCOM has 7 staff services in its central office and 17 regional offices nationwide as follows: Planning and Research Services; Inspection, Monitoring and Investigation Service; Crime Prevention and Coordination Service; Installations and Logistics Service; Legal Affairs Service; Personnel and Administrative Service; and Financial Service. It has formal administrative disciplinary appellate machinery consisting of the National Appellate Board and the Regional Appellate Boards.

In accordance with its mandate to supervise the PNP, NAPOLCOM accomplished the following in 2009:

- Issued 723 resolutions and 3 memorandum circulars which provide the PNP with operational and administrative policies and guidelines.

⁴⁹ ABS-CBN News, 630 Filipino 'Drug Mules' in prisons overseas <<http://www.abs-cbnnews.com/video/global-filipino/11/11/10/630-filipino-drug-mules-prisons-overseas>> (last accessed Nov. 20, 2010).

- Approved 96 PNP equipment specifications out of 146 proposed standard specifications of various PNP supplies and materials and equipment that were reviewed and evaluated.
- Conducted technical inspection and physical inventory of police assets and properties at the PNP National Headquarters covering 38 offices/units.
- Inspected and audited 1,844 PNP offices/stations/units nationwide to determine the state of police personnel, activities and facilities.
- Monitored the following activities: extent of participation of 707 Local Chief Executives in police administration in their territorial jurisdiction; status of 8,352 administrative and 1,884 criminal cases involving uniformed police personnel which were recorded for disposition during the period under review. Of the recorded administrative and criminal cases, 2,668 administrative cases and 453 criminal cases were disposed of; alleged involvement of 380 police members in illegal activities, organized crimes and other forms of misbehavior as contained in 121 reports gathered from tri-media, walk-in complainants, letter-complaints and other sources; implementation of LOI Patnubay, Oplan Paglalansag, Police Visibility Program and WCCDs in 2,181 police stations; alleged human rights violations by 1,042 PNP members as indicated in 128 reports received through complaints, referrals from other agencies and other sources; and compliance with 700 PNP Offices/Units with NAPOLCOM inspections and audit recommendations.
- Acted on 1,559 complaints against erring PNP members out of 2,030 complaints received.

NAPOLCOM also formulated the new crime reporting form for the PNP named as “PNP Crime Incident Report Form” and the “Manual on PNP Crime Reporting System” to standardize the collection of data on police crime statistics. This has been implemented by the PNP since 2009. The following table will show the reported index and non-index crimes by region using the new system. Since this is a new crime reporting system, the crime data for 2009 was set as the baseline for future research, study and comparison. Hence, crime statistics in 2009 cannot be compared with the crime data obtained during the previous years as the parameters are no longer the same.⁵⁰

**TABLE 3.6: PHILIPPINE NATIONAL POLICE
REPORTED INDEX AND NON-INDEX CRIMES BY REGION (2009)⁵¹**

	Index Crimes			Non-Index Crimes			Total Crimes		
	Total	Cleared	Crime Clearance Efficiency (%)	Total	Cleared	Crime Clearance Efficiency (%)	Total	Cleared	Crime Clearance Efficiency (%)
Philippines	301,703	74,519	24.70	200,962	52,148	25.95	502,665	126,667	25.20
NCR	40,969	21,644	52.83	18,713	13,982	74.72	59,682	35,626	59.69
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II	10,774	1,702	15.80	8,257	783	9.48	19,031	2,485	13.06
III	30,512	5,859	19.20	25,909	4,992	19.27	56,421	10,851	19.23
IV-A	28,116	6,536	23.25	19,496	4,266	21.88	47,612	10,802	22.69
IV-B	7,635	2,149	28.15	6,603	1,357	20.55	14,238	3,506	24.62
V	12,564	3,830	30.48	7,461	2,493	33.41	20,025	6,323	31.58

⁵⁰ See Note 1 in NSCB, 2010 Yearbook, *supra* note 26, at 17-4.

⁵¹ *Id.*

VI	31,413	2,724	8.67	23,612	2,044	8.66	55,025	4,768	8.67
VII	25,333	4,539	17.92	10,429	4,012	38.47	35,762	8,551	23.91
VIII	15,715	2,120	13.49	12,887	1,546	12.00	28,602	3,666	12.82
IX	9,612	2,709	28.18	11,558	2,078	17.98	21,170	4,787	22.61
X	27,240	3,418	12.55	18,000	2,140	11.89	45,240	5,558	12.29
XI	18,652	2,734	14.66	11,781	2,189	18.58	30,433	4,923	16.18
XII	12,337	5,492	44.52	9,326	4,503	48.28	21,663	9,995	46.14
XIII	7,966	1,855	23.29	4,315	1,116	27.02	12,281	3,021	24.60
ARMM	1,228	811	66.04	508	391	76.97	1,736	1,202	69.24
National Support Units	1,982	982	49.55	2,087	1,433	68.66	4,069	2,415	59.35

Source: Philippine National Police

NAPOLCOM also formulates, for the approval of the President, an annual National Crime Prevention Plan (NCP) through the Inter-agency and Multi-sectoral Technical Committee on Crime Prevention and Criminal Justice (TCCPCJ). The NCP consists of the action programs and strategies for implementation by the five pillars of the Criminal Justice System, non-government agencies and local government units.

Because it involves the five pillars, NAPOLCOM focuses on inter-pillar coordination in order to reduce crime levels, deter criminal activities, increase community safety, and minimize the occurrence of anti-social behavior. The strengthening of this inter-pillar coordination, collaboration, and linkage is achieved primarily through sustaining consultative processes, utilizing information and technology exchanges, and managing crime prevention programs and projects. As an example, Director Myrna Medina, Staff Service Chief of the NAPOLCOM's Crime Prevention and Coordination Service, illustrated how the reported crime levels increased when the PNP implemented an enhanced system of recording and gathering information from other law enforcement agencies. Prior to this move by the PNP, a lot of crimes remained unreported.

During the Validation Workshop, Director Medina likewise identified the top five issues that affect the performance of organizations in the Criminal Justice System: (1) limitations on resources; (2) program coverage and priorities; (3) lack of personnel; (4) public involvement; and (5) political interference and corruption. As a whole, the main problems of the entire Criminal Justice System are poor linkages and relationships among the five pillars, and their minuscule capability coupled with a poor image to face a caseload that is rapidly piling up.

The key strategies for the Criminal Justice System include: strengthening and up-scaling inter-pillar collaboration and coordination, institutional strengthening of the NAPOLCOM's structure on crime prevention, sustaining active community engagement in crime prevention, having a broadened spread/reach of information dissemination, and advocacy and support for CJS reforms.

Director Medina also identified key strategies for each pillar. For example, the law enforcement pillar's core objective is to have adequate resources through increase in budget allocation; and the implementation of a transformation program that upholds meritocracy and undertakes policy review as essential input to the decision making process. The prosecution pillar's core objective is to have a well-managed case flow process achieved through adequate training and well-compensated prosecutors; training for police to enhance investigative capability; and improved coordination with the police. For the courts, the core objective is to have sufficient budget achieved through the passage of new laws which enhance financial independence. The correction pillar's

core objective is to improve its services, through mobilization of funding institutions for educational and livelihood programs which provide jobs for inmates, cause the implementation of a unified and coordinated rehabilitation system, and eventually lead to the creation of a Department of Corrections. The community's core objective is to have a higher level of participation achieved through the adoption of consultative processes and mechanisms with stakeholders; provision of adequate resources that support CJS in the formal education system; and values reorientation of leaders.

In addition, each pillar has its own flagship programs. The law enforcement pillar has the PNP's Integrated Transformation Program. The prosecution pillar has a Prosecution, Law Enforcement and Community Coordinating Service (PROLECCS) which involves a one-day conference-dialogue in selected provinces and the eventual organization of PROLECCS at the regional level. The courts pillar has its Access to Justice program, which is a mix of smaller programs aimed at bringing the judiciary to the people. The corrections pillar has a jail decongestion program, which includes advocacy for the passage of the Release on Recognizance Bill, passage of the Aggabao Bill, revision of the Memorandum of Agreement on Jail Decongestion, and integration of BJMP and provincial jails under one department. It also includes the establishment of youth detention homes in all local government units and advocacy programs for the rights of the prisoners. Lastly, the community pillar has programs which accord official recognition of the exemplary performance of the CJS pillars and programs which aim to educate people about the pillars and how they work.

The NAPOLCOM has also monitored and processed crime statistical reports and the Complaints Standard Reporting Format for Women and Children Concerns Desk submitted by different police offices/stations/units nationwide.

In 2009, the NAPOLCOM likewise published and distributed the "Police Manual on the Management of Cases of Children in Conflict with the Law (CICL)." It has also conducted seminars and awareness drives on crime and drug abuse prevention and control in various schools and barangays nationwide.

2. Goals, Strategies, and Plans

The law enforcement pillar has for its primary objective the provision of a crime-free and safe environment for private sector investment by enforcing the rule of law and ensuring the effective and efficient delivery of public service.

Collectively, the different agencies in the law enforcement pillar intend to work towards producing such an outcome by implementing the following strategies:

1. Strengthen organizational capacity.
2. Institutionalize adequate package of benefits and remuneration.
3. Entice and recruit the most qualified applicants.
4. Maintain a reservoir of highly capable and committed workforce to oversee and nurture a world class PNP.
5. Ingrain PNP core values, train and develop a well-motivated and competent police service.
6. Conduct professionalization programs.

7. Sustain public information and dialogue with the stakeholders.
8. Develop and improve facilities.
9. Develop systems and procedures.
10. Institutionalize and enforce Human Rights (HR) Law and International Humanitarian Law (IHL).

Strengthening Organizational Capacity

Among the activities the law enforcement pillar intends to implement is the revisiting and amendment of several laws concerning organizational structures of the agencies concerned. Among such agencies to be affected by the intended changes are the PNP, NBI, PDEA, and NAPOLCOM.

Institutionalization of Adequate Benefits and Remuneration

The PNP also plans to design and establish a pension and benefits system for its personnel. It also intends to reengineer the police remuneration system and to rationalize a special promotion, awards, and decoration system.

The NBI, on the other hand, is set to rationalize a compensation package and provide a more attractive compensation package for agents and other personnel, and provision of benefits and privileges such as free health care and insurance and scholarships through the NBI Modernization and Reorganization Bill being lobbied for in Congress.

As for PDEA, it is pushing Congress for the passage of a Magna Carta of Benefits for PDEA personnel.

Ingraining of PNP Core Values

The PNP plans to do the following to pursue this strategy: (1) Conduct Training Needs Analysis (TNA) for Police Position and Ranks; (2) Reengineer Police Education and Training System; (3) Strengthen PNP Education and Training Curricula; and (4) Strengthen Police Discipline and Grievance System.

Professionalization Programs

The NBI will improve the capabilities of its agencies by professionalizing their respective personnel. They intend to enhance Crime Scene Investigation Capabilities of their Medico-Legal Division, and work their way up towards the state-of-the-art Disaster Victim Identification. They will also continue their present education programs, trainings, and seminars.

The PDEA, on the other hand, plans to develop competence in handling and prosecuting drug cases by: (1) designating special prosecutors to handle only drug cases; (2) deputizing PDEA lawyers to prosecute drug cases; (3) lobbying for the creation of special courts to handle only drug cases. The PDEA will require cooperation from the DOJ and the SC in order to pursue such.

Public Information Campaigns, Partnership and Dialogue with Stakeholders and Other Pillars

This strategy can be achieved by maintaining and enhancing close coordination with local chief executives and other sectors of society. Sustaining coordinative networking and linkages with national, regional and international institutions and bodies will also be pursued.

The implementation of the Safer City Project and the LOI Payapa (Anti-criminality action plan) will also help maintain the strategy.

The PNP also plans to pursue a public information advocacy by conducting forums and awareness lectures. The NBI will strengthen liaisons and closer relations with the other law enforcement agencies and foreign counterparts. The NAPOLCOM will continue its program on prosecution, law enforcement and community coordinating service (PROLECCS).

Development and Improvement of Facilities

The NBI is pushing for modernization of forensic equipment, procurement of state-of-the-art investigative or technical materials, and acquisition or improvement of infrastructures. The PDEA intends to develop infrastructure and improve its operational, intelligence and investigation equipage.

Development of Systems and Procedures

The NAPOLCOM wants to streamline and rationalize administrative and operating systems and procedures. The NBI, on the other hand, has more extensive activities lined up as part of its implementation of the strategy. Among these are: improvement and upgrading of the Bureau's information and Communication Technology capabilities; procurement of an Automated Fingerprint Identification Systems (AFIS) database; computerization of records; establishment of an integrated ballistics, dental records, and DNA identification system.

Institutionalization and Enforcement of Human Rights Laws and International Humanitarian Law

Concerning chiefly the AFP, this is to be achieved by conducting in-house or in-service troop information and education. AFP handbooks on HR/IHL will also be created. There will also be the formulation of new Rules of Engagement which are UN-compliant.

B. Prosecution Pillar

1. Assessment and Challenges

Department of Justice–National Prosecution Service⁵²

Acting as the legal counsel and principal law agency of the government, the Department of Justice (DOJ) has responded well to the challenges of the time by implementing programs directed towards strengthening the institution, improving public service delivery, and protecting the rights of the people.

The National Prosecution Service is mandated to assist the Secretary of Justice in the performance of powers and functions of the Department relative to its role as the prosecution arm of the government, particularly, the investigation and prosecution of criminal offenses. The said mandate and present NPS organization is contained in PD No. 1275,⁵³ as amended, and EO No. 292, Administrative Code of 1987.

⁵² Based on the Annual Accomplishment Report of the Department of Justice 2009 <<http://www.doj.gov.ph/files/2009Annual.pdf>> (last accessed on Nov. 7, 2010).

⁵³ Reorganizing the Prosecution Staff of the Department of Justice and the Offices of the Provincial and City Fiscals, Regionalizing the Prosecution Service, and Creating the National Prosecution Service, Presidential Decree No. 1275 (1978).

By the end of CY 2009, the NPS has 14 regional offices with around 200 constituent offices and 100 suboffices for the 136 cities and 80 provinces nationwide. During the same period, the NPS was staffed by 1,908 prosecution officers (prosecutors and prosecution attorneys) out of the existing 2,406 plantilla positions (498 or 21% vacancies) and 1,643 administrative support staff out of 1,945 plantilla positions (302 or 16% vacancies). The said NPS personnel were augmented by around 1,000 support staff provided by local government units (LGUs) and other sources.

As shown in Table 3.7, the overall vacancy rate for prosecution officers, while decreasing through the years, remains high due to lack of applicants in many areas and delays in recruitment and appointment. For the support staff, vacancies have increased significantly as a result of the government rationalization program.

**TABLE 3.7: NATIONAL PROSECUTION SERVICE
CY 2005-2009 OPERATIONS STATISTICS: PLANTILLA POSITIONS⁵⁴**

Particulars	2005	2006	2007	2008	2009
Prosecution Officers					
Plantilla Positions	2,305	2,398	2,403	2,404	2,406
Filled Positions	1,397	1,584	1,728	1,827	1,908
Vacant Positions	908	814	675	577	498
Vacancy Rate	39%	34%	28%	24%	21%
Support Staff					
Plantilla Positions	1,796	1,945	1,945	1,945	1,945
Filled Positions	1,678	1,751	1,713	1,687	1,643
Vacant Positions	118	194	232	258	302
Vacancy Rate	7%	10%	12%	13%	16%

Source: DOJ Personnel Division

In 2009, based on available statistics from reports of prosecution offices nationwide, it is estimated that the NPS handled a total of 350,000 cases for preliminary investigation. This constitutes the bulk of the work load of prosecution officers (this figure does not include pleadings and reopened cases such as motions, petitions for review, and court orders). With 1,908 prosecution officers by the end of 2009, the prosecutor-case ratio relative to preliminary investigation can be calculated to an average of one prosecution officer handling 183 cases for the entire year. Out of the said preliminary investigation case load, an estimated 74 percent or 260,000 cases were resolved.

As shown in Table 3.8, the said case load and disposition figures for 2009 are significantly lower than those of the previous years due to the new docketing and reporting systems implemented during the year which rationalized the way investigation cases are assigned docket numbers and statistically reported.

⁵⁴ Planning and Statistics Division of the Planning and Management Service, Department of Justice.

**TABLE 3.8: NATIONAL PROSECUTION SERVICE
CY 2005-2009 OPERATIONS STATISTICS: PRELIMINARY INVESTIGATION CASE LOAD AND DISPOSITION⁵⁵**

Particulars	2005	2006	2007	2008	2009
<u>Case Load</u>					
Total	391,382	406,243	393,521	415,535	337,008
Average per prosecutor	280	256	228	227	177
<u>Disposition</u>					
Resolved Cases	298,147	317,602	312,153	320,806	251,071
Disposition Rate	76%	78%	79%	77%	75%
<u>Pending Cases</u>	93,235	88,641	81,368	94,729	85,937

Source: Reports of the Prosecution Offices as of September 30, 2010 (2009 reports still incomplete).

Besides the said investigation workload, around 900,000 to 950,000 criminal cases were prosecuted or represented in the first and second level trial courts in CY 2009 as shown in Table 3.9. This is based on the data provided by the Supreme Court. Thus, an average of one prosecutor handles 472 to 498 court cases (this figure does not include civil/family court cases investigated by prosecutors as deputized representatives of the Solicitor General).

**TABLE 3.9: NATIONAL PROSECUTION SERVICE
CY 2005-2009 OPERATIONS STATISTICS: CRIMINAL CASES IN LOWER COURTS⁵⁶**

Particulars	2005	2006	2007	2008	2009
Total Case Load	1,187,690	1,120,184	1,073,776	1,053,744	990,467
Average per prosecutor	850	707	621	577	519

Source: Court Management Office, Office of the Court Administrator

There are various organizational issues and concerns that hamper the performance of the NPS. The primary concern is severe personnel deficiency for many prosecution offices nationwide due to the many vacancies and/or the inadequate plantilla positions as against the workload and the number of courts. Inadequate physical and logistical resources as well as internal management constraints/weaknesses have also been pointed out as factors affecting performance.

Internal management areas need to improve on the organizational and functional structures, systems and procedures, information dissemination, case management, reporting and performance monitoring, manpower/financial/physical resource management, human resource development, office allocation, and collection of fees. Increased support from the national government is also necessary to further improve operational performance of prosecution offices and reduce the level of support from LGUs, which somehow affects the independence of field offices.

According to an official of the DOJ, the organizational structure of the Department makes justice accessible. However, it is admitted that some of the systems, procedures and controls in place tend to create bottlenecks and delays. Moreover, while the DOJ regularly conducts trainings on special human rights concerns, such as those that touch on women, children, and extralegal killings, there is much room for further improvement on fundamental human rights perspective.⁵⁷

The DOJ has been disseminating information on the services they render to the public primarily through its website. However, certain vital information are not available online. Moreover,

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ Based on the SWOT Analysis submitted by the Department of Justice.

the website is not regularly and immediately updated. Thus, information is sometimes incomplete. An official of the DOJ also admits that the Department has no comprehensive communication plan.⁵⁸

Admittedly, the DOJ has already worked towards the rationalization of the fees at the prosecution level. However, there is still a need to comprehensively review the fees/charges being imposed.

The DOJ has also put in place a mechanism for the assessment and monitoring of its programs; however, performance accountability and management are still considered weak.⁵⁹

While the DOJ sees the need to address VAWC and human rights issues, it is hindered by the insufficiency of resources. Thus, only the national and regional offices currently have divisions or desks which directly address VAWC issues and HR issues. Moreover, while the DOJ has formulated a number of programs with respect to VAWC and HR issues, sustainability of implementation is still a serious concern due to resource constraints.

The DOJ is also concerned with the dependence of the Department on the resources supplied by local governments. Facilities are usually insufficient to ensure effective delivery of public service. As previously stated, the number of personnel is not sufficient to deliver services to claimholders.

Furthermore, some of the projects of the DOJ require the Department to coordinate with other government agencies. However, the limited number of personnel such as lawyers hampers the ability of the DOJ to render assistance to other agencies. For instance, there are not enough lawyers to handle all cases. In addition, while the Department welcomes coordination with other agencies, the latter oftentimes do not have the necessary facilities to render service.

A number of DOJ projects have received foreign funding. However, the Department says that because the budget appropriation is not enough for the operation of all the offices and attached agencies within the department, there is a tendency to be heavily reliant on foreign funding.⁶⁰

The political agenda of the current administration also affects the performance of their duties but this takes a toll on the limited resources of the department.⁶¹

The DOJ also says that they have to improve their image to the public because this affects their clients' willingness to avail of services if they trust the system.⁶²

Public Attorney's Office⁶³

The principal free legal aid office of the Philippine government is the Public Attorney's Office. On March 23, 2007, Republic Act No. 9406⁶⁴ or the PAO Law was signed into law. It provides for the upgrading of salaries and allowances for public attorneys equivalent to their counterpart in the National Prosecution Service. RA No. 9406 further reorganized the PAO with the creation of 359

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ Public Attorney's Office, Annual Accomplishment Report for the Year 2009 <<http://www.pao.gov.ph/78/Accomplishment-Report-2009:-Narrative-Report>> (last accessed Dec. 4, 2010).

⁶⁴ An Act Strengthening and Reorganizing the Public Attorney's Office (PAO), Amending for the Purpose Pertinent Provisions of Executive Order No. 292, otherwise known as the "Administrative Code of 1987," as amended, Granting Special Allowance to PAO Officials and Lawyers, and Providing Funds Therefor [The PAO Law], Republic Act No. 9406 (2007).

new lawyer positions and 164 new support personnel positions complementing the 1,047 present public attorneys and 802 support personnel.

At present, PAO has 17 regional offices and 274 district and subdistrict offices. Most of the offices are situated in the Halls of Justice nationwide along with the courts and other offices involved in the administration of justice.

As of December 2009, PAO has 1,407 lawyers, who actively handle criminal and civil cases before 2,182 courts nationwide, and about 29 lawyers who devote themselves on appealed cases before the Court of Appeals, the Supreme Court, and the Office of the President. Below is a table indicating the number of existing offices and assigned lawyers in each region, and its proportionate ratio to existing courts therein.

**TABLE 3.10: PUBLIC ATTORNEY'S OFFICE
RATIO OF PAO LAWYERS TO COURTS PER REGION (2009)⁶⁵**

Region	District Offices	PAO Lawyers	Courts	Ratio
Central Office		122	NA	NA
National Capital Region	15	249	338	1.38
Cordillera Administrative Region	10	38	65	1.71
I: Ilocos Region	21	82	140	1.71
II: Cagayan Valley	13	61	101	1.65
III: Central Luzon	26	94	209	2.22
IV-A: CALABARZON	31	105	234	2.29
IV-B: MIMAROPA	10	46	62	1.35
V: Bicol Region	19	61	149	2.44
VI: Eastern Visayas	17	95	160	1.68
VII: Central Visayas	22	76	151	1.99
VIII: Western Visayas	24	83	133	1.60
IX-A: ARMM	2	28	83	2.96
IX-B: Zamboanga Peninsula	13	48	75	1.56
X: Northern Mindanao	19	73	81	1.11
XI: Davao Region	11	54	82	1.52
XII: SOCCSKSARGEN	10	55	64	1.16
XIII: CARAGA	11	37	55	1.49
TOTAL	274	1,407	2,182	1.55

The introduction of district offices in different regions of the country complements the agency's mission to provide litigants free access to courts, judicial and quasi-judicial agencies by rendering legal assistance.

It is also worthy to mention that aside from handling criminal and civil cases, PAO lawyers are likewise mandated to handle: (1) preliminary investigation of cases before the Office of the Public Prosecutor; (2) labor cases before the National Labor Relations Commission; (3) administrative cases before administrative bodies like the Department of Agrarian Reform Adjudication Board, Professional Regulation Commission, Commission on Elections, Bureau of Customs, Department of Education, People's Law Enforcement Board, Insurance Commission, etc. This contributes to the heavy case load of PAO lawyers.

Table 3.11 shows the various services rendered by PAO to its clientele.

⁶⁵ PAO, 2009 Annual Report, *supra* note 63.

TABLE 3.11: PUBLIC ATTORNEY'S OFFICE
CLIENTELE ASSISTED BY THE PUBLIC ATTORNEY'S OFFICE ACTIVITIES/SERVICES 2006 TO 2009⁶⁶

Type of Activities/ Services	2006	2007	2008	2009	Growth Rates		
					06-07	07-08	08-09
Indigent Persons Served*	4,609,627	4,382,611	4,839,988	4,154,587	(4.9)	10.4	(14.2)
Regular Services	656,342	493,962	560,843	499,111	(24.7)	13.5	(11.0)
Criminal	516,067	374,362	424,661	377,978	(27.5)	13.4	(11.0)
Civil	59,354	51,542	54,530	48,707	(13.2)	5.8	(10.7)
Administrative Cases	16,949	6,871	8,169	7,134	(59.5)	18.9	(12.7)
Prosecution	37,034	42,630	51,628	45,894	15.1	21.1	(11.1)
Labor	26,938	18,557	21,855	19,398	(31.1)	17.8	(11.2)
Appealed Cases	6,729	6,939	7,570	8,058	3.1	9.1	6.4
Women clients	63,832	79,050	80,698	69,404	23.8	2.1	(14.0)
Children in Conflict with Law	16,436	19,125	17,565	14,785	16.4	(8.2)	(15.8)
Limited Services	746,204	652,467	729,643	492,687	(12.6)	11.8	(32.5)
Arraignment	286,830	181,945	196,585	123,925	(36.6)	8.0	(37.0)
Pre-trial	119,892	122,988	142,697	81,130	2.6	16.0	(43.1)
Promulgation	72,053	76,019	103,381	38,067	5.5	36.0	(63.2)
Others	267,429	271,515	286,980	249,565	1.5	5.7	(13.0)
Non-Judicial Services	2,592,082	2,595,862	2,805,423	2,480,313	0.1	8.1	(11.6)
Legal Documentation	799,361	860,799	868,838	714,474	7.7	0.9	(17.8)
Clients Counseled	1,041,952	1,010,092	1,128,017	912,239	(3.1)	11.7	(19.1)
Oaths Administered	332,000	276,299	392,512	530,451	(16.8)	42.1	35.1
Mediation	418,769	448,672	416,056	323,149	7.1	(7.3)	(22.3)
Outreach Activities	528,002	535,206	638,246	590,229	1.4	19.3	(7.5)
Custodian/ Inquest Investigation	146,453	147,329	182,445	117,840	0.6	23.8	(35.4)
Jail Visitation	381,549	387,877	455,801	389,811	1.7	17.5	(14.5)
Prisoners Interviewed	208,839	208,572	232,968	178,168	(0.1)	11.7	(23.5)
Prisoners Provided Assistance	172,710	179,305	222,833	211,643	3.8	24.3	(5.0)
Barangay Outreach	–	–	–	60,698	–	–	–
Jail Decongestion Program	–	–	–	12,653	–	–	–
Office of the CPA	–	–	–	9,227	–	–	–

* Includes judicial and quasi-judicial cases;

Source: Public Attorney's Office

⁶⁶ Source: National Statistical Coordination Board.

Table 3.11 also shows how PAO’s Free Legal and Medical Jail Visitation and Decongestion Program has contributed to the decongestion of jails nationwide. In 2007, a total of 86,593 clients of the PAO were either acquitted, released from confinement or otherwise obtained favorable dispositions of their criminal cases. In 2008, there were 81,966 accused; in 2009 there were 118,619 accused who regained their freedom through the free legal assistance provided by the PAO.

The PAO aims to increase the number of its lawyers to a ratio of one PAO lawyer to one court. While the following table shows that plantilla positions have been filled, PAO faces a high turnover of PAO personnel. These personnel either transfer to private firms or to other government agencies such as the NPS.

**TABLE 3.12: PUBLIC ATTORNEY’S OFFICE
PLANTILLA POSITIONS (2009)⁶⁷**

	Authorized	Filled	Unfilled
Lawyers	1,407	1,407	0
Support Personnel	966	966	0
Total	2,373	2,373	0

**TABLE 3.13: PUBLIC ATTORNEY’S OFFICE
NUMBER OF PAO LAWYERS AS OF SEPTEMBER 30, 2010⁶⁸**

Region	Authorized Position	Filled Position	Unfilled Position
Central Office	103	103	0
NCR	259	259	0
I	82	82	0
II	60	60	0
CAR	48	48	0
III	93	93	0
IV-A	117	117	0
IV-B	33	33	0
V	62	62	0
VI	95	94	1
VII	76	76	0
VIII	83	83	0
ARMM	28	28	0
Zamboanga	48	48	0
X	73	73	0
XI	54	54	0
XII	54	54	0
CARAGA	39	39	0
Total	1,407	1,406	1

⁶⁷ PAO, 2009 Annual Report, *supra* note 63.

⁶⁸ Data from the Public Attorney’s Office.

The high turnover rate of PAO lawyers is primarily due to the following reasons:

- (1) Resignation to engage in private law practice;
- (2) Transfer to the National Prosecution Service;
- (3) Transfer to the judiciary;
- (4) Transfer to other government-owned and -controlled corporations;
- (5) Heavy workload; and
- (6) No attractive retirement benefits.

Due to uncompetitive compensation package and allowance given to its personnel, the PAO has difficulty maintaining its roster of lawyers. With the recent upgrading of salary grades for lawyers in the agency pursuant to RA No. 9406, the PAO is hopeful to retain most of its lawyers in the service until retirement age, more or less.

On the average, a PAO lawyer is assigned to two to four courts while a prosecutor is assigned only to one court. The PAO has only 1,407 authorized plantilla positions for lawyers. This unfair advantage in the number of prosecutors over PAO lawyers is due to the provision of PD No. 1275 which states that “whenever there is an increase in the number of court salas, there shall be a corresponding increase in the number of assistant provincial/city fiscal positions at the ratio of two fiscals to a sala.”⁶⁹

The current case load of one PAO lawyer is 388 cases. However, based on the table below, the average case load of PAO lawyers, including judicial and non-judicial cases, is 2,219. The number of cases involving VAWC totalled 64,343. Those involving CICL totalled 12,577. The number of clients assisted as of August 2010 is 3,112,265.

**TABLE 3.14: PUBLIC ATTORNEY’S OFFICE
NUMBER OF CASES INVOLVING INDIGENTS PER REGION (FROM JANUARY TO AUGUST 2010)⁷⁰**

Regions	Criminal	Admin. II (Prosecutor’s Office Cases)
NCR	77,803	13,409
CAR	3,836	261
Region I	13,156	1,343
Region II	5,883	1,105
Region III	58,410	6,793
Region IV-A	82,298	4,340
Region IV-B	6,878	341
Region V	13,027	2,424
Region VI	16,233	3,909
Region VII	15,301	857
Region VIII	4,570	965

⁶⁹ Amending Presidential Decree No. 1275 Entitled “Reorganizing the Prosecution Staff of the Department of Justice and the Offices of the Provincial and City Fiscals, Regionalizing the Prosecution Service and Creating the National Prosecution Service,” Presidential Act No. 1513, §3 (1978).

⁷⁰ Data from the Public Attorney’s Office.

Region IX-A	2,461	103
Region IX-B	7,037	542
Region X	11,529	1,585
Region XI	12,021	1,019
Region XII	10,824	1,146
CARAGA	5,184	3,653

Moreover, despite procurement of some office equipment, the PAO still greatly lacks computers which are necessary in the immediate preparation and submission of pleadings with the courts and other quasi-judicial bodies. This problem continues on account of the insufficiency of funds that are needed to answer the additional requirements for equipment of new public attorneys and staff.

In addition, the PAO cannot sufficiently address issues on access to justice because it does not have a Witness Protection Program. Hence, PAO has suggested that Congress needs to amend the law.⁷¹

Office of the Ombudsman⁷²

Since the Office of the Ombudsman is mandated under the Constitution to act on any complaint submitted to it, in whatever form it may be, it is common place for the OMB to find itself inundated by complaints. These complaints need to be investigated in order to determine which of them warrant further fact-finding investigation and prosecution. In 2009 alone, a total of 12,736 complaints have been received by the OMB. Although this number is slightly lower than the number of complaints received the previous year, it is still higher than the average annual number of complaints received from 2005 to 2008. More than half of these complaints are now undergoing fact-finding investigation. The number also includes around 3,700 criminal and 3,500 administrative cases docketed by OMB offices nationwide. These cases are now undergoing preliminary investigation and/or administrative adjudication. (Please refer to the table below for the number of complaints received by the OMB from CY 2005-2009.)

**TABLE 3.15: OFFICE OF THE OMBUDSMAN
NUMBER OF COMPLAINTS RECEIVED BY THE OMBUDSMAN (2006-2009)**

No. of complaints received per calendar year	2006	2007	2008	2009
Complaints received annually	13,602	10,824	13,225	12,736
Monthly Average (<i>annual number of complaints divided by 12 months</i>)	1,134	902	1,102	1,061
Daily Average (<i>monthly average number of complaints divided by 22 working days</i>)	52	41	50	48

However, as of December 31, 2009, the OMB has a total of 1,073 personnel nationwide: 320 (30%) of which are lawyers and the remaining 753 (70%) comprising investigators, other technical staff (legal researchers, accountants, I.T. personnel, etc.) and administrative support staff. Almost

⁷¹ Based on the SWOT Analysis submitted by the Public Attorney's Office.

⁷² Office of the Ombudsman, Annual Report 2009 of the Office of the Ombudsman <<http://www.ombudsman.gov.ph/docs/statistics/ANNUAL%20REPORT%202009.pdf>> (last accessed Nov. 8, 2010).

half (48%) are stationed at the Central Office. Thus, it appears that a lawyer is assigned 40 cases annually. The OMB has raised its concern on the need to increase its plantilla to accommodate the number of complaints they receive each year. Another difficulty encountered by the OMB is the non-cooperation of certain important witnesses. Also, relevant documents are not always available. Furthermore, the Office of the Special Prosecutor (OSP) observed that it takes other agencies more time to comply with the subpoena their office issues. The OSP mandate is impeded by existing rules, practice, and organizational structure of other agencies.

The OMB has placed under preventive suspension at least 80 government officials and employees. The OMB also continues to impose disciplinary actions against erring government officials and employees. In 2009, hundreds were found administratively liable for various offenses and meted penalties ranging from reprimand to dismissal from the service with the accessory penalty of forfeiture of benefits and perpetual disqualification to hold public office.

Upon finding of probable cause, the OMB has filed criminal cases against public officials and employees before the appropriate court. In 2009, the OMB filed a total of 189 Informations before the Sandiganbayan. Among those charged were a former congressman, city and municipal mayors, assistant secretaries and state university presidents. In the same year, the OMB posted a 30.34 percent conviction rate, which is higher than the average annual conviction rate from 2001 to 2007. Among those prosecuted by the OMB and convicted by the Sandiganbayan in 2009 were mayors, municipal treasurers, register of deeds, state university president, and a provincial prosecutor.

The OMB has implemented various programs, projects and activities pursuant to its three-pronged approach: enforcement of anti-graft and corruption laws; corruption prevention and public assistance; and anti-corruption education and promotion. For years now, the OMB has been implementing the Integrity Development Review (IDR). The IDR is used to assess the robustness of corruption-resistance mechanisms and identify the vulnerabilities to corruption of government agencies. To date, a total of 18 government agencies have undertaken the IDR. In late 2009, plans were drawn up to bring the IDR to local government units beginning 2010 with funding support from the USAID.

The OMB Citizen's Charter, finalized in 2009, showcases key frontline procedures intended to provide meaningful, responsive, and relevant service by OMB personnel. It provides simple and user-friendly step-by-step guides on how to avail of such services by enabling the public to walk through the procedures and standards set by the Office. These guides are printed in tarpaulins and prominently displayed within the OMB Central Office.

The OMB incessantly strives to strengthen the capabilities of its employees to meet the demands of its mandate and programs. However, available training opportunities are very limited and do not really answer the on-the-job and developmental needs of the employees. The OMB makes sure, however, that newly hired personnel are given training and the old ones re-trained to keep them abreast of the latest jurisprudential pronouncements of the Supreme Court.⁷³ The recent exodus of well-trained personnel, however, resulted in a temporary lull of output (ERs, IRs). The lesser the number of personnel, the more case load. Newly hired employees are not as proficient and efficient as older employees, thus trainings and seminars are needed.

Certain issues have been ignored and overlooked because the OMB opted to strictly keep within its mandate. RA No. 6770 specifies the jurisdiction of the OMB. Thus, the OMB lacks initiative

⁷³ Based on the SWOT Analysis submitted by the Office of the Ombudsman.

for VAWC and HR cases.⁷⁴ It has, however, created special task forces, such as the Task Force on Anti-Trafficking. In addition, the OMB has no specific program towards full access to justice.⁷⁵ While efforts are continuously done to improve services and there is a continuing effort to reduce processes involved in important and routine transactions (although review processes cannot be avoided), there is no training on human rights issues.⁷⁶

Furthermore, the organizational structure of the OMB is not fully maximized. The relationship and interdependence of the functions of each position are not clearly spelled out. This causes overlapping of responsibilities and under-working of certain employees.⁷⁷

In addition, while relevant laws, rules and regulations are made available by the OMB through their website, and in certain cases by special request, the OMB notes that not all Filipinos have access to the internet. Thus, the OMB admits that they may not be able to reach their target client, the poor.⁷⁸

The OMB also observed that while the office is mandated to prevent corruption, its plans and programs are not evolving and proactive. They are reiterations of activities, projects, and policies that are already in place. Furthermore, the Office of the Special Prosecutor observed that there is no serious effort to review OMB/OSP mandate/regulations/programs in view of the changing times, and the current social, economic and political situation.⁷⁹

The opportunity for coordination is present, however. The OMB is wary of negative public perception which may be implied from the apparent fraternization with private interest groups. The OMB is also aware that coordination/collaboration may violate some provisions of OMB's norms of conduct. This may also expose the OMB to politicking and personal interest of individuals aligned with POs, CSOs, and NGOs.⁸⁰

The OMB admits that funding agencies have expressed their willingness to finance specific programs/projects. While it tries to prevent corruption within the OMB itself, the OMB does not discount the possibility that the funds it received might be used for purposes other than what they were intended for.⁸¹

The OMB has also expressed its concerns over the vulnerability of budget allocation to political influences. It has noted that the office perceives the current administration to regard them with disfavor because the head was affiliated with the previous administration. Insufficient budget sometimes lead to unsatisfactory delivery of services to stakeholders. The office, however, operates within the budget which Congress deemed as sufficient. The office has learned how to maximize what was allotted to it.⁸²

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ Based on the SWOT Analysis submitted by the Office of the Ombudsman.

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.*

2. Goals, Strategies, and Plans

The prosecution function is lodged mainly with the DOJ. As the primary pillar of the administration of criminal justice in the Philippines, the DOJ performs functions geared towards the attainment of a peaceful and orderly environment for the country in order for it to have economic progress as well as political stability.⁸³ To have peace and order in the country or a peaceful and orderly environment, strict adherence to and observance of the established rule of law by all sectors of society shall be ensured by the DOJ.⁸⁴

The PAO, on the other hand, is considered as the principal office of the government involved in extending free legal services to indigent persons in criminal, civil, labor, administrative and other quasi-judicial cases.

The medium-term development plan of the prosecution pillar is geared towards the effective and efficient delivery of public service, which in this case is the increased access to justice. Among the activities involved in increasing access to justice is the reduction of the cost of litigation. This will be done by the use of pro forma complaints, limiting the number, as well as copies, of pleadings that will be required at the prosecution level. PAO, for its part, intends to conduct training/orientation on the PAO Operating Manual, Code of Conduct, and PAO Legal Forms.

With respect to filing fees, PAO will advocate for the strict implementation of the “Indigency Test” under Section 3 of Memorandum Circular No. 02, Series of 2010. The DOJ promises to review and rationalize the legal fees being imposed by the prosecutors.

It is also the duty of the Prosecution Pillar to enhance the understanding by claimholders of the CJS and to educate citizens of their rights. To achieve this, the DOJ intends to do the following: institutionalize transparency mechanisms (e.g., Citizen’s Charter under the Anti-Red Tape Act); develop and implement a comprehensive communication plan; enhance, institutionalize and proactively provide free legal assistance services through prosecution offices nationwide; and utilize/maximize the DOJ website and tri-media. PAO will continue its existing programs on information dissemination which includes: tri-media (print, radio, TV) plus email queries on free legal advice. Coordination with the DILG and the LGUs is also included to disseminate information at the barangay level.

The prosecution pillar also recognizes the importance of developing the people’s trust in the Criminal Justice System. This can be done by reducing political intervention and corruption. The agencies plan to implement the code of ethics and institute integrity/performance accountability mechanisms which will involve claim holders. Likewise, integrity enhancement in capacity development programs must be implemented. The merit and performance-based selection, recruitment and promotion system within the agency will also be institutionalized. The DOJ also plans to fully implement the Anti-Red Tape Act.

To develop the capacity of their respective personnel, the number of lawyers and support staff will be increased. Likewise, vigorous efforts to implement compensation scheme and financial incentives of the PAO lawyers equivalent to NAPROSS under RA No. 10071 will be made. The PAO will also revise its training modules on the “Comprehensive Juvenile Justice and Welfare System

⁸³ Organizational Performance Indicator Framework: DOJ <http://www.dbm.gov.ph/OPIF_2007/doj.pdf> (last accessed on Nov. 7, 2010)

⁸⁴ *Id.*

Act (RA No. 9344) and Other Related Laws.” It will also continue with the PAO-UNICEF Seminar on VAWC Act (RA No. 9262). The PAO will also promote the use of its Forensic Laboratory.

For its part, the OMB intends to designate a VAWC and Sexual Harassment Officer. Moreover, the OMB intends to promote a fair, rights-based, gender-sensitive and amicable resolution of disputes and rights entitlement. This will be achieved by the investigation and prosecution of cases involving RA No. 9262, violation of RA No. 7610, environmental and extrajudicial killing cases. They also plan to intensify efforts to render public assistance, in terms of legal aid, and education of vulnerable and marginalized sectors both on their rights and responsibilities.

The goal of efficient delivery of public service will be achieved by establishing an integrated performance management system, fully implementing the Anti-Red Tape Act, strengthening integrity and accountability mechanisms including the re-establishment of the Internal Affairs Unit; institutionalizing integrated monitoring and evaluation systems, enhancement and integration of capacity building programs, including ethics and management, improvement of resource management and internal control systems across all levels (national, regional, local), and lobbying for implementation of the Prosecution Service Act of 2010 and approval/implementation of the NPS Rationalization Plan for support staff nationwide.

To de-clog court dockets, the NPS and PAO will continue the referral of cases to Alternative Dispute Resolution (ADR) even prior to the commencement of the court proceedings. In terms of jail decongestion, the PAO will continue its program on Jail Decongestion and Visitation.

C. Courts Pillar

Mandated by the Constitution to settle actual controversies involving rights which are legally demandable and enforceable,⁸⁵ the Philippine Judiciary consists of four levels: (1) the Supreme Court; (2) the intermediate courts consisting of the Court of Appeals, Sandiganbayan, Court of Tax Appeals, and the Shari’a Appellate Courts; (3) the second level courts, composed of Regional Trial Courts (RTCs) and Shari’a District Courts; and (4) the first level courts composed of the Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, Municipal Circuit Trial Courts, and Shari’a Circuit Courts.

1. Assessment and Challenges

Supreme Court

The SC, composed of a Chief Justice and 14 Associate Justices, is the highest court and is considered as the court of last resort.⁸⁶ The SC has administrative supervision over all courts and their personnel⁸⁷ and has the power to promulgate rules concerning the protection and enforcement of constitutional rights; pleading, practice, and procedure in all courts; the admission to the practice of law; the integrated bar; and legal assistance to the underprivileged.⁸⁸ Because of this, all revisions of rules by the other court levels will have to pass through the SC. Also, approval for majority of the plans and activities of all courts is necessary. Thus, changes in the judiciary as regards systems or procedures are mostly dependent on the initiative and discretion of the SC.

⁸⁵ PHILIPPINE CONSTITUTION, Art. VIII, Sec. 1.

⁸⁶ Supreme Court, 2009 Annual Report 95 (2010).

⁸⁷ PHILIPPINE CONSTITUTION, Art. VIII, Sec. 6.

⁸⁸ PHILIPPINE CONSTITUTION, Art. VIII, Sec. 5.

More importantly, most of these changes would require funding. Under Section 3 of Article VIII of the Constitution, appropriations for the judiciary may not be reduced by the legislature below the amount appropriated for the previous year and, after approval, shall be automatically and regularly released. This is to ensure that the judiciary remains an independent body, enjoying fiscal autonomy.

In 2009, 0.89 percent of the P1.414 Trillion budget or a total appropriation of P12,680,044,000 was allocated to the judiciary.⁸⁹ Personal Services was allotted P7.95 Billion or 71.8 percent of the SC and lower courts budget, while Maintenance and other Operating Expenses (MOOE) accounted for 27.7 percent at P3.07 Billion.⁹⁰ The remaining 0.5 percent went to Capital Outlay, which was allotted P52.438 Million, a drop of P287.21 Million from the previous year.⁹¹

While the national appropriations allotment represented an increase of P2.4 Million from the previous year, the judicial branch's overall percentage of the national budget posted only a slight increase, from 0.83 percent in 2008 to 0.89 percent in 2009.⁹²

TABLE 3.16: APPROPRIATION FOR THE JUDICIARY (2004-2009)⁹³

	2004	2005	2006	2007	2008	2009	2010
Judiciary budget (in billions)	7.07	7.52	7.52	9.35	10.27	12.68	12.66
Percentage of the National Budget	0.88	0.83	0.83	0.83	0.83	0.89	0.97

Source: Supreme Court 2009 ANNUAL REPORT and GAA

Remarkably, however, in 2010, the judiciary only received a total appropriation of P12,662,661,000 or a little less than the previous year's budget, but the percentage of such appropriation vis-à-vis the national budget has increased. The judiciary's allotment, however, remained below one percent of the national budget. The SC and lower courts budget gave Personal Services – P8.018 Billion; MOOE – P3.028 Billion; and Capital Outlay – P111.088 Million.

For 2011, the SC asked for P27.1 Billion as its budget. However, the proposed budget for the judiciary has been set to P14.31 Billion.⁹⁴ In contrast to the 2010 budget where the percentage of the courts in the budget increased, the proposed budget would approximately set the percentage of the judiciary at a lower level. Moreover, it threatens to affect the plans of the SC for the judiciary, such as the building of a Manila City Hall of Justice, computerization of lower courts, and hiring of

⁸⁹ Supreme Court, 2009 ANNUAL REPORT, *supra* note 86, at 55 <<http://www.dbm.gov.ph/index.php?pid=3&nid=1640>> and 2009 General Appropriations Act.

⁹⁰ *Id.* at 57.

⁹¹ *Id.*

⁹² *Id.* at 56.

⁹³ *Id.*

⁹⁴ Department of Budget and Management, DBM Press Release, Abad: Government mindful of judiciary's needs vis-à-vis limited funds, Sept. 14, 2010 <<http://www.dbm.gov.ph/index.php?pid=3&nid=2070>> (last accessed Dec. 4, 2010).

additional personnel.⁹⁵ As such, this may also affect the Court's plan to improve the speedy disposal of cases.⁹⁶

Because the budget given to the Court is insufficient for its needs, the Court has resorted to taking out and/or applying for loans to support its judicial reform initiatives. These initiatives all form part of the Court's judicial reform program to transform the judiciary by modernizing facilities, systems and procedures to strengthen the capabilities of courts for better efficiency, flexibility and effectiveness and taking advantage of information and communications technology (ICT) and electronic case management.

With the task of modernization, court facilities need to be improved. Courts have often resorted to what is available and not what is optimal. As an example, safety has become an issue for the courts of Manila. Even if the current building has been ordered condemned, the Manila courts still make use of the structure. Thus, there is a pressing need to construct a building to house Manila courts.

Furthermore, an upgrade of information technology systems is also an integral part of modernizing the courts. The use of an electronic case management system has been sought to help improve case disposition. In this respect, the SC has implemented the Enhanced Case Flow Management (eCFM) and Case Management Information System (CMIS) in the past. Currently, the SC has implemented the Judiciary Case Management System (JCMS). E-payment is an example of the initiatives under the auspices of this program. Online transactions are also being considered. Most of these initiatives were implemented through pilot courts and they have proven to be successful. Implementation of these initiatives nationwide is currently underway.

Transforming the judiciary does not only entail modernizing facilities and equipment. It will also require modernizing systems and procedures. In this aspect, a review of how judges manage their cases or a conduct of a judicial audit for the midterm review of a court's case management may be in order.

Such judicial audit was piloted in Cebu. Where the purpose of the audit was to assess the current case management of the judge and to come up with a case management plan for the court. Feedback was given on how to dispose cases faster; and a commitment from the judge to implement the recommended case management plan was made. It has been observed that with such feedback, there was a remarkable improvement in the pace of case disposition. The highest improvement was observed at 600 percent and the lowest was at 200 percent improvement.

Although there is a clamor for the creation of additional courts from some sectors, this may not always be possible considering the resources of the SC and the procedural rigors to qualify as judge. As it is, budget is tight and the Judicial and Bar Council (JBC), albeit continuing to find competent judges to fill the vacancies, has been slow in the process.

Notably, as of September 2010, there was a vacancy rate of 24.51 percent with 536 vacancies among the 2,187 positions available for judges in the first and second level courts. In 2009, the Judicial and Bar Council continued to focus on programs to reduce the vacancy rate and improve the

⁹⁵ Lira Dalangin-Fernandez, Judiciary's budget woes continue, 2011 budget offers no solution, Philippine Daily Inquirer, Sept. 6, 2010 <<http://newsinfo.inquirer.net/topstories/topstories/view/20100906-290798/Judiciarys-budget-woes-continue-2011-budget-offers-no-solution>> (last accessed Nov. 3, 2010)

⁹⁶ *Id.*

quality of the nominees, thus processing 3,918 applications for 227 judicial positions in the Supreme Court, the second-level courts, and the lower courts.⁹⁷

**TABLE 3.17: VACANCY RATE OF JUDGES IN THE FIRST AND SECOND LEVEL COURTS
AS OF SEPTEMBER 30, 2010**

Courts	Total Judicial Positions	Total Incumbent Judges	Total Vacancies	Vacancy Rate
Regional Trial Courts	967	772	195	20.17%
Metropolitan Trial Courts	95	74	21	22.11%
Municipal Trial Courts in Cities	212	171	41	19.34%
Municipal Trial Courts	387	290	97	25.06%
Municipal Circuit Trial Courts	470	313	157	33.40%
Shari'a District Courts	5	0	5	100.00%
Shari'a Circuit Courts	51	31	20	39.22%
Total	2,187	1,651	536	24.51%

Source: Court Management Office, Supreme Court

Moreover, the cooperation of Congress for the creation of additional courts would be needed.

Nevertheless, the SC recognizes the need for courts to specialize in the adjudication of cases and is lobbying for the creation and regularization of such courts (e.g., family courts). In the interim, it has resorted to designating courts to be family courts or environmental courts.

As of September 2010, out of the 110 courts designated to handle family cases, there were three vacancies;⁹⁸ while special courts for environmental cases had 15 vacancies out of the 115 designated.

Below are tables showing the distribution of pending child and family cases, drug cases, and criminal cases for the first and second level courts.

**TABLE 3.18: PENDING CHILD AND FAMILY CASES AND DRUG CASES
FIRST AND SECOND LEVEL COURTS**

	TOTAL			VIOLENCE AGAINST WOMEN			DRUG USERS (MINORS)			RAPE WITH MINOR VICTIM			RAPE WITH MINOR ACCUSED		
	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010
RTC	50,266	48,941	39,160	6,219	6,210	5,099	1,027	966	839	17,226	16,218	13,395	452	437	407
METC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MTCC	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0
MTC	16	13	12	4	2	2	0	0	0	0	0	0	0	0	0
MCTC	28	26	23	6	10	8	0	0	0	2	0	0	2	0	0

⁹⁷ SC, 2009 ANNUAL REPORT, *supra* note 86, at 57.

⁹⁸ Data from Court Management Office of the Supreme Court.

	CHILD AND FAMILY CASES									DRUG CASES					
	RAPE WITH MINOR VICTIM AND ACCUSED			CHILD ABUSE			ALL OTHER CHILD AND FAMILY CASES			TOTAL			DRUG MANUFACTURING		
	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010
RTC	769	710	602	10,010	10,049	7,764	14,563	14,351	11,054	6,083	55,076	48,818	210	186	143
METC	0	0	0	0	0	0	0	0	0	14	17	7	0	0	0
MTCC	0	0	0	0	0	0	1	1	1	0	1	1	0	0	0
MTC	2	2	2	7	7	6	3	2	2	357	3	3	0	0	0
MCTC	0	0	0	10	10	9	8	6	6	11	7	7	0	0	0
	DRUG CASES														
	DRUG PUSHERS			DRUG USERS			ALL OTHER DRUG CASES								
	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010
RTC	16,145	14,422	12,965	17,940	15,129	12,815	26,568	25,339	22,895						
METC	0	0	0	8	8	3	6	9	4						
MTCC	0	0	0	0	0	0	0	1	1						
MTC	2	0	0	342	0	0	13	3	3						
MCTC	0	0	0	2	1	1	9	6	6						
SHDC	0	0	0	0	0	0	0	0	0						
SHCC	0	0	0	0	0	0	0	0	0						

**TABLE 3.19: PENDING CRIMINAL CASES
FIRST AND SECOND LEVEL COURTS**

	Violation of BP 22			Estafa			Environmental Cases			Heinous Crimes Cases under RA 7659			Illegal Possession of Firearms		
	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010
RTC	1,536	1,402	1,313	34,589	33,080	28,732	1,102	1,074	913	14,138	13,564	11,635	4,405	4,770	4,131
METC	36,938	27,612	17,620	3,408	3,279	1,807	0	0	0	0	6	6	844	720	421
MTCC	20,300	16,469	13,475	3,529	3,178	2,776	138	89	60	0	0	0	1,134	890	703
MTC	7,830	7,024	5,959	1,605	1,512	1,403	69	50	50	6	5	5	722	717	755
MCTC	2,719	2,590	2,325	1,064	952	846	142	128	119	2	1	2	620	628	593
	Commercial Cases			Rape under RA 8353			Violation of Sexual Harassment Act			Tax Evasion or Violation of Tax Laws					
	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010	As of Dec 2009	As of May 2010	As of June 2010			
RTC	502	337	320	4,030	3,990	3,491	195	163	142	255	250	203			
METC	0	0	0	0	0	0	6	33	2	762	748	158			
MTCC	1	1	0	3	1	1	24	24	22	64	76	48			
MTC	4	2	1	7	4	0	65	25	54	26	20	26			
MCTC	502	337	320	4,030	3,990	3,491	195	163	142	255	250	203			

Declogging court dockets is a priority for the SC. The statistics for 2009 show that total backlog has decreased. However, the growth rate for the number of cases decided or resolved has likewise decreased. Court-case disposition rate has also decreased. Below are the statistics for case backlog, number of cases decided or resolved, as well as the court-case disposition rate.

TABLE 3.20: CASE BACKLOG BY TYPE OF COURT (2004 TO 2009)⁹⁹

Courts	2004	2005	2006	2007	2008	2009
Total	808,488	660,360	737,699	603,576	612,551	596,858
Supreme Court	6,842	–	–	–	–	–
Court of Appeals	23,098	–	20,158	–	–	–
Sandiganbayan	1,892	2,338	2,075	1,794	2,263	1,891
Court of Tax Appeals	639	983	730	697	673	699
Regional Trial Courts	348,312	345,706	358,467	363,777	355,550	357,717
Metropolitan Trial Courts	153,427	114,719	129,702	86,800	88,560	92,545
Municipal Trial Courts in Cities	121,249	100,863	101,867	76,042	72,440	59,087
Municipal Trial Courts	83,019	55,878	67,604	45,345	50,178	37,998
Municipal Circuit Trial Courts	69,607	39,634	56,695	28,962	42,443	46,401
Shari'a District Courts	54	13	60	29	84	154
Shari'a Circuit Courts	309	226	341	130	360	366

TABLE 3.21: NUMBER OF CASES DECIDED/RESOLVED BY TYPE OF COURT (2006 TO 2009)¹⁰⁰

Court	2006	2007	2008	2009	Growth Rates		
					2006-2007	2007-2008	2008-2009
Total	307,904	289,034	297,939	270,131	(6.1)	3.1	(9.3)
Supreme Court	–	–	–	–	–	–	–
Court of Appeals	14,347	13,245	a	a	(7.7)	–	–
Sandiganbayan	426	175	266	176b	(58.9)	52.0	(33.8)
Court of Tax Appeals	317	398	388	348	25.6	(2.5)	(10.3)
Regional Trial Courts	133,282	128,787	135,968	130,691	(3.4)	5.6	(3.9)
Metropolitan Trial Courts	49,221	45,116	52,598	44,585	(8.3)	16.6	(15.2)
Municipal Trial Courts in Cities	58,017	54,198	53,913	51,209	(6.6)	(0.5)	(5.0)
Municipal Trial Courts	28,567	25,788	24,240	24,610	(9.7)	(6.0)	1.5
Municipal Circuit Trial Courts	23,306	21,083	30,335	18,249	(9.5)	43.9	(39.8)
Shari'a District Courts	34	46	29	23	26.5	(32.6)	(27.6)
Shari'a Circuit Courts	486	370	275	306	(48.1)	0.5	19.8

a – No report submitted from January 2008 to present.

b – No report submitted from September 2009 to present.

Note: Cases decided/resolved refer to the cases that have been given decision based on merits, including those that have been dismissed, withdrawn, or amicably settled during the reference period.

⁹⁹ NSCB, 2010 YEARBOOK, *supra* note 26, 17-17.

¹⁰⁰ *Id.* at 17-16.

TABLE 3.22: COURT-CASE DISPOSITION RATE (2003 TO 2009)¹⁰¹

Court	2003	2004	2005	2006	2007	2008	2009
Total	0.70	0.74	0.82	0.85	0.69	0.88	0.83
Supreme Court	0.97	0.97	–	–	1.00	–	–
Court of Appeals	1.00	0.96	–	1.20	0.93	–	–
Sandiganbayan	3.08	1.98	0.97	1.18	1.28	0.68	1.54
Court of Tax Appeals	0.81	0.73	0.71	1.21	0.84	1.90	1.29
Regional Trial Courts	0.64	0.69	0.79	0.79	0.68	0.81	0.80
Metropolitan Trial Courts	0.59	0.68	0.76	0.73	0.59	0.82	0.74
Municipal Trial Courts in Cities	0.78	0.87	0.84	0.88	0.79	0.86	0.94
Municipal Trial Courts	0.77	0.77	0.89	1.03	0.72	0.98	1.08
Municipal Circuit Trial Courts	0.80	0.76	0.95	1.11	0.75	1.61	0.88
Shari'a District Courts	2.33	1.50	1.17	0.77	0.81	0.67	0.35
Shari'a Circuit Courts	0.71	0.89	0.90	1.07	0.93	0.70	0.72

Note: Court-Case Disposition Rate is the ratio of total cases decided/resolved over total cases filed in a year. A ratio of less than 1 indicates an increasing backlog; greater than 1, decreasing backlog; and equal to 1 means that the backlog is being maintained.

Source: Supreme Court.

Despite the different statistics, the Supreme Court has steadily increased its case disposal, demonstrating that declogging court dockets is indeed one of the priorities of the Court.

TABLE 3.23: SUPREME COURT PERCENTAGE OF CASE DISPOSAL (2007 TO 2009)

		2007	2008	2009
En Banc	Judicial Matters	41%	46%	45%
	Administrative Matters	64%	64%	69%
First Division	Judicial Matters	58%	55.31%	63.30%
	Administrative Matters	63%	65.49%	71.90%
Second Division	Judicial Matters	58%	66.81%	57.66%
	Administrative Matters	47%	47.94%	41.99%
Third Division	Judicial Matters	35%	40.89%	59.57%
	Administrative Matters	50%	64.15%	67.52%
TOTAL		51.2%	58.9%	59.31%

Note: Percentage of Case Disposal is the ratio of case output over case input.

Source: SC Annual Reports

The Court has also made significant gains in one of its projects, the Enhanced Justice on Wheels (EJOW), which has regularly helped in speedier case disposition. This is relevant as most of the cases involve light offenses which have weak or insufficient evidence.¹⁰² Since its re-launch in 2008, EJOW has freed 5,303 prisoners, conducted 5,747 rounds of mediation in civil suits, and given

¹⁰¹ *Id.* at 17-19.

¹⁰² Frinston Lim, 'Justice on Wheels' frees 120 prisoners, Philippine Daily Inquirer, Nov. 20, 2010 <<http://newsinfo.inquirer.net/breakingnews/regions/view/20101120-304321/Justice-on-Wheels-frees-120-prisoners>>.

free legal aid to 2,514 indigent clients.¹⁰³ With this project, the Court has opened its doors to provide wider access to justice, bringing the courts closer to the people and improving public perception.

It is also noteworthy that from 2005, the total number of judges has increased, with more female judges present in the courts.

TABLE 3.24: NUMBER OF JUDGES BY TYPE OF COURT AND BY SEX (2005 TO 2008)¹⁰⁴

Court	2005			2006			2007			2008		
	M	F	Total									
Total	1,063	426	1,489	1,167	460	1,627	1,245	567	1,812	1,186	576	1,762
Supreme Court	–	–	–	9	5	14	9	5	14	10	5	15
Court of Appeals	–	–	–	47	18	65	47	21	68	44	19	63
Sandiganbayan	–	–	–	11	3	14	11	3	14	12	2	14
Court of Tax Appeals	–	–	–	4	2	6	4	2	6	4	2	6
Regional Trial Courts	569	206	775	597	211	808	575	224	799	542	228	770
Metropolitan Trial Courts	33	36	69	31	31	62	35	33	68	32	37	69
Municipal Trial Courts in Cities	119	44	163	112	46	158	129	66	195	125	67	192
Municipal Trial Courts	153	76	229	165	80	245	180	110	290	178	110	288
Municipal Circuit Trial Courts	161	63	224	163	63	226	225	99	324	209	103	312
Shari'a District Courts	–	–	–	–	–	–	–	1	1	–	–	–
Shari'a Circuit Courts	28	1	29	28	1	29	30	3	33	30	3	33

The Supreme Court is also moving towards a more gender-responsive judiciary. In 2008, the Committee on Gender Responsiveness in the Judiciary (CGRJ), in cooperation with the United Nations Development Fund for Women (UNIFEM), conducted a Knowledge Sharing Seminar for justices, judges, and women's groups from Thailand and Vietnam. It was held on January 14-19, 2008, the theme "Gender Equality and the Judiciary: Sharing the Philippine Judiciary's Experience in Implementing its Gender and Development Program to the Judiciaries in Southeast Asia," among other seminars and focus group discussions.¹⁰⁵ The CGRJ also coordinated with the SC Office of Administrative Services in the implementation of 11 gender sensitivity training and orientation sessions on the Administrative Procedure in Sexual Harassment Cases and Guidelines on Proper Work Decorum in the Judiciary for SC employees, male and female alike, from April to November.¹⁰⁶

¹⁰³ *Id.*

¹⁰⁴ NSCB, 2010 YEARBOOK, *supra* note 26, 17-19.

¹⁰⁵ SC, 2008 ANNUAL REPORT 61 (2009).

¹⁰⁶ *Id.*

Moreover, the number of court personnel is also an issue. In 2009, there were 2,253 employees with the SC and 23,273 with the lower courts.¹⁰⁷ Since there is a lack of personnel in some courts, courts resort to having their staff multi-task. This may inevitably lead to delays and inefficient services. Compensation for judges and justices is also an issue for the Court.

In the past administration, the SC responded remarkably to issues with its issuances in connection with the circle of human rights: Rules on the Writ of Amparo, Rules on the Writ of Habeas Data, and Rules of Procedure on Environmental Cases. The challenge for the present court is to remain responsive to these issues whether it be through new issuances or continuation of its current projects.

Court of Appeals¹⁰⁸

At present, the Court of Appeals, an appellate court with the jurisdiction to review death penalty cases, has 23 divisions and 69 justices. Seventeen divisions are located in the Manila station while three divisions each are currently in the Cebu and Cagayan de Oro stations. However, as it stands, the CA does not have the full complement of justices with only 62 sitting.

Structural facilities of the CA need improvement. The CA Manila station is currently handicapped with only two floors; while its main building remain in a state of disrepair after fire gutted it in 2007. The Cebu and Cagayan de Oro stations have similar concerns. Both stations still lease their offices from private enterprises. However, the local government of Cebu has donated a plot of land to put up buildings for the Cebu station, and the CA recently received its patent for land in Cagayan de Oro from the national government to build offices for the CA justices. Notwithstanding, the construction of buildings to house the Cebu and Cagayan de Oro stations will be dependent on the sufficiency of resources and funding.

Moreover, the CA at this time has no public information office. Since 2006, the CA has had an informal group of journalists following the disposition of cases in the CA. There are, however, no official communication channels that have been institutionalized. On the production and distribution of information materials, the CA has twice revised its flow charts since 2006, which have been posted in its building.

As regards case management, the institutionalization of the One-Stop Processing Center (OSPC) and the roll-out of CMIS v.2 for all three CA stations were done. Given this OSPC, almost all concerns, from filing to certification, may now be addressed. Following the increase of cases, the CA also states that inquiries regarding the status of these cases or any related matter may be entertained by the information division of the CA via telephone. Current measures also include the establishment of a cable network to increase the OSPC's efficiency.

At the same time, with the help of the American Bar Association (ABA), two versions of the CMIS have been made since 2006. The new CMIS version features a more user-friendly interface, and information within it is available to the public on the internet. It also boasts of a system of bar-coding court documents. The CA desires the full coordination of the three CMIS stations by the end

¹⁰⁷ SC, 2009 ANNUAL REPORT, *supra* note 86, at 57.

¹⁰⁸ Based on the consultation meetings with Presiding Justice Andres Reyes, Jr. and Justice Noel Tijam on Sept. 14, 2010, Sept. 17, 2010 and Oct. 26, 2010, and on the Validation Workshop Presentation of the CA, Report on the Validation Workshop for the MTDP for the CJS 36 (2010).

of November 2010. The launch of the CMIS v.2 in July 2010 has helped in the case disposition of the CA, allowing magistrates to spend less time on monitoring and transmitting documents or cases and to focus their efforts on actual decision making. But despite the CMIS project, the current computer system of the CA remains inadequate to handle the requirements of electronic filing.

In 2010, the CA saw a renewed effort at diminishing the case load of justices pursuant to the Zero Backlog Project (ZBP) spearheaded by Presiding Justice Reyes. The project aims to increase the disposition rate of the court which, at the end of 2009, stood at 38.23 percent for all cases; from these, the rate for criminal cases stood at 20.2 percent. Recent statistics on ZBP, however, are not yet available because the inventory of cases has not yet been completed. On its end, the CA declared that the priority is criminal cases, especially those that involve detention.

In addition, the CA has constantly availed of seminars sponsored by PHILJA to enhance the competence of its court personnel. Similar seminars have also been made available for the non-legal personnel. The CA has also established its Gender and Development (GAD) focal point in 2007.

Sandiganbayan¹⁰⁹

The Sandiganbayan is a special court primarily tasked to try criminal and civil cases involving graft and corrupt practices and such other offenses committed by public officers and employees.¹¹⁰ Composed of a Presiding Justice and 14 Associate Justices, its mission is to give life and meaning to the constitutional precept that a public office is a public trust, and to impress upon public officers and employees that they are at all times accountable to the people with their duty to serve with the highest degree of responsibility, integrity, loyalty and efficiency.

Case backlog has decreased to 1,891 in 2009 from 2,263 in 2008. This decrease, however, has not changed much from the figure in 2004 of 1,892.

Moreover, the number of cases decided/resolved has also not improved from the figure in 2003, which was at 426.¹¹¹ For 2009, the SB posted a disposal of 357 cases or a decrease of 284 cases from the disposal of 641 cases in 2008.¹¹² This indicates a percentage decrease of 44.31 percent.¹¹³ Out of the 357 cases, 346 were criminal.¹¹⁴ They involve violations of RA No. 3019, falsification, malversation, perjury, and violations of various Presidential Decrees.¹¹⁵ The following table provides the details of the nature of cases disposed in 2009.

¹⁰⁹ Based on the SB Website <<http://sb.judiciary.gov.ph>> and on the Consultation Meeting with Atty. Mary Ruth Milo-Ferrer and Sandra Calugay on Sept. 16, 2010.

¹¹⁰ PHILIPPINE CONSTITUTION, Art. XIII.

¹¹¹ NSCB, 2010 YEARBOOK, *supra* note 26, 17-16.

¹¹² Sandiganbayan, Thirty-first Annual Report of the Sandiganbayan Calendar Year 2009, 15 (2010).

¹¹³ *Id.*

¹¹⁴ *Id.*

¹¹⁵ *Id.* at 16.

**TABLE 3.25: NUMBER OF CASES DISPOSED OF ACCORDING TO NATURE OF OFFENSE
(JANUARY-DECEMBER 31, 2009)¹¹⁶**

Nature of the Offense	Total	Percentage
Crime Against Religious Worship	–	–
Arbitrary Detention	2	0.56
Violation of Domicile	1	0.28
Assault Resistance and Disobedience	1	0.28
Perjury	10	2.80
Falsification Cases	75	21.01
Mal/Misfeasance	–	–
Bribery	1	0.28
Malversation Cases	69	19.33
Infidelity of Public Officers In the Custody of Prisoners/Documents	1	0.28
Other Offense Committed by Public Officers	–	–
Murder	3	0.84
Homicide	–	–
Physical Injuries	6	1.68
Threats and Coercions	1	0.28
Kidnapping	–	–
Estafa Cases	7	1.97
Robbery	–	–
Theft	–	–
Malicious Mischief	1	0.28
Rape and Acts of Lasciviousness	–	–
Slander	1	0.28
Illegal Marriage	–	–
Violation of RA 3019	132	36.97
Violation of Presidential Decrees	10	2.80
Qualified Seduction	–	–
Unlawful Arrest	–	–
Adultery and Concubinage	–	–
Others	25	7.00
Special Civil Action	4	1.12
Civil Cases (including PCGG cases)	2	0.56
Appealed Cases	5	1.40
TOTAL	357	100.00

Two hundred twenty-nine of the criminal cases (65.15%) were terminated after trial and 36 criminal cases (10.08%) were dismissed without trial.¹¹⁷ While 15 criminal cases (4.20%) were terminated after the accused pleaded guilty; 5 criminal cases (1.40%) were terminated after the accused pleaded guilty; and 59 criminal cases (16.53%) were withdrawn by the prosecution.¹¹⁸

¹¹⁶ *Id.* at 58, see Table 16a.

¹¹⁷ Sandiganbayan, Thirty-first Annual Report of the Sandiganbayan Calendar Year 2009 at 18.

¹¹⁸ *Id.*

TABLE 3.26: MANNER OF DISPOSAL FOR CRIMINAL CASES¹¹⁹

Manner of Disposal for Criminal Cases	No. of Cases		Share in %	
Dismissed without Trial		36		10.08
Pleaded Guilty		15		4.20
Terminated After Trial		229		64.15
Convicted	34		9.53	
Acquitted	118		33.06	
Convicted/Acquitted	7		1.96	
Convicted/Archived	1		0.28	
Convicted/Acquitted/Dismissed/Archived	12		3.36	
Convicted/Acquitted/Dismissed	3		0.84	
Convicted/Dismissed/Archived	1		0.28	
Convicted/Dismissed	6		1.68	
Acquitted/Dismissed	5		1.40	
Acquitted/Archived	4		1.12	
Acquitted/Dismissed/Archived	14		3.92	
Acquitted/Pleaded Guilty	1		0.28	
Dismissed with Trial	11		3.08	
Dismissed with Trial/Dismissed without Trial	10		2.80	
Dismissed with Trial/Archived	2		0.56	
Transferred to other Courts		3		0.84
Withdrawn by Prosecution/OSP		59		16.53
Archived without Prejudice		5		1.40

Moreover, acquittal rate remains high. In 2009, it was 33.06 percent.¹²⁰ The SB attributes such to the inability of the OMB to effectively prosecute the cases and the OMB's propensity to file cases under RA No. 3019,¹²¹ Section 3(e) as a catch all for other incidents. In addition, the number of SB personnel continues to be inadequate.

Although the SB has been the pilot court for the CMIS, these case figures may be attributed to the delay in the trial. Because certain rights are afforded to the public officers and employees accused in these cases such as motions for judicial determination of probable cause and motions for bill of particulars, the SB is tied to entertain such motions and determine these before trial could commence. Consequently, delay is inevitable.

Furthermore, the SB has tried to amend its Internal Rules to be more responsive. But the SC has not approved such and has returned this revision to the SB. Presently, the draft of the new revision of the Internal Rules is with the justices for approval. The approval of this revision is entirely dependent on the SC.

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ Anti-Graft and Corrupt Practices Act, Republic Act No. 3019 (1960).

Court of Tax Appeals¹²²

Originally created under RA No. 1125,¹²³ the CTA is composed of a Presiding Justice and five Associate Justices. In 2004, RA No. 9282¹²⁴ expanded the CTA's jurisdiction elevating it to the level of the CA. It acquired both the original and appellate jurisdictions over civil and criminal tax cases involving the National Internal Revenue Code, Tariff and Customs Code, and the Local Government Assessment Code. The expanded jurisdiction transferred to the CTA the jurisdiction of the RTCs and the CA over matters involving criminal violation and collection of revenues under the National Internal Revenue Code and Tariff and Customs Code. In addition, it also acquired jurisdiction over cases involving local and real property taxes which used to lie with the RTCs and the CA. However, despite its expanded jurisdiction, the CTA still has no power to rule on cases of abuse of discretion or excess of jurisdiction.

The CTA envisions itself as a specialized tax court that is impartial, competent, transparent, and worthy of public trust and confidence, ensuring faithful compliance with tax laws. To achieve this vision, the CTA is guided by the following goals: (1) to ensure the fair collection of taxes by the Government; (2) to provide adequate judicial remedies to taxpayers against unreasonable and unjustified tax assessments and through the refund of excess taxes paid; (3) promotion of the common good through the proper interpretation of tax statutes; (4) adherence to the independence of the judiciary; and (5) enhancement of the public trust and confidence in the judiciary.

The CTA's record management has drastically improved with the computerization program. This computerization was done in connection with the Case Management Information System. With the CMIS, it is now easier for claimholders to request copies of the records. A CMIS kiosk has also been established in this connection. However, the CMIS project has been temporarily suspended after the end of the initial phase, sponsored by the United States Agency for International Development (USAID) and American Bar Association–Rule of Law Effectiveness (ABA-ROLE). In order to expand the CMIS project, the CTA would still need to find a partner sponsor agency.

Additionally, the case disposition rate for the CTA has improved throughout the past six years. Although the 2009 figure of 1.29 decreased from the 2008 figure of 1.90, the growth of the case disposition rate is still an improvement from the 2003 and 2004 figures of 0.81 and 0.73, respectively.¹²⁵ However, growth for the cases decided/resolved by the CTA has constantly decreased since 2007.¹²⁶ Nonetheless, case backlog has decreased from the 983 in 2005 to 699 in 2009.¹²⁷

¹²² Based on the CTA Official Website <<http://cta.judiciary.gov.ph>>, on the Consultation Meeting with Presiding Justice Acosta, Attys. Rene Natividad and Roseller Villarubia, on Sept. 1, 2010, and the Strength, Weakness, Opportunities, and Threats (SWOT) Analysis of the CTA.

¹²³ An Act Creating the Court of Tax Appeals, Republic Act No. 1125 (1954).

¹²⁴ An Act Expanding the Jurisdiction of the Court of Tax Appeals (CTA), Elevating its Rank to the Level of a Collegiate Court with Special Jurisdiction and Enlarging its Membership, Amending for the Purpose Certain Sections or Republic Act No. 1125, as amended, otherwise known as the Law Creating the Court of Tax Appeals, and for Other Purposes, Republic Act No. 9282 (2004).

¹²⁵ NSCB, 2010 YEARBOOK, *supra* note 26, at 17.24.

¹²⁶ *Id.* at 17.19.

¹²⁷ *Id.* at 17.21.

Moreover, the budget currently allocated to the CTA remains insufficient. The CTA has to ask assistance from the SC for its share in the Judiciary Development Fund to purchase equipment. Moreover, it is relatively dependent on funding for special projects like the CMIS.

Furthermore, one of the problems plaguing the prosecution of tax cases before the CTA is the lack in competence of the prosecution lawyers to litigate tax issues; most prosecutors are not versed in tax laws and procedure. Consequently, many of the tax evasion cases filed by the government had been dismissed due to lack of familiarity with tax laws and procedure of the prosecuting lawyers.

And because of the same lack of familiarity, many business persons and investors have actually been discouraged from investing in the Philippines. Many business persons have been subjected to useless tax suits. The propensity of the government to file such cases may be inimical to economic growth. Thus, to prevent undue harassment of the taxpayer, the CTA prioritizes criminal cases.

2. Goals, Strategies, and Plans

The goal of having a more efficient and responsive justice system is sought by the courts pillar. With such goal in mind, it is hoped that confidence of investors will be raised and thus lead to increase of investments in the country.

The judiciary will continue to support and complete the projects under the Action Program for Judicial Reform (APJR) which consist of the following: docket decongestion; review of judicial systems and procedure; human resource development projects; improvement of functional administrative and operating structures in the judiciary; providing the public with information; collaboration with society; increased access to justice for the poor; advocacy on Alternative Dispute Resolution; improvement of free legal services; and the enhancement of Integrity and competence of judges, court personnel and all other officers of the court.

As part of the plans of the SC, Chief Justice Renato Corona has said that he “intends to focus on declogging court dockets and speed up the seemingly slumberous pace of adjudication.”¹²⁸ Moreover, the SC intends to designate more trial courts as family courts and, if possible, to formally create such courts to address the rising number of family cases.¹²⁹ Decentralization would also be needed to help declog court dockets.

The judiciary is also moving towards full computerization, e-documentation of court documents and pleadings and updating of court procedures to accommodate electronic means (e.g., presentation of documentation evidence by means of CD-ROM). Capacity building is being made to enable electronic filing.

In line with this, the court intends to implement the JCMS which monitors the status of the cases to see whether they are proceeding as scheduled nationwide;¹³⁰ and fully computerize various courts from all over the country.¹³¹ The Court is also considering to expand the Enhanced Justice on Wheels (EJOW) program.¹³² All Deputy Court Administrators will have programs in connection with

¹²⁸ SC, 2009 ANNUAL REPORT, Message from the Chief Justice, *supra* note 86, at 7.

¹²⁹ *Id.* at 51.

¹³⁰ *Id.*

¹³¹ *Id.*

¹³² *Id.*

the EJOW. The SC plans to further increase the utilization of the mobile courts (buses) and may acquire two more buses if necessary. Judicial audits to review the case management plan of courts will also be further continued. Additionally, the SC is looking at the promotion of other alternative dispute resolution methods.

Furthermore, the courts pillar intends to review, and possibly amend, the Rules of Court and other rules of procedure such as the Rules on the Writ of Amparo, the Rules of Procedure on Environmental Cases. The SC is looking at how to modify again the small claims procedure considering that an influx of cases is expected. There is also a move to revise the rules on procedure for petty crimes in order to hasten proceedings. Further, this would aid in lessening case dockets of first level courts whose load for criminal cases consist mostly of light offenses. Additionally, the SC is also discussing how to improve the rules of procedure in the prosecution of crimes against tourists and the designation of a tourists' court, which will be operational 24 hours. The SC is also looking whether a day could be designated as "judgment day" where courts will focus on promulgating judgments for that particular day. A committee on decongestion of court dockets has also been designated to look at possibilities and opportunities on how the courts could further decongest their dockets.

The SB is also hoping that the SC would soon approve its revision of the SB Internal Rules. Should any revision be made, intensive information dissemination must be sought.

In early 2010, the SC entered into the realm of environmental justice, recognizing that the constitutional right to a "healthful and balanced ecology" is inextricably tied to our human right to life.¹³³ In line with the furtherance of protection and enforcement of environmental rights, the Court intends to: (1) create a capacity building program for the courts on environmental law and the Rules of Procedure for Environmental Cases; (2) forge a partnership with the pillars on environmental justice; and (3) strengthen the green courts.

The protection and enforcement of fundamental rights has also been addressed by the courts. In the National Consultative Summit on Extralegal Killings and Enforced Disappearances initiated by the SC, several recommendations were given. Among them was the passage of several bills and the ratification of certain international documents. These include the following: (1) providing for stiffer penalties for extrajudicial killings and enforced disappearances, designating Special Courts for crimes against international humanitarian laws; Involuntary Disappearance Act, (2) expansion of powers of the Commission on Human Rights; and (3) a bill on Command Responsibility.

The international documents sought to be ratified are: (1) Protocol Additional to the Geneva Conventions of August 12, 1949 and Relating to the Protection of Victims of International Armed Conflicts ("Protocol I") of June 8, 1977; (2) Protocol to the Convention against Torture; (3) The Hague Convention on the Protection of Cultural Properties; (4) International Convention for the Protection of All Persons from Enforced Disappearance.

The CA intends to increase the number of court clerks as well as court attorneys. The SB plans to call for an upgrade of its plantilla positions; while the CTA proposes to deputize BIR and BOC lawyers based on the MOA between the OSG and the BIR and BOC.

The SC has also engaged the development of sourcebooks on the interface of the formal and informal justice systems and on environmental justice.

¹³³ *Id.* at 4.

The capacity of the courts pillar will also be strengthened by the improvement of functional administrative and operating structures in the Judiciary. The strategy consists mainly of refurbishment and renovations of physical structures which house the judicial bodies. Activities include renovations of the Halls of Justice and the construction of new ones such as the one for Manila¹³⁴ and completion of pilot model courts.¹³⁵ Ensuring the safety of the Court's environment through the rehabilitation of the electrical and alarm system is also planned.¹³⁶ Construction of buildings for the CA in Cagayan de Oro and Cebu is also being considered.

In order to provide sufficient public information and collaboration with society, the courts intend to continue the Access to Justice for the Poor project, with support from the European Commission and complete the Public Education on the Rule of Law Advancement and Support (PERLAS) project (with cooperation from the Department of Education) with the finalization of the materials and the production of the prototype. The SC likewise plans to upgrade and develop its information and communication technology.¹³⁷ The CA and SB also plan to establish a Public Information Office (PIO), strengthen Judiciary-Media relations and continue its implementation of apprenticeship programs.

Aside from this, the judiciary plans to continue with the Access to Justice for the Poor project. Through its CMIS, the SB intends to standardize the format of the transcript of stenographic notes (TSNs) as well to lessen the cost of litigation. Continuation and expansion of the EJOW as well as advocating the passage of bills on correction reforms are also planned. Gender sensitivity concerns in the judiciary are also addressed in the continuation of existing programs and the SB has undertaken a semestral assessment on GAD issues.

Furthermore, the implementation of Bar Matter No. 2012, mandating lawyers to render free legal service, will be undertaken once the IBP has issued the Implementing Rules and Regulations.

The SC also plans to continue to enhance the integrity and competence of judges, court personnel and all other officers of the court by weeding out undesirables both from the Bench and bar,¹³⁸ continuing the Court Cleansing Initiative and the project on Strengthening the Integrity of the Judiciary–Integrity Development Review (SIJ-IDR).

D. Corrections Pillar

The corrections pillar is composed of institutional and non-institutional agencies of the government. The institutional agencies include the Bureau of Corrections under the Department of Justice, the Bureau of Jail Management and Penology under the Department of the Interior and Local Government, and the Council for the Welfare of Children under the Department of Social Welfare and Development. On the other hand, the non-institutional agencies include the Parole and Probation Administration, and the Board of Pardons and Parole, all under the DOJ.

¹³⁴ *Id.* at 7.

¹³⁵ *Id.* at 51.

¹³⁶ *Id.*

¹³⁷ *Id.*

¹³⁸ *Id.*

1. Assessment and Challenges

Bureau of Corrections

The BUCOR is the only primary institution in the corrections pillar that provides full custody and rehabilitation programs for the transformation of insular prisoners, those sentenced to more than three years to capital punishment. The mandate of the BUCOR is to rehabilitate national prisoners.

Among the functions of the BUCOR are the following: (1) keep safe prisoners convicted by the courts to serve sentence; (2) keep prisoners from committing crimes while in BUCOR's custody; (3) provide inmates' basic needs as human beings; (4) ensure that rehabilitation programs are made available to the inmates for their physical, intellectual, and spiritual development; and (5) develop livelihood programs to assist inmates earn a living and develop their skills while in prison.

The BUCOR maintained in its custody 35,793 inmates, 1 percent higher than the previous year. Congestion rate in all prison facilities decreased from 75 percent to 65 percent; with the New Bilibid Prison as the most overcrowded facility with 120 percent congestion rate. Despite the decrease, however, congestion remains to be the number one problem of the Bureau.

TABLE 3.27: BUREAU OF CORRECTIONS
COMPARATIVE TABLE OF POPULATION AND CONGESTION RATE

Station	Capacity	Population		Congestion (%)		No. of Guard		Ratio GD:INM	
		First Semester							
		2010	2009	2010	2009	2010	2009	2010	2009
NBP	9,000	19,843	20,694	120	138	802	771	1:31	1:26
CIW	1,000	1,779	1,652	78	65	86	27	1:21	1:61
IPFF	4,000	3,788	3,191	–	–	124	123	1:31	1:25
DPPF	3,500	5,650	5,381	61	74	199	195	1:29	1:28
CIW-Mindanao	200	219	209	9.5	–	–	–	–	–
SRPPF	1,550	1,283	1,299	–	–	87	83	1:15	1:15
SPPF	1,500	1,690	1,672	13	11	80	72	1:21	1:23
LRP	1,000	1,541	1,354	54	35	50	44	1:31	1:30
TOTAL	21,750	35,793	35,452	65	75	1428	1,315	1:25	1:26
Percent Change (%)		1		-10		9		–	

Table 3.28 shows the number of inmates admitted and released as of December 31, 2009.

TABLE 3.28: BUREAU OF CORRECTIONS¹³⁹
INMATES STATISTICS AS TO ADMISSION AND RELEASES AS OF DECEMBER 31, 2009

	No. of Inmates	Admission	Releases
NBP	21,034	3,780	2,138
CIW	1,726	331	164
IPFF	2,984	22	350
DPPF	5,685	905	524
CIW-Mindanao	222	0	0
SRPPF	1,303	126	124
SPPF	1,564	4	173
LRP	1,416	293	147
Total as of Dec. 2009	35,934	5,461	3,620
Total as of Dec. 2008	34,547	5,496	3,241
Percent Change (%)	4	-0.6	12

¹³⁹ Data from the Bureau of Corrections.

To address the problem of congestion at the national penitentiary, qualified medium security prisoners in Muntinlupa are transferred to less populated prisons and penal farms. Colony assignments are not only to decongest the premier national prison but also to provide manpower to improve the production capacity of the other penal farms. A total of 1,451 or 4 percent of the total populace were transferred to other prison facilities as follows: IPPF – 1,000; SPPF – 255; DPPF – 1; LRP – 150; and PMA – 45.

Women detention facilities similarly experience the overcrowding. However, as explained by Dr. Cynthia Andrada, there is little the Bureau could do about it considering the capital outlay given to the Bureau. As compared to another corrections agency, the BJMP, the budget of the Bureau is more than three times lower than that of BJMP.¹⁴⁰ In 2009, the budget of the BJMP was more than P4.1 Billion compared to P1.3 Billion appropriated to the BUCOR.¹⁴¹

The Reception and Diagnostic Center is designated to receive, study, and classify inmates and detainees committed to this Bureau. The Center conducts prison orientation and initial health services including immunization treatment, personality diagnosis for institutional placements and treatment program. The admissions (2,284) at RDC continued to rise above the number of releases (2,229), classified into first offenders (1,842) and recidivists (442). The rate of recidivism is 19 percent of admissions. The number of admissions decreased by 22 percent from the first semester of the previous year, while the number of releases increased by 49 percent.

A total of 2,398 *carpetas* were processed and forwarded to the Board of Pardons and Parole. The released inmates (2,229) comprised 6 percent of the entire inmate population.

Most of the escapees were inmates of minimum security classification, and because of their security class, were allowed to work outside the prison dormitories. However, escapees in the penal colonies involved those working in the farm under guard. There were 29 escapees from January to June 2010.

Intensive campaign against entry of contraband was observed. A series of search operations was conducted to rid the prison premises of contraband. The search operations led to the confiscation of prohibited drugs, deadly weapons, intoxicating liquor, gambling paraphernalia, cellular phones, and similar items.

Efforts are also made to instill discipline among inmates. The Board of Discipline acts on the cases of inmates violating prison rules and regulations. Every breach of discipline is reported to the proper prison authorities. For inmate discipline, 2 percent of the inmate population were involved in administrative and criminal cases. 137 were charged in court for various criminal offenses committed while in custody. On the other hand, 434 inmates faced administrative sanctions.

The welfare of inmates as to the provision of their basic needs has improved with the increase of daily food ration and the medicine allowance at P50 and P3 per day/inmate, respectively. The annual budget per inmate is P22,272.00.

As of June 2010, 209 inmates had died. The Bureau undertakes measures to upgrade the health care and improve the living conditions inside prison compounds. The most prevalent diseases are Upper Respiratory Tract Infection (URTI), Pulmonary Tuberculosis (PTB), Hypertension (HPN), and skin diseases.¹⁴²

¹⁴⁰ NSCB, 2010 YEARBOOK, *supra* note 26, at 17-27.

¹⁴¹ *Id.*

¹⁴² Based on the Accomplishment Report as of June 2010 of the Bureau of Corrections.

The BUCOR has implemented six reformation programs: Sports and Recreation Program; Morale and Spiritual Programs; Education and Training Programs, Therapeutic Community Program (TCP); Work and Livelihood Program; and the Health Care Program.

**TABLE 3.29: BUREAU OF CORRECTIONS
REFORMATION PROGRAMS AS OF JUNE 2010¹⁴³**

Reformation Programs	NBP	CIW	IPPF	DPPF	SPPF	SRPPF	LRP	Total		Remarks
								June 2010	June 2009	
Population	19,843	1,779	3,788	1,690	1,283					
<i>Training and Education</i>										
Enrollees	876	447	94	697	290	293	110	2,807	3,645	23%↓
Graduates	872	115	0	74	30	208	0	1299	728	79%↑
<i>Behavior Modification Programs</i>										
Therapeutic Community Program	202	151	0	23	60	24	0	460	424	9.56% of drug cases
Muntinlupa Juvenile Training Center	17							17	23	26%↓
Sports and Recreation	8,463	1,460	1,500	823	1,651	1,291	450	15,638	14,391	9%↑
Moral and Spiritual	19,328	1,602	2,481	3,629	786	1,145	351	29,322	28,265	4%
Work and Livelihood	2,993	202	172	1,513	1,364	587	79	6,910	8,376	18%↓
Health Care Programs	13,888	831	3,355	1,396	2,782	1,666	2,127	26,045	20,039	30%↑
Employment Rate								19%	24%	5%↓

The Bureau says that the limited budget appropriated to their rehabilitation programs renders it difficult for the bureau to enhance the same. The Bureau could not procure the facilities and equipment necessary to serve all their clients. The Bureau said that this affects the effectiveness of the programs as shown by the rate of recidivism, at 18 percent in 2009. The Bureau, however, has creatively augmented its budget. For instance, the Bureau has resorted to the cultivation of medicinal plants to be used as alternative medicines to inmate patients at the NBP Hospital.¹⁴⁴

The following tables show the profile of the inmates with regard to the following classifications: crimes committed, age, educational profile, and occupation.

¹⁴³ Data from the Bureau of Corrections.

¹⁴⁴ Based on the SWOT Analysis submitted by the Bureau of Corrections.

TABLE 3.30: BUREAU OF CORRECTIONS
INMATES STATISTICS ACCORDING TO CRIMES COMMITTED AS OF JUNE 2010¹⁴⁵

CRIME PROFILE	NBP	CIW	IPPF	DPPF		SRPPF	SPPF	LRP	TOTAL
				F	M				
Against National Security and the Law of Nations	126	5	0	0	0	0	2	9	142
Against the Fundamental Law of the State	0	0	0	0	0	0	0	10	10
Against Public Order	51	0	25	0	2	0	54	1	133
Against Public Interest	91	0	49	0	1	1	3	0	145
Relative to Opium and Other Prohibited Drugs	2,669	918	0	126	587	96	131	86	4,613
Against Public Morals	0	0	0	0	1	0	4	0	5
Committed by Public Officers	5	12	2,243	1	21	0	0	0	2,282
Against Persons	12,905	128	0	43	3,055	550	852	1,073	18,606
Against Personal Liberty and Security	34	54	548	10	77	2	9	7	741
Against Property	1,432	635	399	36	848	121	323	139	3,933
Against Chastity	753	17	0	3	1,014	65	312	215	2,379
Against the Civil Status of Persons	753	0	0	0	0	1	0	1	755
Against Honor	0	0	0	0	1	0	0	0	1
Others	1,024	10	524	0	43	447	0	0	2,048
TOTAL	19,843	1,779	3,788	219	5,650	1,283	1,690	1,541	35,793

TABLE 3.31: BUREAU OF CORRECTIONS
INMATES STATISTICS ACCORDING TO AGE AS OF JUNE 2010¹⁴⁶

According to Age	NBP	CIW	IPPF	DPPF (F)	DPPF (M)	SRPPF	SPPF	LRP	TOTAL
18 years old and below	12	2	0	0	12	4	0	1	31
19 – 21	591	18	4	9	197	18	0	187	1,024
22 – 39	13,271	659	2,704	109	3,209	754	1,048	897	22,651
40 – 59	5,196	1,016	1,070	97	2,090	470	624	415	10,978
60 and above	687	72	10	4	109	25	4	37	948
Unknown	86	12	0	0	33	12	14	4	161
TOTAL	19,843	1,779	3,788	219	5,650	1,283	1,690	1,541	35,793

¹⁴⁵ Data from the Bureau of Corrections.

¹⁴⁶ *Id.*

TABLE 3.32: BUREAU OF CORRECTIONS
INMATES STATISTICS AS TO EDUCATIONAL PROFILE AS OF JUNE 2010¹⁴⁷

AS TO EDUCATIONAL PROFILE	NBP	CIW	IPPF	DPPF (F)	DPPF (M)	SRPPF	SPPF	LRP	TOTAL
Illiterate	1,007	34	261	7	383	107	103	188	2,090
Elementary Level	6,849	264	1,661	50	2,619	665	783	867	13,758
Elementary Graduate	2,542	149	658	18	760	125	291	88	4,631
High School Level	4,124	415	710	63	1,133	206	291	290	7,232
High School Graduate	2,452	277	375	23	394	84	153	70	3,828
College Level	1,838	279	97	31	280	68	57	13	2,663
College Graduate	586	318	26	23	65	17	10	12	1,057
Vocational Course	445	43	0	4	16	11	2	13	534
Others	0	0	0	0	0	0	0	0	0
TOTAL	19,843	1,779	3,788	219	5,650	1,283	1,690	1,541	35,793

TABLE 3.33: BUREAU OF CORRECTIONS
INMATES STATISTICS AS TO OCCUPATION AS OF JUNE 2010¹⁴⁸

AS TO OCCUPATION	NBP	CIW	IPPF	DPPF (F)	DPPF (M)	SRPPF	SPPF	LRP	TOTAL
Agricultural	5,404	25	1,457	7	2,873	112	632	1,128	11,638
Trade and Industry	2,390	849	375	126	941	636	539	40	5,896
Defense and Security	935	154	168	5	278	129	60	47	1,776
Administrative	378	122	97	10	201	204	47	35	1,094
Transportation, Communication and Public Utility	1,786	187	587	5	515	87	169	79	3,415
Crafts and Trade	3,670	84	224	12	266	86	28	29	4,399
Information, Arts and Recreation	517	205	27	12	185	22	85	85	1,138
Others	4,763	153	853	42	391	7	130	98	6,437
TOTAL	19,843	1,779	3,788	219	5,650	1,283	1,690	1,541	35,793

The Bureau undertakes to re-engineer its organization to allow for a paradigm shift from the punitive to restorative and rehabilitative correctional system for those who are confined in the country's eight penitentiaries. While it has dedicated personnel, the development of their capabilities only mainly focuses on communication skills development, moral recovery, and prison

¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

guard basic courses. The Bureau sees the need to establish an agenda for the purpose of re-directing its personnel towards effectively inspiring and guiding inmates towards reformation. This may be achieved through proper training.¹⁴⁹

With the re-engineering program of the Bureau, there is a plan to increase the plantilla. This plan is, however, contrary to the government's rationalization program. With rationalization, the already small personnel complement of the Bureau will further be reduced by 12 percent. Notably, the number of personnel has remained constant at 2,362 from 1989 until 2009. Within the same 30-year-period, however, the number of inmates has more than doubled from 12,970 to 34,547. This results in a severe disparity between the number of personnel and the inmates. If it be reduced further by 12 percent, there will only be more or less 2,000 personnel taking care of a prison population of more than 35,000.¹⁵⁰

To inform the public of the basic services delivered by the Bureau, the Bureau published a "Citizen's Charter" pursuant to the Anti-Red Tape Act of 2007. However, the Bureau admits that it does not have any advocacy campaign aimed at harnessing support from the civil society and other organizations. Furthermore, there is a need for the Bureau to regularly update the information on its website.¹⁵¹ This would have provided the public easy access to the Bureau's programs.

The Bureau says that it has coordinated with the other pillars of the Criminal Justice System. They make data readily available to the other pillars when requested. However, the Bureau observed that the real threat with respect to coordination with other pillars is the red tape problem. This slows down the transfer of needed documents and services. Also, not all sectors of the pillars are fully computerized. This consequently hinders quick communication and coordination among them.¹⁵²

The Bureau prides itself for being ranked sixth as most compliant with the Integrity Development Action Plan of the Presidential Anti-Graft Commission. However, it admits that corruption is still present within the Bureau. There are currently 80 administrative cases pending as of June 2010. The disposition rate of these cases is only at 45 percent because the Bureau lacks legal officers.¹⁵³

Bureau of Jail Management and Penology¹⁵⁴

The Bureau of Jail Management and Penology was created in 1991 to address the growing concern of jail management and penology problem. Primarily, its clients are detainees accused before a court who are temporarily confined in such jails while undergoing investigation, awaiting final judgment, and serving sentence promulgated by the court of three years and below. As provided for under RA No. 6975, the Jail Bureau is mandated to take operational and administrative control over all city, district and municipal jails.

¹⁴⁹ Based on the SWOT Analysis submitted by the Bureau of Corrections.

¹⁵⁰ Report on the Validation Workshop for the MTDP for the CJS 46 (2010).

¹⁵¹ *Id.*

¹⁵² *Id.*

¹⁵³ Based on the Accomplishment Report as of June 2010 of the Bureau of Corrections.

¹⁵⁴ Bureau of Jail Management and Penology Official Website <<http://www.bjamp.gov.ph>> (last accessed on Nov. 9, 2010).

The Bureau has four major areas of rehabilitation programs, namely: Livelihood Projects; Educational and Vocational Training; Recreation and Sports; and Religious/Spiritual Activities. These were continuously implemented to eliminate the offenders' pattern of criminal behaviour and to reform them to become law-abiding and productive citizens.

The BJMP has custody of 62,556 inmates. Table 3.34 shows the number of inmates with the BJMP as of September 2010.

TABLE 3.34: BUREAU OF JAIL MANAGEMENT AND PENOLOGY
TOTAL NUMBER OF INMATES DETAINED NATIONWIDE AS OF SEPTEMBER 2010¹⁵⁵

Region	Sentenced		Total	Detained				Total	PNP – Manned Jail	Grand Total
	Adult			Adult		Minor				
	M	F		M	F	M	F			
NCR	535	65	600	15,343	2,229	73	0	17,645	0	18,245
1	98	13	111	1,563	169	15	0	1,747	0	1,858
2	61	7	68	1,156	61	3	0	1,220	0	1,288
3	10	2	12	4,280	485	2	1	4,768	3	4,783
4A	50	6	56	6,757	721	11	1	7,490	361	7,907
4B	20	1	21	634	70	4	0	708	108	837
5	138	2	140	1,775	57	23	1	1,856	0	1,996
6	356	22	378	3,466	207	3	0	3,676	159	4,213
7	659	55	714	5,536	508	178	8	6,230	319	7,263
8	61	1	62	1,285	79	10	0	1,374	0	1,436
9	29	4	33	2,525	245	25	0	2,795	83	2,911
10	263	8	271	2,183	157	34	5	2,379	1	2,651
11	75	3	78	2,012	175	0	0	2,187	0	2,265
12	70	5	75	2,237	188	12	0	2,437	0	2,512
13	95	0	95	802	74	17	0	893	0	988
CAR	12	6	18	876	86	18	0	980	0	998
ARMM	0	0	0	303	2	6	0	311	94	405
TOTAL	2,532	200	2,732	52,733	5,513	434	16	58,696	1,128	62,556

The Bureau also has custody of 450 children in conflict with the law:

TABLE 3.35: BUREAU OF JAIL MANAGEMENT AND PENOLOGY
CICL JAIL POPULATION DATA AS OF SEPTEMBER 2010¹⁵⁶

Region	Detained		Total
	Male	Female	
NCR	73	0	73
1	15	0	15
2	3	0	3
3	2	1	3
4A	11	1	12

¹⁵⁵ Data from the Bureau of Jail Management and Penology.

¹⁵⁶ *Id.*

4B	4	0	4
5	23	1	24
6	3	0	3
7	178	8	186
8	10	0	10
9	25	0	25
10	34	5	39
11	0	0	0
12	12	0	12
13	17	0	17
CAR	18	0	18
ARMM	6	0	6
Total	434	16	450

TABLE 3.36: BUREAU OF JAIL MANAGEMENT AND PENOLOGY
TOTAL AVERAGE NUMBER OF INMATES FROM JANUARY-SEPTEMBER 2010¹⁵⁷

Month	Jail Population
January	58,543
February	58,766
March	58,803
April	58,460
May	58,771
June	59,729
July	60,483
August	61,578
September	62,556

While the number of inmates decreased in 2009, as compared to the previous year, the BJMP anticipates an increase in the number of inmates in the coming years. Based on their computation, they expect the number of inmates to reach 79,000 in 2014.

TABLE 3.37: BUREAU OF JAIL MANAGEMENT AND PENOLOGY
ANNUAL RATE OF INCREASE IN JAIL POPULATION¹⁵⁸

Year	Actual Jail Population
2000	34,998
2001	37,158
2002	40,903
2003	48,907
2004	55,919
2005	61,331
2006	60,732
2007	60,205

¹⁵⁷ *Id.*

¹⁵⁸ *Id.*

2008	61,370
2009	58,711
Projected Jail Population @ 6.17% Annual Increase	
2010	62,333
2011	66,179
2012	70,263
2013	74,598
2014	79,201

The personnel complement of the BJMP is 8,981: 771 are jail-commissioned officers, 8,128 are jail-non-commissioned officers, and 82 are non-uniformed personnel. These personnel are distributed to man the different jail stations and BJMP offices nationwide. According to the BJMP, the number of inmates requires more uniformed personnel. And the ideal number, according to the Bureau, is 40,349 because the ideal custodial ratio should be one jail officer for every seven inmates per shift. At present, a jail officer handles 46 inmates per shift.

The insufficient number of jail officers also affects the security of the inmates. The ideal escort-inmate ratio is 1:1 plus one over-all jail supervisor. A jail officer currently escorts three inmates. The BJMP also needs to improve its logistic resources to safeguard the inmates.

The steady increase in the number of inmates would mean that the congestion rate would worsen over the years. According to the BJMP, it needs P4.069 Billion in order to address this problem.

TABLE 3.38: BUREAU OF JAIL MANAGEMENT AND PENOLOGY
NATIONWIDE PERCENTAGE OF CONGESTION FOR THE MONTH OF SEPTEMBER 2010¹⁵⁹

Region	Number of Congested Jails	Lot Area (sqm)	Floor Area (sqm)	Cell Area (sqm)	Ideal Capacity @3sqm	Jail Population	Variance	Percentage of Congestion
NCR	20	70,191	27,180	16,283	5,428	18,245	12,817	410
1	17	18,827	3,150	1,756	374	1,858	1,484	222
2	13	16,280	2,882	1,530	510	1,288	778	186
3	27	13,889	4,479	3,105	1,035	3,878	2,843	259
4A	36	44,663	12,458	4,424	1,473	7,546	6,073	533
4B	4	14,679	3,598	1,564	522	729	207	157
5	26	38,703	4,108	2,096	700	1,996	1,296	366
6	29	36,831	10,341	4,685	1,561	4,051	2,490	301
7	27	96,397	8,413	7,740	2,580	6,944	4,364	231
8	12	7,726	1,862	1,499	500	1,436	936	299
9	18	91,815	5,626	3,314	1,103	2,728	1,625	141
10	15	38,732	3,416	2,076	692	2,650	1,958	621
11	9	42,445	2,832	1,836	613	2,265	1,652	522
12	10	59,544	4,403	2,679	897	2,512	1,615	171
13	4	14,263	2,230	1,643	554	988	434	86
CAR	9	13,098	2,636	1,429	477	998	521	218
ARMM	1	24,145	3,431	1,416	473	311	(162)	237
Total	280	642,228	103,045	59,075	20,072	60,423	40,351	
Average Congestion Rate								292

¹⁵⁹ *Id.*

Furthermore, Congress has failed to act upon proposed bills for the integration of jails. Jail congestion leads to other concerns. Inmates are susceptible to communicable diseases such as Severe Acute Respiratory Syndrome (SARS), Tuberculosis (TB) and Influenza A (H1N1) Virus.¹⁶⁰

The Bureau lauded the efforts of the Supreme Court to help decongest jails. The Enhanced Justice on Wheels Program has decreased jail population. The Bureau also reported that it is also engaged in activities aimed at reducing jail population. The Bureau said that because of its Paralegal Ambulance Services, 20,086 inmates were benefited.¹⁶¹ However, the Bureau observed that the paralegals need more training and support. It noted that travel expenses of the paralegals are usually not reimbursed, considering that the BJMP has jurisdiction over jails nationwide.¹⁶² Moreover, the paralegals are not limited to rendering legal services. The Bureau said that other tasks are assigned to them so there were times when they were not focused on the inmate's case.¹⁶³

The Bureau prides itself on having dedicated personnel. It posits that its recruitment process is effective. However, the Bureau also recognizes that the recruitment process is susceptible to "political interference." In addition, the Bureau laments that it cannot increase its personnel to reach the ideal number of the limited quota of additional personnel that can be recruited each year. The Bureau plans to increase the number of the jail officers to attain the ideal escort-to-detainee ratio of 1:1. However, the Bureau was limited to recruiting only 500 additional personnel yearly while they proposed to recruit 3,145 jail officers.¹⁶⁴

The capacity of the Bureau can further be improved with the procurement of additional equipment and construction of facilities. As stated previously, not all jails maintained by the Bureau have perimeter fences. This increases the risk of inmates escaping. To address this problem, the Bureau included in its plan the construction of perimeter fences to 25 percent of the city, district, and municipal jails for 2010-2012; another 25 percent from 2013-2015; and the remaining 50 percent to be constructed from 2016-2020. In addition, to ensure the security of the facilities which house 300-1,000 inmates, security towers need to be constructed. Moreover, the dilapidated jail facilities need to be repaired. However, the Bureau admits that unless the DBM approves a higher capital outlay for the Bureau, this will have to take a backseat.¹⁶⁵

To further compound the problem, there are threats from terrorist groups that have comrades in jail, such as the Moro National Liberation Front (MNLF), Moro Islamic Liberation Front (MILF), Abu Sayyaf Group, New People's Army (NPA), etc. Some jails are also located in rebel-infested areas. To make matters worse, relatives and affiliates of inmates are willing to help them escape. With the help of some jail officers and personnel, the family members are able to bring in contraband materials.¹⁶⁶ The Bureau, however, assures that erring personnel are administratively, if not criminally, held liable.

¹⁶⁰ Based on the SWOT Analysis submitted by the Bureau of Jail Management and Penology.

¹⁶¹ NSCB, 2010 YEARBOOK, *supra* note 26, at 17-24.

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ *Id.*

¹⁶⁵ *Id.*

¹⁶⁶ *Id.*

With respect to the safekeeping and management of inmates, the Bureau reported that its custodial personnel are well-motivated. Most inmates are submissive to jail authorities and some are even employed to act as informers for the custodial guards. However, some of the detainees are high-profile people and there are times that its personnel are susceptible to bribery. Moreover, while STAR teams have been created to keep jails safe, the STAR teams only assist in the safekeeping of jails with high-risk and high-profile inmates.¹⁶⁷

The Bureau considers as problematic the securing of inmates in situations where they are confined in hospitals. The Bureau considers this one of the riskiest assignments for BJMP escorts because only a single jail officer is deployed for a confined inmate.¹⁶⁸

The Bureau also introduced livelihood projects for the inmates. This has become a source of income for some of the inmates. However, the Bureau admits that it currently does not impose any quality control standards with respect to the products. This sometimes renders the products unmarketable. The Bureau's personnel also do not have adequate technical knowledge in preparing feasibility studies. The Bureau should also provide an area where inmates can do their crafts. The Bureau said that while it does not promote the products produced by the inmates, it seeks assistance from NGOs to market them. The Bureau also notes that some LGUs are actually willing to fund some of the jail's programs and projects. NGOs also have expressed interest in supporting these programs.¹⁶⁹

The Bureau also has plans of educating the inmates. However, as with the other projects, their capability is limited by budget constraints. The Bureau continues to conduct classes.

One of the more important projects of the Bureau is its "After Care" program. The Bureau is confident that there will be lesser cases of recidivism if the inmates are properly given "after care" services. The Bureau, however, admits that it encounters negative perception/discrimination from the community towards their clients.¹⁷⁰ According to JSSupt. Dennis Rocamora, there is a general public apathy towards inmates. The Bureau works towards changing this negative public perception.¹⁷¹

Board of Pardons and Parole¹⁷²

Pursuant to Act No. 4103 dated December 5, 1933, and Executive Order No. 83 dated January 11, 1937, the Board of Pardons and Parole is mandated to grant parole to prisoners, recommend to the President the grant of Absolute Pardon, Conditional Pardon, and Commutation of Sentence, and take part in the rehabilitation of the parolees/pardonees through the Technical Service of Parole and Probation Administration which acts as the service arm of the BPP.

In the evaluation and review of petitions for parole and executive clemency, the Board relies mainly on two basic documents: the Prison Records and the Prison Jackets or "*carpetas*" of

¹⁶⁷ Based on the SWOT Analysis submitted by the Bureau of Jail Management and Penology.

¹⁶⁸ *Id.*

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ Based on the interview with JSSupt. Dennis Rocamora of the Program Development Office, Bureau of Jail Management and Penology on Sept. 7, 2010.

¹⁷² Annual Accomplishment Report of the Department of Justice (2009).

qualified prisoners. The BPP's output therefore depends on the availability of these records which originate from the BUCOR and local jails.¹⁷³ The output in terms of grant of parole, and recommendations for commutation of sentence, conditional pardon, and absolute pardon depends on the completeness of the documents contained in the *carpeta*, such as, court decision and fiscal's information; certificate of no pending case; certificate from the courts on the finality of the decision on the case; pre-parole/executive clemency investigation reports; psychological/psychiatric reports on prisoners convicted of serious or heinous crimes and sentenced to reclusion perpetua/life sentence.¹⁷⁴

For the year 2009, the BPP acted upon 5,056 *carpetas* and resolved 4,894 cases either for parole, commutation of sentence, or pardon. This also included cases of seriously ill and old-age prisoners transmitted to the Office of the President. Disposition rate was 96.79 percent.

The BPP also tackled infraction reports and acted on requests such as transfer of residence, death reports, lifting of Orders of Arrest and Recommitment, requests for authority to travel abroad, and cancellation of parole.

In carrying out its mandate, the BPP conducted interviews of prison inmates in the eight national penitentiaries and penal colonies. The jail visits included the PMA stockade, PMA, Fort del Pilar, Baguio City; Baguio City Jail; Benguet Provincial Jail. It is an active party in the implementation of the DOJ Jail Decongestion Program and the DOJ Outreach Program in giving legal advice and assistance concerning parole/executive clemency matters. The BPP's regular operations are supported by an automated document tracking system and a performance monitoring system.

TABLE 3.39: BOARD OF PARDONS AND PAROLE¹⁷⁵

	2005	2006	2007	2008	2009	Total	Jan-April 2010
<i>1. Cases for Parole</i>							
Granted	2,640	2,260	1,623	1,698	1,880	10,101	678
Denied/Deferred/Others	1,045	1,405	1,059	829	739	5,077	211
Total	3,685	3,665	2,682	2,527	2,619	15,178	889
<i>2. Commutation of Sentence</i>							
Recommended	0	3	195	308	282	788	166
Denied/Deferred/Others	46	320	1,529	1,655	1,734	5,284	348
Total	46	323	1,724	1,963	2,016	6,072	514
<i>3. Conditional Pardon</i>							
Recommended	1	11	26	23	25	86	10
Denied/Deferred/Others	4	24	1	0	0	29	0
Total	5	35	27	23	25	115	10
<i>4. Absolute Pardon</i>							
Recommended	0	1	3	5	9	18	1
Denied/Deferred/Others	5	14	14	10	11	54	4
Total	5	15	17	15	20	72	5

¹⁷³ Plans of the Board of Pardons and Parole for the First 100 days (2001).

¹⁷⁴ *Id.*

¹⁷⁵ Board of Pardons and Parole Accomplishment Report (2009).

5. Final Release and Discharge							
Granted	2,236	1,908	1,699	1,522	1,413	8,778	428
Denied/Deferred/Others	45	6	6	12	10	79	3
Total	2,281	1,914	1,705	1,534	1,423	8,857	431
6. Order of Arrest and Recommitment/Recommitment Order							
Issued	538	497	290	346	290	1,961	88
Deferred/Others	44	12	7	8	8	79	2
Total	582	509	297	354	298	2,040	90
7. Transfer of Residence							
Confirmed/Approved	511	411	328	234	424	1,908	151
Denied/Deferred/Others	26	1	2	6	2	37	2
Total	537	412	330	240	426	1,945	153

Because the Board is under the Office of the Secretary of Justice, it relies upon the discretion of the Office of the Secretary for the release, procurement and availability of the logistics vital in efficient operations. In addition, the funds allocated for the Board's outreach program, which is intended to bring its services closer to the people, are inadequate. The BPP also has a centralized operation, where the Manila office operates the parole system nationwide.

The Board operates with a small number of personnel. With the rationalization program of the government, the Board expects that the number of personnel will further be decreased. The Board is also concerned over the training of its personnel, particularly in the field of new technology. The Board is one of the agencies which does not yet have a website.¹⁷⁶

The Board regularly coordinates with other agencies in the performance of their functions. Before the Board can issue a *carpeta*, it has to be satisfied that the client has already been sentenced and that there are no pending appeals. Moreover, the Board has to ensure that the records of the client are complete. This requires the Board to coordinate with other agencies. However, the Board says that they encounter problems when other agencies do not notify them immediately of a pending appeal.

Parole and Probation Administration¹⁷⁷

The Parole and Probation Administration, previously called the Probation Administration, was created by virtue of PD No. 968, "The Probation Law of 1976," to administer the probation system. Under EO No. 292, the PPA was given the additional function of supervising prisoners who, after serving a part of their sentence, are released on parole or are granted pardon with parole conditions. In 2005, the investigation and supervision of First Time Minor Drug Offenders (FTMDO) placed under suspended sentence became an added function pursuant to Sections 66, 68, and 81(b) of RA No. 9165 or the "Comprehensive Dangerous Drugs Act of 2002" and per Dangerous Drugs Board Resolution No. 2, and the Memorandum of Agreement between the DDB and the PPA. Also in 2005, EO No. 468 mandated the revitalization of the Volunteer Probation Aide (VPA) Program. This placed the PPA in the forefront in relation to crime prevention, treatment of offenders in the community-based setting, and in the overall administration of criminal justice.

The PPA currently has 1,048 personnel even though it is authorized to fill up to 1,447 positions. The table shows the distribution of personnel of the PPA nationwide.

¹⁷⁶ Based on the SWOT Analysis submitted by the Board of Pardons and Parole.

¹⁷⁷ Based on the PPA-DOJ 2009 Report, *supra* note 175.

TABLE 3.40: PAROLE AND PROBATION ADMINISTRATION
DISTRIBUTION OF PERSONNEL COMPLEMENT AS OF DECEMBER 2009¹⁷⁸

Station	Number of Personnel	
	Authorized	Filled-Up
CENTRAL OFFICE		
Office of the Administrator	36	28
Administrative Division	61	38
Case Management and Records Division	21	17
Community Services Division	19	19
Clinical Services Division	13	9
Financial and Management Division	29	19
Legal and Inspection Division	17	7
Training Division	17	13
Sub-total	213	150
REGIONAL OFFICES		
Region I	87	55
Region II	48	39
Region III	95	71
Region IV-A	163	104
Region IV-B	4	0
Region V	67	43
Region VI	92	66
Region VII	122	95
Region VIII	68	55
Region IX	52	36
Region X	70	56
Region XI	59	48
Region XII	40	31
NCR	187	132
CAR	42	34
CARAGA	38	33
Sub-total	1,234	898
GRAND TOTAL	1,447	1,048

Consultations with the PPA officials reveal that the number of personnel is still insufficient compared to the number of clients they serve. According to RD/OIC Manuel Co, their personnel are tasked to supervise clients who are on probation, parole, or granted conditional pardon. Their task does not end with supervision; they have to help with their clients' reintegration to the community. This is the reason why they promote the VPA Program. While the number of VPA has increased over the years, RD/OIC Co states that they plan to recruit more. In 2009, there are 10,065 VPAs nationwide who have served 9,877 clients. There is a need to strengthen and support this program.

¹⁷⁸ Data from the Case Management and Records Division of the Parole and Probation Administration.

**TABLE 3.41: PAROLE AND PROBATION ADMINISTRATION
STATUS REPORT ON THE VPA PROGRAM¹⁷⁹**

Region	VPA Appointed		Number of Clients Served
	Number	Percentage	
NCR	822	8.17	776
CAR	393	3.90	316
I	436	4.33	238
II	315	3.13	319
III	1,156	11.49	514
IV	1,631	16.20	1,399
V	255	2.53	338
VI	1,005	9.99	1,102
VII	983	9.77	738
VIII	571	5.67	329
IX	663	6.59	581
X	588	5.84	1,151
XI	394	3.91	867
XII	324	3.22	802
CARAGA	529	5.26	407
TOTAL	10,065	100	9,877

The table below summarizes the accomplishments of the PPA in the past year.

**TABLE 3.42: PAROLE AND PROBATION ADMINISTRATION
PERFORMANCE HIGHLIGHTS (2009)¹⁸⁰**

A. Probation Investigation		
National Disposition Rate		91.10% (Agency Target: 90%)
Carry-over from 2008	579	6.02%
Referral Received in 2009	9,045	93.98%
Total Cases Handled	9,624	100.00%
Total Completed/Submitted Cases	8,760	91.02%
1. Recommended for Grant	7,768	88.68%
2. Recommended for Denial	438	5.00%
3. Manifestations and Others	554	6.32%
Carry-over for 2010	857	8.9%
B. Pre-parole and Executive Clemency		
National Disposition Rate		93.16% (Agency Target: 90%)
Carry-over from 2008	67	5.88%
Referral Received in 2009	1,073	94.12%
Total Cases Handled	1,140	100.00%
Total Completed/Submitted Cases	1,062	93.16%
1. Recommended for Grant of Parole	715	67.32%
2. Recommended for Commutation of Sentence	283	26.65%

¹⁷⁹ *Id.*

¹⁸⁰ Data from Parole and Probation Administration.

3. Recommended for Conditional Pardon	23	2.17%
4. Recommended for Absolute Pardon	3	.28%
5. Recommended for Transfer/Others	38	3.58%
Carry-over for 2010	78	6.84%
C. Probation Supervision		
Total Supervision Cases Handled	34,050	100.00%
Carry-over (2008)	24,657	72.41%
Supervision Cases Received in 2009	9,393	27.59%
Total Supervision Dropped Cases	6,716	19.72%
Successful Completion of Probation	4,324	
Revoked	316	
Transferred	514	
Others	1,562	
Sustained Recommendation Rate		99.98%
Carry-over Supervision for 2010	27,334	80.28%
D. Parole/Pardon Supervision		
Total Supervision Cases Handled	18,164	
Carry-over from 2008	12,509	
Referrals Received in 2009	5,655	
Parole Supervision Cases	17,108	94.19%
Carry-over (2008)	11,735	
Referrals Received (2009)	5,373	
Conditional Pardon Supervision:	1,056	5.81%
Carry-over (2008)	774	
Referrals Received (2009)	282	
Parole/Pardon Supervision Cases Dropped	1,475	8.12%
Granted Final Release and Discharged	1,092	
Arrested and Recommitted	143	
Died/Dropped for Cause	240	
Carry-over Supervision for 2010	16,689	91.88%

RD/OIC Co said that the PPA needs support for its programs (Therapeutic Community, Restorative Justice, and Volunteer Probation Aide) for the rehabilitation of the administration's clients. He further stated that the government should consider the amount that it will save if offenders are rehabilitated and reintegrated into society properly.

The PPA also attempts to change public perception toward their clients. The administration admits that they are confronted by intense criticism from the public. They are considered as being "soft on crimes" because they pursue programs for offenders. This consequently results in the difficulty that they encounter in rallying public and political support for their programs.¹⁸¹ As RD/OIC Co has aptly phrased during the Validation Workshop: What is the true philosophy behind managing offenders: is it punitive, or restorative? The challenge is the creation of a corrections academy, which will truly train correction personnel into having a holistic knowledge of the corrections system in the Philippines.

¹⁸¹ Based on the SWOT Analysis submitted by the Parole and Probation Administration.

2. Goals, Strategies, and Plans

The enforcement of the rule of law and the effective and efficient delivery of public service are needed to stimulate the country's economic growth. The corrections pillar helps in the achievement of this goal by reducing crime incidence through the rehabilitation of offenders.

Towards this end, the agencies in the corrections pillar seek to adopt the following strategies:

- a) Passage of Executive Order: BUCOR Modernization Act;
- b) Other legislative agenda of the BJMP;
- c) Maximization of land assets' value for inmates' reformation;
- d) Secure, safe, and restorative management of district, city and municipal jails;
- e) Jail decongestion of national jails and local jails;
- f) Enhancement of personnel capability; and
- g) Rehabilitation programs for the offenders/inmates.

Specifically, the agencies commit to do the following activities:

For the BUCOR, the Bureau will lobby for the approval of the BUCOR Modernization Act. The BJMP, on the other hand, will file and re-file the following legislative bills: Jail System Comprehensive Development Bill; Jail Integration Bill; Amendment to Law on Recognizance; Subsidiary Imprisonment Bill; Good Conduct Time Allowance Bill; Election Mechanism Bill (for inmates); and Local Absentee Voting Bill (for inmates).

To maximize the land assets of the BUCOR, it will review all Proclamations and Decrees regarding BUCOR Prison Lands (including but not limited to those Deeds of Donation awarded to different government agencies, e.g., NHA, LGU, etc.) and thereafter engage in land titling activities.

To secure a safe and restorative management of district, city and municipal jails, the following activities will be adopted: jail management services, which include security and safekeeping of inmates and welfare and development services for inmates; acquisition, retention and development of human resources; innovations and good practice management; and improvement of logistics support.

The security and safekeeping of inmates will be ensured by the creation of STAR teams, the activation of Task Force Balik-Piitan, the BJMP's take-over of PNP-manned jails, the BJMP's take-over of provincial jails, the de-radicalization program. The welfare and development services for inmates will likewise be improved by the improvement of food service, IWD programs on livelihood, skills training, education, sports and recreation, medical/dental and spiritual services, the creation of Human Rights Desks in all regions, and by pursuing region-specific Therapeutic Community Modality programs and models.

The agencies also plan to strengthen and develop their human resources to equip themselves with the necessary skills to ensure the effective and efficient delivery of public service. Position-specific competency standards in addition to the Qualification Standards to support recruitment, promotion and talent development of Human Resource will be developed. Furthermore, certain positions will be created. The BJMP, for instance, will also re-assess and revitalize content and delivery strategies for the Bureau's mandatory and specialized training programs. Concept papers

and pilot programs for unit-level performance evaluation system will also be developed. Retirement and separation benefit system will likewise be improved. The BJMP also plans to come up with a strategy on Personnel Welfare and Grievance Management. The PPA will prepare the training profile of personnel and Volunteer Probation Aides (VPAs) and will involve VPAs in their Programs.

A national database program for inmates in the regional, district, city, and municipal jail levels will also be implemented. An annual Research and Development Agenda involving policy, systems development, and operational concerns will be conducted. The Manual on BJMP Standards (Protocol, Operations, Logistics, Comptrollership and others) will be published. Certain programs, like the “I-Dial kay Dial” of the BJMP, will be continued. Networking with identified IT schools and other government agencies and private organizations will be enhanced. Virtual training (e-wardenship course, e-penology review), e-marketing of inmates livelihood products, and fingerprint scanning and ID system (biometrics) will also be pursued.

To ease jail congestion, the plans of the Bureaus, specifically the BUCOR and the BJMP, include the acquisition, construction and maintenance of jail infrastructures; acquisition of modern security equipment, communication equipment and facilities; and establishment of medical infirmaries in jails. The Decongestion Program and Paralegal Services will be continued. *Carpetas* will be regularly transmitted to the Board of Pardons and Parole including the recommendation for release of inmates who are 70 years old and older. The color-coding system of *carpetas* for monitoring of releases and eligibility for parole and executive clemency will be adopted. The agencies/bureaus also intend to enter into a Memorandum of Agreement (MOA) with each other to support the decongestion programs. On the part of the BPP, it seeks the amendment of the Rules on Parole and Executive Clemency as amended by Board Resolution No. 24-4-10, dated April 13, 2010, giving a chance to inmates previously disqualified to avail of review of their petition for executive clemency upon serving at least 18 years of their sentence.

The agencies/bureaus also plan to build up their image to the public by utilizing media; establishing linkages with media practitioners; continuing publication of national and regional newsletters; establishing information data bank and regional public information units; networking and partnership with GOs and NGOs; and reporting of agency programs and accomplishments in the worldwide web.

The PPA also plans to benchmark its “Best Practices in Rehabilitation and Training Technologies” across regions.

These programs and plans, however, would need funding and support from the government. The agencies/bureaus plan to lobby for additional financial support from the DBM and legislators. They also intend to tap funds from outside sources. Given their budget appropriation, they need to rationalize financial resources through prioritization, systematic distribution of funds, and responsible budget execution.

The agencies/bureaus also see the need to develop their respective information technology capability. To do this, they have to enhance and develop their respective websites. Likewise, they must link the central office with the regional and field offices. They must also take advantage of the available technology by promoting the use of e-mail and online conferencing.

Rehabilitation of offenders/inmates is the primary function of the corrections pillar. The BUCOR intends to continue with its rehabilitation programs which include the Behavioral

Modification Programs, Work and Livelihood Programs; Moral and Spiritual Programs, Education and Rehabilitation of Inmates, Sports and Recreation Programs, and Health and Welfare Programs. The PPA intends to pursue its programs on Therapeutic Community Modality Program, Restorative Justice and VPA. The BJMP will also focus on their rehabilitation programs which, among others, include an after-care program.

E. Community Pillar

The administration of the criminal justice system is not the exclusive responsibility of the police, prosecutors, judges and corrections personnel. Without the active participation of the members of the community, the processes of the criminal justice system cannot work. The police rely on the citizens to report crimes and to assist them in the conduct of investigations. The prosecution and the judges depend upon citizens as witnesses in the prosecution of the offender. The corrections pillar also needs their support in their respective community-based corrections programs.¹⁸² The institutional agencies under the community pillar include the Department of Social Welfare and Development, the Department of the Interior and Local Government, the Commission on Human Rights, and the National Commission on Indigenous Peoples.

1. Assessment and Challenges

Department of Social Welfare and Development

The Department of Social Welfare and Development aims to provide social protection and the promotion of the rights and welfare of the poor, vulnerable and disadvantaged individuals, families and communities, that will contribute to poverty alleviation and empowerment through social welfare and development policies, programs, projects and services implemented with or through local government units, non-governmental organizations, people's organizations, government organizations and other members of civil society.¹⁸³ One of the goals of the department is to provide preventive, protective, and rehabilitative and developmental programs and services.¹⁸⁴

The services rendered by the DSWD may be grouped into four: center-based services; community-based services; residential care services; and social welfare and development technologies.

Center-based services are services rendered in facilities referred to as "centers" on a daily basis or during part of the day. Clients of these facilities have families to return to after treatment or after undergoing developmental activities. These facilities may also accommodate clients who need to undergo thorough assessment and diagnosis for a maximum of three weeks.¹⁸⁵

Community-based services are preventive, rehabilitative and developmental programs and initiatives that mobilize/utilize the family and community to respond to a problem, need, issue or

¹⁸² R. Zuño, *Community Involvement in the Prosecution of Crimes*, 54 <http://www.unafei.or.jp/english/pdf/philippines_pdf/topic2.pdf> (last accessed Dec. 5, 2010), citing Puno, *Contemporary Problems in the Administration of the Criminal Justice*, CJ Journal, 1982, vol. 2.

¹⁸³ Annual Report for 2009 of the Department of Social Welfare and Development.

¹⁸⁴ *Id.*

¹⁸⁵ Department of Social Welfare and Development Official Website <<http://www.dswd.gov.ph>> (last accessed on Nov. 13, 2010)

concern of children, youth, women, persons with disabilities, older persons and families who are in need and at-risk.¹⁸⁶

Residential care services include centers and facilities that provide 24-hour alternative family care to poor vulnerable and disadvantaged individuals and families in crisis whose need cannot be met by their families and relatives or by any other form of alternative family care for a period of time.¹⁸⁷

Under Social Welfare and Development Technologies, the DSWD continues to implement pilot projects which will be marketed to local government units that need the projects.¹⁸⁸

The table below shows the number of clients served by the DSWD under community and center-based services:

**TABLE 3.43: DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT
TOTAL NUMBER OF CLIENTS SERVED IN DSWD COMMUNITY AND CENTER-BASED CY 2009¹⁸⁹**

Region	Children	Youth	Women	Persons with Disabilities	Senior Citizens	Other Needy Adults	Families ^a
Total	43,898	6,479	15,441	2,259	7,970	8,337	1,853,989
NCR	10,555	45	1,205	1,276	4,311	1,681	236,720
CAR	1,044	0	247	9	37	60	73,931
I	2,375	381	281	108	55	13	393,648
II	1,207	108	473	21	67	27	150,359
III	4,371	72	469	4	52	1	185,773
IV-A	5,337	192	27	61	537	0	328,975
IV-B	5,496	217	156	12	166	123	20,582
V	886	29	226	3	252	64	138,567
VI	1,988	47	3,473	0	0	4,149	7,971
VII	3,641	592	546	548	991	0	8,722
VIII	704	54	242	4	34	119	23,870
IX	2,063	4,449	1,475	110	309	1,986	13,172
X	1,511	38	1,645	0	266	0	22,180
XI	1,727	90	4,908	4	800	107	20,847
XII	711	111	46	97	51	0	102,197
CARAGA	282	54	22	2	42	7	57,741
ARMM							68,734

^a Note: KALAHi-CIDSS beneficiaries are not yet included in the consolidation.

The DSWD has also recorded the number of child abuse cases shown in the following table:

¹⁸⁶ *Id.*

¹⁸⁷ *Id.*

¹⁸⁸ *Id.*

¹⁸⁹ *Id.*

**TABLE 3.44: DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT
NUMBER OF CHILD ABUSE CASES SERVED, BY TYPE OF ABUSE, BY SEX, BY AGE (CY 2009, PRELIMINARY REPORT)¹⁹⁰**

	Number of Child Abuse Cases	Sexually Abused		Sexually Exploited		Physically Abused		Victims of Child Labor		Victims of Illegal Recruitment		Victims of Illegal Trafficking		Victims of Armed Conflict		Others	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Age group	6,524	31	1,898	23	107	291	296	28	55	0	7	23	198	8	16	14	26
0 to below 1	550	0	19	0	1	4	3	0	0	0	0	8	9	0	0	3	0
1 to below 5	1,061	0	65	0	3	33	21	0	0	0	0	5	2	0	0	2	5
5 to below 10	1,417	12	305	5	11	79	73	1	4	0	0	0	4	3	2	1	8
10 to below 14	1,585	7	627	12	25	114	107	10	24	0	1	2	9	2	5	5	2
14 to below 18	1,862	12	882	6	67	61	85	17	27	0	6	1	170	3	9	3	10
No age bracket	49	0	0	0	0	0	7	0	0	0	0	7	4	0	0	0	1

In 2009, the DSWD served 2,959 children in conflict with the law (CICL) as shown in the table below:

**TABLE 3.45: DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT
NUMBER OF CICL SERVED, BY PROGRAM, BY AGE (CY 2009)¹⁹¹**

	Total Number of CICL Served	Community-based Program	Center-based Services
Age Group	2,959	1,901	1,058
9 to below 10	8	0	8
10 to below 14	36	0	36
14 to below 18	569	0	569
No age bracket	2,346	1,901	445

The DSWD also served Women in Especially Difficult Circumstances (WEDC). In 2009, they served a total of 14,040 cases of WEDC.

¹⁹⁰ Data from the Policy Development and Planning Bureau, Department of Social Welfare and Development.

¹⁹¹ Data from the Department of Social Welfare and Development.

**TABLE 3.46: DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT
NUMBER OF WEDCs SERVED BY REGION (CY 2009)¹⁹²**

Region	Total WEDC Served
NCR	475
CAR	241
I	281
II	472
III	445
IV-A	27
IV-B	156
V	226
VI	3,473
VII	546
VIII	242
IX	839
X	1,645
XI	4,908
XII	42
CARAGA	22
TOTAL	14,040

Some of the major problems encountered by the DSWD in implementing their programs and services include the inadequacy of budget appropriation, lack of training of personnel, and non-monitoring of some plans and programs.¹⁹³

Director Gemma Gabuya of the Social Technology Bureau also noted that the DSWD cannot extend legal services to their clients. This is because its legal department is for administrative purposes only. Their lawyers do not represent clients. The Department has a Memorandum of Agreement with the Child Justice League but this is utilized for high profile cases only. She suggested that there should be a pool of lawyers appointed to the DSWD who will render legal services to their clients.¹⁹⁴

Director Gabuya also said that the DILG should orient the barangay officials on the circulars and guidelines they issue. She observed that the DILG does not always provide the LGU or the barangay with the necessary technical skills needed to implement their programs, such as the BCPC (Barangay Council for the Protection of Children).¹⁹⁵

Department of the Interior and Local Government

The Department of the Interior and Local Government is mandated under the law to promote peace and order, ensure public safety, and further strengthen local government capability towards the

¹⁹² *Id.*

¹⁹³ Based on the Consultation Meeting with Ms. Alma Infante, Policy Development and Planning Bureau, Department of Social Welfare and Development, on Sept. 8, 2010.

¹⁹⁴ Based on the Consultation Meeting with Director Gemma Gabuya, Social Technology Bureau of the Department of Social Welfare and Development, on Oct. 15, 2010.

¹⁹⁵ *Id.*

effective delivery of basic services to the citizenry.¹⁹⁶ The DILG–Local Government Sector (DILG-LGS), as part of the community pillar, plays an essential part in the development of the Criminal Justice System. One of its goals is to improve the performance of local governments in governance, administration, social and economic development which contributes to providing access to justice by the poor, especially women and children.¹⁹⁷

Specifically, the DILG develops advocacy materials on laws concerning women (RA No. 9262 or the VAWC Law) and children (Juvenile Justice and Welfare Act). It likewise issues guidelines on how local governments can draft local legislation compatible with such laws. The DILG also monitors compliance of the LGUs, especially with respect to the establishment of LCPCs and compliance with JJWA.

Because of the devolution of functions of the national government to the local governments, the task of monitoring compliance by the latter falls on the DILG field personnel. Thus, the DILG faces the problem of orienting, training, and reproducing advocacy materials for these personnel and barangay officials. Furthermore, the DILG admits that it does not have sufficient funds to validate reports/data submitted to it by their field officers. They are forced to rely on the data given to them. Thus, evaluation and assessment of the program’s impact becomes difficult.¹⁹⁸

The DILG plans to continue monitoring the LGUs’ compliance with RA No. 9344 and the LCPC. It will also validate the reports on the functionality of LCPC. It also plans to document good/best practices of LCPCs. In line with the Magna Carta for Women,¹⁹⁹ the DILG intends to establish VAW Desks as mandated by law. It will also endeavor to establish baseline data. It will also continue monitoring reports on VAWC cases.

The following table will show LGU compliance with RA No. 9344.

TABLE 3:47: SUMMARY OF LGU COMPLIANCE WITH SECTIONS 15, 16 AND 49 OF RA No. 9344 PER REPORT SUBMITTED BY THE REGIONS AS OF JUNE 16, 2010²⁰⁰

REGIONS	WITH IRA ALLOCATION (Sec. 15)						WITH LICENSED LSWDO (Sec. 16)				WITH YOUTH HOMES (Sec. 49)				NGO
	CITY		MUNICIPAL		BARANGAY		PROV.	CITY	MUN.	BRGY.	PROV.	CITY	MUN.	BRGY.	
	1%	More than 1%	1%	More than 1%	1%	More than 1%									
I	1	1	13	9	779	218	2	2	32		0	0			
II	2	0	28	10	474	151	1	3	61		0	1			
III	3	2	34	7	0		1	5	55	0	0	0	1	0	1
IV-A	2	0	38	15	1,040	193	2	3	78	53	1	3	12	0	4
IV-B		0	3	3	3		2	0	25	0	0	0	2	0	

¹⁹⁶ Republic Act No. 6975 (1990).

¹⁹⁷ Based on the presentation of Assistant Director Frank Cruz during the Validation Workshop on Oct. 28, 2010.

¹⁹⁸ Based on the SWOT Analysis submitted by the DILG-NBOO.

¹⁹⁹ An Act Providing for the Magna Carta of Women (The Magna Carta of Women), Republic Act No. 9710 (2009).

²⁰⁰ Data from the National Barangay Office Operations of the Department of the Interior and Local Government.

V	0	0	4	5	3	48	0	0	8	0	0	0	0	0		
VI	8	3	44	27	915	299	6	13	63	200	2	8	5	0	2	
VII	3	5	49	26	955	365	4	11	76	30	0	6	2		1	
VIII	3	1	28	24	888	349	5	2	38	0	0	2	1			
IX	1		15	1	397	3	0		10	1	0	0	0			
X	3	2	31	17	856	24	0	6	52	16	0	0	3			
XI	2		19	2	382	16	2	51	24	0	0	3	3			
XII	2		5		176	38	1	2	10	4	0	2	0			
XIII	1	0	7	3	21	26	2	2	46	2	0	0	0		2	
NCR	7	1			967			21		2	0	8	0			
CAR	0	1	28	11			6	1	38	0	0	1	0			
ARMM							NO REPORT									
TOTAL	38	16	346	160	7,856	1,730	34	122	616	308	3	34	29	2	8	

TABLE 3.48: NATIONAL SUMMARY OF LGU COMPLIANCE WITH SECTIONS 15, 16 AND 49 OF RA No. 9344 PER REPORT SUBMITTED BY THE REGIONS AS OF JULY 13, 2010²⁰¹

REGIONS	WITH IRA ALLOCATION (Sec. 15)						WITH LICENSED LSWDO (Sec. 16)				WITH YOUTH HOMES (Sec. 49)				NGO	
	CITY		MUNICIPAL		BARANGAY		PROV.	CITY	MUN.	BRGY.	PROV.	CITY	MUN.	BRGY.		
	1%	More than 1%	1%	More than 1%	1%	More than 1%										
I	3	3	24	32	957	319	2	6	62			2	1		2	
II	2		28	10	474	151	1	3	61			1	2			
III	3	1	34	7			1	5	55				1		1	
IV-A	2		38	15	1,040	193	2	3	78	53	1	3	12		4	
IV-B			3	3	3		2		25				2	2		
V			4	5	3	48			8							
VI	8	3	44	27	915	299	6	13	63	200	2	8	5		2	
VII	3	5	49	26	955	365	4	11	76	30		6	2		1	
VIII	3	1	28	24	888	349	5	2	38			2	1			
IX	1		15	1	397	3			10	1						
X	3	2	31	17	856	24		6	52	16			3			
XI	2		19	2	382	16	2	51	24			3	3			
XII	2	0	5		176	38	1	2	10	4		2			1	
XIII	1	0	7	3	21	26	2	2	46	2						
NCR	7	1			967		NA	21		2	NA	8			2	
CAR		1	28	11			6	1	38			1				
ARMM							NO REPORT									
TOTAL	40	17	357	183	8,034	1,831	34	126	646	308	3	36	32	2	13	

The National Barangay Operations Office (NBOO), however, reports that while all levels of the LGUs have LCPCs, not all are functional. Furthermore, not all members of the *lupon pambarangay* are knowledgeable in recognizing and handling VAWC cases and cases involving CICTL.²⁰²

²⁰¹ Data from the National Barangay Operations Office of the Department of the Interior and Local Government.

²⁰² Based on the SWOT Analysis submitted by the DILG-NBOO.

The NBOO likewise admits that while they issue manuals to guide the barangays on how to draft child-friendly and gender-sensitive local legislation, they are hindered by the lack of funds for the reproduction of these manuals. Moreover, the office admits that they are still trying to determine the baseline data which the office can later on use as standard for compliance.²⁰³

Commission on Human Rights²⁰⁴

Under the Constitution, the Commission on Human Rights has the following powers and functions, among others:

- (1) investigate, on its own or on complaint by private party, all forms of human rights violations involving civil and political rights;
- (2) provide appropriate legal measures for the protection of human rights of all human beings within the Philippines, and to provide for preventive measures and legal aid services to the underprivileged whose human rights have been violated or who need protection;
- (3) exercise visitorial powers over jails, persons, or detention facilities;
- (4) recommend to Congress effective measures to promote human rights and to provide for compensation to victims;
- (5) monitor the Philippine government's compliance with its treaty obligations on human rights; and
- (6) request assistance of any department, bureau, office, or agency in the performance of its functions.²⁰⁵

To achieve its mandate, the CHR has four programs: (1) human rights protection program; (2) human rights promotion program; (3) human rights linkages development and strategic planning; and (4) special projects on human rights.

On human rights protection, the CHR renders investigation and forensic services; legal services, which include legal aid and counselling, conciliation and mediation; human rights assistance; and visitorial services.

Its human rights promotion program includes education and training; human rights information and public advocacy; human rights research and development; compliance monitoring of international human rights standards in governance; and web services.

For human rights linkages development and strategic planning, the CHR has promoted rights-based planning in governance; human rights performance system in governance; harnessing competence in government and non-state actors for good human rights practices; executive cooperation program; and legislative and judicial cooperation program.

The special programs of the CHR includes: rights-based approach application; Barangay Human Rights Action Center; Human Rights Teaching Exemplars; Child Rights Center; and Women's Rights Program Center; and Asia-Pacific Institute of Human Rights.

²⁰³ Interview with Dr. Reinalda Raffinan, Ms. Amie Pombuena and Assistant Director Frank Cruz of the NBOO, at the NBOO, Quezon City (Sept. 22, 2010).

²⁰⁴ Information <<http://www.chr.gov.ph>> (last accessed on Nov. 13, 2010).

²⁰⁵ PHILIPPINE CONSTITUTION, Art. XIII, § 18.

As of 2009, the CHR has recorded a decrease in the incidence of human rights violations as shown in the table below.

**TABLE 3.49: COMMISSION ON HUMAN RIGHTS
INCIDENCE OF ALLEGED HUMAN RIGHTS VIOLATIONS BY REGION (2004-2009)²⁰⁶**

REGION	2004	2005	2006	2007	2008	2009 ^a
Philippines	1,120	1,333	1,159	886	800	324
NCR	146	146	163	96	138	55
CAR	12	7	5	5	8	4
I Ilocos Region	12	24	8	7	15	–
II Cagayan Valley	26	32	43	69	38	14
III Central Luzon	63	103	133	55	46	5
IV Southern Tagalog	97	112	70	71	40	11
V Bicol Region	34	60	68	44	40	22
VI Western Visayas	69	119	123	136	78	46
VII Central Visayas	56	95	52	52	52	14
VIII Eastern Visayas	81	85	102	107	56	21
IX Western Mindanao	90	95	99	93	96	37
X Northern Mindanao	32	21	21	18	20	4
XI Southern Mindanao	287	302	187	77	136	36
XII Central Mindanao	53	99	51	38	8	30
XIII CARAGA	62	33	34	18	29	25
Child Rights Center (CRC)	–	–	–	–	–	–

^a Data as of July 2009.

Note: The Child Rights Center is a special unit under the CHR mandated to protect and promote children's rights. Data refer to the number of human rights violations against children.

Source: Commission on Human Rights

To make it more accessible to the public, the CHR maintains a hotline where the public can call-in their complaints.²⁰⁷ It also maintains a website where the public can send their feedback on the services rendered. Noticeably, however, the CHR website is not updated.

Furthermore, with the implementation of the National Monitoring Mechanism (NMM) for human rights, the CHR is expected "to devote as much of its energies as it can allocate, especially in the continuing challenge to overcome crimes of impunity, future ones and more importantly, in finding resolution of all the past crimes of extralegal killings, enforced disappearances, and torture incidents."²⁰⁸ However, it must be noted that the Commission's power is merely investigative; it has no prosecutorial power.²⁰⁹ In addition, it may not issue writs of injunction or restraining orders against supposed violators of human rights to compel them to cease and desist from continuing the acts complained of.²¹⁰

²⁰⁶ NSCB, 2010 YEARBOOK, *supra* note 26, at 17-10.

²⁰⁷ The hotline of the CHR is 377-2477.

²⁰⁸ Speech delivered by Chairperson Leila M. De Lima *On the Occasion of the Human Rights National Monitoring Mechanism (NMM) Public Forum* on June 10, 2010.

²⁰⁹ FR. JOAQUIN BERNAS, S.J., *THE 1987 PHILIPPINE CONSTITUTION: A REVIEWER-PRIMER* 550 (2002).

²¹⁰ *Cariño v. Commission on Human Rights*, GR No. 96681, Dec. 2, 1992.

For instance, after the incident at the Bataan Provincial Jail, the CHR issued a statement calling on the DILG and the BJMP to immediately conduct an in-depth investigation on the incident. This is because, based on its investigation, excessive force was used on the rioting prisoners. The CHR only called on the concerned agencies (the DILG, BJMP, DOJ, BUCOR, PNP, and the DSWD) and the local governments to review “policies, systems and processes, and align them to internationally accepted minimum standards of treatment of prisoners.”²¹¹

National Commission on Indigenous Peoples²¹²

The National Commission on Indigenous Peoples is the primary government agency that formulates and implements policies, plans and programs for the recognition, promotion and protection of the rights and well-being of Indigenous Peoples (IPs), and the recognition of their ancestral domains and their rights to those domains. The mandate of the organization is to protect and promote the interest and well-being of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) with due regard to their beliefs, customs, traditions, and institutions.

The NCIP was created in 1997 under RA No. 8371. It was at first an attached agency of the Department of Land Reform (renamed Department of Agrarian Reform); however, EO No. 726 (2008), placed the NCIP under the Department of Environment and Natural Resources.

The NCIP works to achieve technically sound and authentic titles, sustainable and culture-sensitive plans, responsive and culture-sensitive programs and projects, feasible and mission-driven regulations, and expeditious and fair legal services. Whenever possible, it promotes IP consultative mechanisms and bodies at the provincial, regional, and national level.

The NCIP has three major programs:

- *Land Tenure Security*, covering cultural mapping of all IP communities, survey and delineation of ancestral domains, and issuance of CADT/CALT;
- *Establishing Model IP Communities through Development and Peace*, which includes the development of ancestral domains through the Ancestral Domain Sustainable Development Protection Plan (ADSDPP); development of people and communities through delivery of basic services, especially livelihood support, educational assistance, health care, shelter and quick response to address critical situations; and the protection and enhancement of the cultural heritage of Indigenous Peoples; and,
- *Enforcement and Enhancement of the Human Rights of IPs*, referring to adjudication of conflicts through customary laws and tradition and NCIP adjudicatory processes, procedures for the free and prior informed consent of IPs where needed, and legal assistance.

For 2009, the NCIP sought to achieve social justice and human development towards poverty alleviation. It aimed to empower ICCs/IPs by recognizing their rights and protecting and promoting their welfare. The major output of the NCIP, pertinent to the Criminal Justice System, involves the adjudication and rendering of legal services. The following table shows the achievement of the NCIP with respect to this matter.

²¹¹ Statement issued by the CHR on Oct. 29, 2010.

²¹² Organization Performance Indicator Framework – NCIP <<http://www.dbm.gov.ph/opif2009/denr-ncip.pdf>> (last accessed on Nov. 12, 2010).

**TABLE 3.50: NATIONAL COMMISSION ON INDIGENOUS PEOPLES
ADJUDICATION AND LEGAL SERVICES**

	2007	2008	2009
Legal services provided:			
– ICCs/IPs advised/assisted (non-litigious)	490	600	600
– Cases accepted, filed, or defended (before regular courts, RHOs and other quasi-judicial bodies)	60	90	120
– Investigations conducted	50	70	90
Quasi-judicial services rendered:			
– judgments rendered by the RHO (E & O jurisdiction)	15	85	50
– judgments rendered by the CEB10 (appellate jurisdiction)	15	8	10
National law and customary law interface:			
– customary law documentation supported			
– customary law documentation training conducted	5 (docs.)	1	2 (docs.)

2. Goals, Strategies, and Plans

The primary goal of the community pillar is to provide an enabling environment for the private sector by enforcing the rule of law and ensuring effective and efficient delivery of public service.

In order to achieve said goal, the agencies in the corrections pillar seek to adopt the following strategies: legislative agenda; enhance assistance and protection of the poor from human rights abuse; make more lawyers available for free legal counsel/services to the poor to augment PAO; require Barangay Human Rights Action Centers (BHRAC) in all barangays; create child-friendly LGUs; make barangays gender-sensitive; and enforce the provisions of RA No. 9344.

The Commission on Human Rights plans to draft the legislative agenda on human rights for Congress. Effectiveness would be determined by the number of laws on human rights enacted. The CHR will also continue coordinating with NGOs on drafting of bills, in effect establishing a partnership between LGUs and NGOs in the community on Criminal Justice System issues.

Concerning the issue of human trafficking, the CHR hopes to finalize the Memorandum of Agreement with the Government of South Korea as part of its implementation of RA No. 9028 (Anti-Trafficking in Persons).

To protect the poor from human rights abuses, the CHR will push for the creation of the CHR Charter. This would give the CHR such powers, as injunction.

The community pillar also intends to continue with its program of extension of legal services/assistance to their clients. The NCIP will strengthen its legal services to IPs. The CHR, for its part, plans to strengthen its Legal and Investigation Office. This will ensure that more lawyers will be made available to their clients, improving access to the justice system.

At the barangay level, each agency has its own plans for the creation of human rights bodies. The NBOO, together with the CHR, will continue establishing Barangay Human Rights Action Centers by making it mandatory on all barangays. The NCIP, on the other hand, desires to have members of

Mediation and Conciliation boards to be selected from the validated list of Council of Elders. In the case of ICCs/IPs, the elders have the expertise of the customary practices and laws which make them better-suited to sit as members of such boards. In order to accommodate this program, the NCIP would have to include in its strategy the training of elders in mediation and conciliation proceedings, as well as the amendment of the NCIP rules of procedures for cases filed before the NCIP regional head office.

The DILG will promote the creation of child-friendly LGUs. Specifically, the NBOO will focus on: (1) monitoring the functionality of the Local Councils for the Protection of Children (LCPC) and (2) determining LGU Compliance to the Provisions of RA No. 9344 – “Juvenile Justice and Welfare Act of 2006.” It will then validate the results for determining functionality of the LCPC.

In monitoring compliance with RA No. 9344, the following factors will be taken into consideration: (1) allocation of 1 percent IRA for the strengthening and implementation of programs and projects of the LCPC; (2) appointment of licensed local Social Welfare and Development Officers; and (3) establishment of youth homes for Children in Conflict with the Law (CICL).

The NBOO will also pursue a program of advocacy and will provide assistance to the LGUs in policy-formulation in line with child-friendly LGU programs. Advocacy activities include the development of materials, such as handbooks on national laws on child protection, child-friendly legislation, and good practices in child-friendly local governance. The NBOO will also advocate the observance of child-friendly events, such as: National Awareness Week for the Prevention of Child Sexual Abuse, National Children’s Month, Girl Child Week, Nutrition Month, and other such events.

To implement RA No. 9344, the NBOO has tasked itself to advocate the immediate passage of local ordinances by the LGUs. The NCIP commits to empower field officers to handle cases involving children, and the documentation of cases concerning indigenous children involved in armed conflict (CIAC). The DSWD plans to establish transition homes for CICLs, Regional Rehabilitation Centers (RRCY), National Training School for Boys and National Training School for Girls (Marillac Hills), all designed to enable CICL to improve their social functioning. Other activities to be pursued are: residential care services for children and youth, child-friendly investigation studios and half-way home for CICL.

The creation of gender-sensitive barangays is also among the plans of the DILG. In addition to its advocacy programs, the NBOO will provide technical assistance to the LGUs and will particularly monitor LGU compliance on the implementation of RA No. 9262 or the Anti-Violence against Women and Children Act.

Advocacy for gender sensitivity will include the development of material such as the Guidebook on Gender-Responsive Barangays and the Primer on Magna Carta of Women. Participation in the yearly observance of Women’s Month will be encouraged as well.

Technical assistance will come in the form of gender and development seminars and workshops, as well as assistance in the assessment on the Search for Outstanding Rural Women. VAW Desks will also be established in each barangay.

MATRIX 2: MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM 2010-2016

RESULTS EVALUATION AND MONITORING MATRIX

A. Law Enforcement Pillar

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
Provide a crime-free and safe environment for private sector investment by enforcing the rule of law and ensuring the effective and efficient delivery of public service.	Strengthen organizational capacity.	<ul style="list-style-type: none"> • Revisit and amend law <ul style="list-style-type: none"> – PNP Modernization and Reorganization Plan and Firearms Bill (HB No. 12; 16 and 2898; SB No. 129 and 13) 	Congress PNP	Committee Hearings (as required)
		<ul style="list-style-type: none"> – National Bureau of Investigation (NBI) Charter (through NBI Modernization and Reorganization Bill) • Abolition or merging of divisions identified as redundant, overlapping, and with duplicating functions. • Creation of new divisions. • Establishment of congressional district offices with complete laboratory and technical equipment. 	Congress NBI	
		<ul style="list-style-type: none"> – Republic Act No. 9165 (Philippine Drug Enforcement Agency [PDEA]) 	Congress PDEA	<ul style="list-style-type: none"> • Proposals
		<ul style="list-style-type: none"> • Rationalize National Police Commission's (NAPOLCOM) organizational structure through the creation of provincial and district offices and other units in the Commission. 	NAPOLCOM	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> Rationalize PDEA's Organizational Structure and Staffing Pattern (OSSP) 	Congress PDEA	<ul style="list-style-type: none"> Revised PDEA OSSP
	Institutionalize adequate package of benefits and remuneration.	<ul style="list-style-type: none"> Design and establish a PNP Pension and Benefits System. Reengineer the Police Remuneration System. Rationalize the Special Promotion, Awards and Decoration System. 	PNP	<ul style="list-style-type: none"> Percentage of personnel provided with: <ul style="list-style-type: none"> Housing <ul style="list-style-type: none"> 2010 – 0.28% 2011 – 0.38% 2013 – 0.47% 2016 – 0.50% Quartering <ul style="list-style-type: none"> 2010 – 0.18% 2011 – 0.25% 2013 – 0.46% 2016 – 0.42% Education <ul style="list-style-type: none"> 2010 – 0.63% 2011 – 0.70% 2013 – 0.78% 2016 – 0.81% Healthcare <ul style="list-style-type: none"> 2010 – 0.87% 2011 – 0.94% 2013 – 1.01% 2016 – 1.05%
		<ul style="list-style-type: none"> Rationalize compensation package <ul style="list-style-type: none"> Provide a more attractive compensation package for agents and other personnel and provision of benefits and privileges such as free healthcare and insurance, and scholarships (through NBI Modernization and Reorganization Bill). 	Congress NBI	<ul style="list-style-type: none"> Passage of the NBI Modernization and Reorganization Bill.
		<ul style="list-style-type: none"> Passage of the Magna Carta of Benefits for PDEA personnel. 	Congress PDEA	
	Entice and recruit the most qualified applicants.	<ul style="list-style-type: none"> Develop Psychometric tools. 	PNP	<ul style="list-style-type: none"> Average rating of PNP applicants 2010 – 85%

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> Strengthen PNP Policy on Recruitment. 		2011 – 85.50% 2013 – 87% 2016 – 88%
	Maintain reservoir of highly capable and committed workforce to oversee and nurture a world class PNP.	<ul style="list-style-type: none"> Enhancing and nurturing human resource Professionalizing human resources. Developing and nurturing a culture of ethics, compliance and enforcement. 	NAPOLCOM	
	Ingrain PNP core values, train and develop a well-motivated and competent police force committed to serve and protect the people.	<ul style="list-style-type: none"> Conduct Training Needs Analysis (TNA) for Police Position and Ranks. Reengineer Police Education and Training System. Strengthen PNP Education and Training Curricula. Strengthen Police Discipline and Grievance System. 	PNP	<ul style="list-style-type: none"> Percentage of personnel who have completed the mandatory courses 2010 – 75% 2011 – 80% 2013 – 85% 2016 – 90% Percentage of personnel who have completed the competency/specialized courses 2010 – 10% 2011 – 16% 2013 – 32% 2016 – 93%
	A professionalized, highly capable, effective and credible police service.	Supervision and Control over the PNP <ul style="list-style-type: none"> Strengthening of inspection and management audit functions. Strengthening of monitoring functions Inculcating discipline to PNP personnel. Upgrading of police stations as community peace and development centers. 	NAPOLCOM	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> Strengthen administration of police benefits. Ensure the quality and professionalization of the police. Changing Profile of A City/Municipal Police Officer as Community Leader/Organizer. 		
	<p>Professionalization Program</p>	<ul style="list-style-type: none"> Enhancing Crime Scene Investigation Capabilities of the Medico-Legal Division. Towards the State-of-the-Art Disaster Victim Identification. Continuing education programs, trainings and seminars. 	<p>NBI</p>	
	<p>Develop competence in handling and prosecuting drug cases.</p>	<ul style="list-style-type: none"> Designation of special prosecutors to handle only drug cases. Deputation of PDEA lawyers to prosecute drug cases. Creation of special courts to handle drug cases. 	<p>PDEA, DOJ PDEA, SC</p>	<ul style="list-style-type: none"> Proposal to Department of Justice Proposal to the Supreme Court
	<p>Uphold and promote the principles of meritocracy and fitness in the PNP career ladder.</p>	<ul style="list-style-type: none"> Implement Police Career Development System. Reengineer Police Education and Training System. 	<p>PNP</p>	<ul style="list-style-type: none"> Percentage of personnel assigned to positions according to their competency and skills 2010 – 75% 2011 – 76% 2013 – 78% 2016 – 80% Grievance Ratio (number of grievances resolved 2010 – 1 grievance per 1,000 PNP personnel

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Sustain public information and dialogue with the stakeholders.	<ul style="list-style-type: none"> • Enhance close coordination with local chief executives and other sectors of the society. • Implement Safer City Project • Implement LOI Payapa (Anti-Criminality Action Plan). 	PNP	2016 – 1 grievance per 1,000 PNP personnel <ul style="list-style-type: none"> • Percent of LGUs and LCEs with sustained initiatives for safer communities with the PNP {Implementation of Barangay Peacekeeping Operations (BPO) and/or Barangay Peacekeeping Action Teams (BPAT)} 2010 – 30% of the total barangay in each PRO 2011 – 40% 2013 – 55% 2016 – 70%; • Percentage of police stations with LGU-PNP Anti-Criminality Action Plan 2010 – 100% of the total number of police stations 2016 – 100% of the total number of police stations
		<ul style="list-style-type: none"> • Drafting a new Internal Security Operations (ISO) Campaign and Peace and Development Plan to include stakeholders 	Armed Forces of the Philippines	<ul style="list-style-type: none"> • New ISO Campaign and Peace and Development Plan by 2011
	Intensification of advocacy campaign.	<ul style="list-style-type: none"> • Force multiplier for the advocacy campaign, LGU assistance, inter-agency cooperation. 	NBI	<ul style="list-style-type: none"> • Online information, IECs, lectures, fora

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Partnership Building – Establishing harmonious relationships with various stakeholders.	<ul style="list-style-type: none"> • Promoting the positive organizational image of NAPOLCOM. • Establishing convergence with LCEs. • Supervision over the PLEB. • Sustaining coordinative networking and linkages with national, regional and international institutions and bodies. 	NAPOLCOM	
	Sustain partnership and collaboration with stakeholders and other pillars of the Criminal Justice System.	<ul style="list-style-type: none"> • Public Information Advocacy: <ul style="list-style-type: none"> – Stakeholders’ Forum – Transformation Caravan – Conduct of <i>Pulung-Pulong, Ugnayan</i>, Transformation Forum – Community Awareness Lectures on public safety, gender awareness, etc. 	PNP	<ul style="list-style-type: none"> • Participation of the CJS and other sectors on the programs and policies of the PNP <ul style="list-style-type: none"> 2010 – 100% of internal stakeholders and 20% external stakeholders 2011 – 100% of internal stakeholders and 30% external stakeholders 2013 – 100% of internal stakeholders and 40% external stakeholders 2016 – 100% of internal stakeholders and 50% external stakeholders
		<ul style="list-style-type: none"> • Strengthening of liaison and establishment of closer coordination with other law enforcement agencies and foreign counterparts. 	NBI	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> Continuation of Program on Prosecution, Law Enforcement and Community Coordinating Service (PROLECCS). 	NAPOLCOM	
	Information and Communications Technology – Institutionalized e-governance	<ul style="list-style-type: none"> Updating of Information Systems Strategic Plan (ISSP). 	NAPOLCOM	
	Attain financial and logistical adequacy consistent with law.	<ul style="list-style-type: none"> Enhance the implementation of PNP Revenue and Resource Mobilization Strategy (Conduct of Donors Forum, Project Sponsorship). 	PNP	<ul style="list-style-type: none"> Ratio of internally and externally sourced funding to be determined.
	Optimize utilization of financial and logistical resources to support administrative, operational and other priority programs of the PNP.	<ul style="list-style-type: none"> Reengineer PNP Planning and Budgeting System. Design/Implement PNP Results-Based Monitoring and Evaluation System (RBMES). Strengthen Program Review and Analysis (PRA), Annual General Inspection (AGI), and Leaders Q. Sustain the Implementation of Capability Enhancement Program. Implement Logistics Information Management System Implement Integrated Police Data Warehousing. 	PNP	<ul style="list-style-type: none"> Funds Utilization Efficiency Distribution Scheme: <ul style="list-style-type: none"> 15% (NHQ) – 85% (PROs/Field Units) 2010 – 100% 2011 – 100% 2013 – 100% 2016 – 100% Police Capability Index: <ul style="list-style-type: none"> – police stations owned and constructed <ul style="list-style-type: none"> 2010 – 44% 2011 – 46% 2013 – 49% 2016 – 51% – mobility <ul style="list-style-type: none"> 2010 – 70% 2011 – 74%

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Implement Integrated Ballistics Information System. • Automated Fingerprinting Information System. 		2013 – 77% 2016 – 88% – firearms 2010 – 45% 2011 – 47% 2013 – 50% 2016 – 52% – communication 2010 – 15% 2011 – 16% 2013 – 17% 2016 – 18% – investigative equipment 2010 – 50% 2011 – 53% 2013 – 55% 2016 – 58%
	Develop and improve facilities.	<ul style="list-style-type: none"> • Modernization of the NBI Forensic Chemistry Laboratory. • Procurement of state-of-the-art investigative or technical equipment. • Acquisition of service vehicles, mobile detention and laboratory vans, motorcycles, and ambulance with life-support system. • Acquisition of furniture and office equipment. • Expansion program through infrastructure projects, construction of modern buildings, and rehabilitation of various offices. • Continuous acquisition of state-of-the-art equipment to enhance operational capability. 	NBI	
		<ul style="list-style-type: none"> • Develop infrastructure, operational, intelligence and investigation equipage. 	PDEA	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Ensure transparency and accountability in all financial and logistical transactions.	<ul style="list-style-type: none"> • Enhance operations, plans and budget preparation. • Institutionalize Program Review Analysis (PRA). • Implement PNP Citizen’s Charter. • Strengthen PNP Bids and Awards Committee (BAC). • Implement Customized Procurement Manual (CPM). • Implement Procurement Management Information System (PPMIS). • Implement Integrity Development Program (IDP). • Pursue ISO Certification. 	PNP	<ul style="list-style-type: none"> • Percentage of required audits conducted 2010 – 100% 2011 – 100% 2013 – 100% 2016 – 100% • PNP Sincerity Index in Fighting Corruption 2010 – 69% 2011 – 75% 2013 – 80% 2016 – 85%
		<ul style="list-style-type: none"> • Close monitoring of drug cases both in the prosecution and court levels thru PDEA Project Court Watch 	PDEA	<ul style="list-style-type: none"> • Institutionalize PDEA Project Court Watch by 2011
	Adopt the best practices in community and rights-based policing supported by appropriate information and communications technology.	<ul style="list-style-type: none"> • Establishment of Complaint Referral Action Center (CRAC). 	PNP	<ul style="list-style-type: none"> • Operationalized CRAC in every police station and in newly constructed Model Police Station (100% functional 2011-2016)
		<ul style="list-style-type: none"> • Establish Model Police Stations. 	PNP	<ul style="list-style-type: none"> • Model Police Station compliant (Percentage of police station compliant with the standards of a Model Police Station) – human resource development component 2010 – 88.32% 2011 – 90.08% 2013 – 91.89% 2016 – 92.80%

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
				<ul style="list-style-type: none"> – process and system component 2010 – 5% of police stations have established PNP Quality Service Lane 2011 – 25% 2013 – 50% 2016 – 75% – facilities development component 2010 – 20% 2011 – 30% 2013 – 40% 2016 – 50% – citizen’s empowerment component 2010 – 85% of police stations have displayed the service standards and flow charts of PNP Citizens Charter 2011 – 95% 2013 – 100% 2016 – 100% maintained
		<ul style="list-style-type: none"> • Implement Policies and Police Operational Procedures on Human Rights 	PNP	<ul style="list-style-type: none"> • Ratio of human rights violations/cases filed in court against police personnel over police population (135,000) 2011 – 100:135,000 2013 – 75:135,000 2016 – 50:135,000

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Design and implement PNP CMIS Project. 	PNP	<ul style="list-style-type: none"> • Percentage of Police Stations linked to Crime Management Information System (CMIS) 2010 – 10% connectivity of police stations to CMIS 2016 – 40% connectivity of police stations to CMIS
	Development of systems and procedures	<ul style="list-style-type: none"> • Streamlining and rationalizing administrative and operating systems and procedures. 	NAPOLCOM	
		<ul style="list-style-type: none"> • Improvement and upgrading of the Bureau’s information and Communication Technology capabilities. • Procurement of an Automated Fingerprint Identification Systems (AFIS) database. • Enhancement of the clearance processing systems. • Computerization of records into a paperless database. • Online quick search of case status, monitoring and documents tracking. • Establishment of an Integrated Ballistics Identification System (IBIS); Dental Records Database; National Deoxyribonucleic Acid (DNA) Database • Installation of bar codes for incoming communications. 	NBI	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Photography/Photocopy section at GSD. • Establishment of NBI communication network. • Creation of a 201 database. • Launching of the Bureau-specific Code of Conduct. • Implementation of the NBI Citizen's Charter in compliance with the Anti-Red Tape Act. • Enhancement of the NBI Clearance processing system through the e-payment and e-renewal system. • Launching of the SIStem, a paperless case monitoring and tracking system. • Transformation of the Medico-Legal's Clinic into an emergency-capable unit to attend to local life-threatening situations and act as an on-call supplemental unit to the Emergency Response Team. 		
	Achieve excellence in performing the integrated "QUAD +" Operations.	<ul style="list-style-type: none"> • Implement Anti-Crime Strategy: <ul style="list-style-type: none"> – Quad Concept Operation – Barangay Peacekeeping Action Team (BPAT) – LOI Payapa – National Firearms Control Program 	PNP	<ul style="list-style-type: none"> • Crime Clearance Efficiency <ul style="list-style-type: none"> 2010 – 33.88% 2011 – 40.10% 2013 – 57.93% 2016 – 77.18%
		<ul style="list-style-type: none"> • Employ forensic science in crime investigation technology in the solution of crimes (i.e., programs that will use forensic science in crime investigation). 	PNP	<ul style="list-style-type: none"> • Crime Solution Efficiency (CSE) <ul style="list-style-type: none"> 2010 – 21.26% 2011 – 22.336% 2013 – 24.61% 2016 – 28.49%

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Implement Anti-Insurgency Strategy <ul style="list-style-type: none"> – LOI Maagap – LOI BRAVO – Mapagpalaya – BPAT 	PNP	<ul style="list-style-type: none"> • Percentage of Barangays with Barangay Peacekeeping Action Teams (BPATs) organized and mobilized <ul style="list-style-type: none"> 2010 – 40% of the total barangays nationwide 2016 – 60% of the total barangays nationwide
		<ul style="list-style-type: none"> • Implement Anti-Terrorism Strategy (Three-Tiered Defense System) 	PNP	<ul style="list-style-type: none"> • Percentage reduction of incidence of armed and non-armed insurgent activities (392 incidents as of November 30, 2010) <ul style="list-style-type: none"> 2011 – 10% 2011 – 15% 2016 – 20%
		<ul style="list-style-type: none"> • Reengineer Police Education and Training System • Apply for ISO Certification of all frontline services 	PNP	<ul style="list-style-type: none"> • ISO certification of frontline services and service providers <ul style="list-style-type: none"> 2010 – Issuance of ISO 9001:2008 certification (national office): <ol style="list-style-type: none"> 1. Motor vehicle clearance 2. Firearms 3. Crime Lab 4. Civil security clearance 5. PNPTS 2016 – Continue to be ISO certified (regional level) based on the latest ISO: Motor vehicle clearance

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Effectively enforce laws	<ul style="list-style-type: none"> • Outcome of all PNP programs and projects specified in the other four perspectives. 	PNP	<ol style="list-style-type: none"> 1. Firearms 2. Crime Lab 3. Civil security clearance 4. PNPTS <ul style="list-style-type: none"> • Human Development Index 2010 – 0.751 (baseline, rank 97th) 2011 – 0.756 2013 – 0.761 2016 – 0.768 • PNP Performance Approval Rating 2010 – +30 net approval rating (baseline) 2011 – +33 net approval rating 2013 – +37 net approval rating 2016 – +40 net approval rating
	Create an enabling policy environment for a community and service-oriented police.	Policy Formulation and Standards Setting <ul style="list-style-type: none"> • Strengthening of consultative mechanisms in policy formulation and standards setting. • Building the capability of the police towards community and service orientation. 	NAPOLCOM	
	Immediate turnover of CICL to the Department of Social Welfare and Development (DSWD).	<ul style="list-style-type: none"> • Designation of a social welfare officer for drug cases involving CICL. 	PDEA, DSWD	<ul style="list-style-type: none"> • Designation of a social welfare officer by 2011
	Institutionalization and enforcement of Human Rights (HR) Law and International Humanitarian Law (IHL)	<ul style="list-style-type: none"> • J3 formulating new Rules of Engagement to be UN standards compliant. • J2 has directives on labeling of those who take up arms. 	AFP	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Conduct of In-house or In-service Troop Information and Education (TI and E) Sessions • Creation of an AFP HR/IHL Handbook. 		<ul style="list-style-type: none"> • 2011-2013 • Phased through 2010-2012
	Improving the perception of the AFP.	<ul style="list-style-type: none"> • Embarked on trust-building activities • Community-based dialogues and engagement with local partners and stakeholders 	AFP	
	Protection and enforcement of environmental rights.	<ul style="list-style-type: none"> • Continuing implementation of the Memorandum of Agreement with the Department of Environment and Natural Resources to protect wildlife through the new Environmental and Wildlife Protection Investigation Division. 	NBI	
	Establishment of woman and child-friendly investigation studio/area.	<ul style="list-style-type: none"> • Establishment of woman and child-friendly investigation studio/area in regional areas. 	NBI	
	Human Rights-Based Approaches in Policing is mainstreamed in the PNP.	<ul style="list-style-type: none"> • Develop policies • Training of Trainers on Human Rights • Seminar-Workshop on Strategic Planning for PNP Human Rights Development Program • Two-Day Human Rights Deepening Seminars • Two-Day Human Rights Deepening Seminars for QUAD Officers • Publication of Information, Education, and Communication (IEC) Materials on Rights-Based Policing Including 	PNP	<p>Output per year,</p> <ul style="list-style-type: none"> • 1 or more policies as needed • Training Sessions for 50 PCOs/PNCOs • Seminar-Workshops for 40 PCOs/PNCOs • Seminar-Workshops for 80 PCOs/PNCOs • Seminar-Workshops for 80 PCOs/PNCOs • 2,000 copies of Information and

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		Development of Rights-Based Policing Training Video. <ul style="list-style-type: none"> • Paralegal Training for Police Investigators and First Respondents • Forum-Workshop for PNP Human Rights Desk Officers • Inspection of PNP Custodial Facilities by PNP Human Rights Desk Officers (PNP-wide). • Human Rights-Based Forum for Top Level PNP Officers • Community-Based Dialogues on Human Rights 		Advocacy Pamphlets and 100 Training Videos <ul style="list-style-type: none"> • Training Sessions for 50 PCOs/PNCOs • Forum-Workshop for 40 PCOs/PNCOs • Inspection of Custodial Facilities In 17 PROs (PNP-wide) • 1 Forum • At least 3 dialogues in different regions

MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM 2010-2016
RESULTS EVALUATION AND MONITORING MATRIX

B. Prosecution Pillar

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
Provide an enabling environment for the private sector by enforcing the rule of law and ensuring effective and efficient delivery of public service.	Increase access to justice: Reduce the cost of litigation	Use pro-forma complaints <ul style="list-style-type: none"> • DOJ NPS issued standard preliminary investigation form, pro-forma complaints and pleadings, etc. (see Revised Manual of Prosecutors completed in 2008 – DOJ to provide copy of DOJ Circular and Revised Manual of Prosecutors); • PAO Manual and Legal Forms approved but to be implemented: <ul style="list-style-type: none"> ○ Operating Manual; ○ Code of Conduct for PAO Lawyers and Staff; ○ PAO Legal Forms to be published and distributed to all PAO Employees; ○ Conduct training/ orientation on the PAO Operating Manual, Code of Conduct and PAO Legal Forms. 	DOJ, PAO	<ul style="list-style-type: none"> • Conduct of field audits on the Rules and Procedures in the Revised Manual for Prosecutors. • Publication and distribution of PAO Manual and Legal Forms. • Audit Report
		Reduce required number of copies of complaints and annexes to five copies at the Prosecutors' Office or use e-courts.	DOJ	<ul style="list-style-type: none"> • Amend Manual for Prosecutors; • Create a data centre/system design: <ul style="list-style-type: none"> ○ Systems analysis and ○ Design ○ Application Programming ○ System Testing ○ Full Implementation
		Strict implementation of Indigency Test under Sec. 3 of Memorandum Circular No. 02, Series of 2010, Amending Sections 3, 4, and 5, Article II of Memorandum Circular No. 18, Series of 2002 –	PAO	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> Maximize partnerships with non-government and donor institutions. <p>Designation of VAWC and Sexual Harassment Officer.</p>	OMB	<ul style="list-style-type: none"> Creation of a VAWC and Sexual Harassment Officer position
	MOA with other private legal groups (IBP, FLAG, Legal Aid Centers of different law schools, etc.) for the handling of cases, cognizable by the agency	<ul style="list-style-type: none"> To develop system of referral to other legal aid organizations and the implementation of the provision of the Lapid Law. Devise a program for accreditation of law firms and private practitioners pursuant to the Lapid Law and Supreme Court Administrative Circular requiring private practitioners to render pro bono legal services. 	PAO	<ul style="list-style-type: none"> Number of clients referred to law firms or private practitioners
	Efficient delivery of public service: Expeditious CJS actions and services.	<ul style="list-style-type: none"> Establish an integrated performance management system. Fully implement the Anti-Red Tape Act. Strengthen integrity and accountability mechanisms including the re-establishment of the Internal Affairs Unit. Institutionalize integrated monitoring and evaluation systems. Enhanced and integrated capacity building programs, including ethics and management. Improve resource management and internal control systems across all levels (national, regional, local). Strong lobby for implementation of the Prosecution Service Act of 2010 	DOJ	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Improving the capability and knowledge of PAO lawyers	<ul style="list-style-type: none"> • Continuous capacity building, enhancement of the skills and competence of PAO lawyers and staff through workshops and seminars. • Launching of Forensic Laboratory as well as Medical and Dental Clinic at PAO-Central Office for the benefit of its employees and for furtherance of investigation conducted relative to cases handled by PAO. • Compliance with ISO 9000 and the Government Quality Management Systems Standards (GQMSS), pursuant to Administrative Order No. 161 dated October 5, 2006. • National Conventions for Public Attorneys in 2012 and 2015, MCLE Compliance 2015-2015. • Continuation of the “PAO-UNICEF Seminar on VAWC Act (RA No. 9262), Comprehensive Juvenile Justice and Welfare System Act (RA No. 9344) and Other Related Laws” under the revised training modules. • Continuation of the Advanced Training/Workshop in Forensic Medicine and Science. • Empowerment of the PAO’s capacity in promoting Gender and Development (GAD) Program of the government. • Conduct training on trial technique and actual court practices. • National Conventions for Public Attorneys in 2012 and 2015 as MCLE Compliance. 	PAO	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Develop an integrated criminal justice monitoring/ database system.	<ul style="list-style-type: none"> • Creation of a database system. 	DOJ, PAO, OMB	<ul style="list-style-type: none"> • Creation of a database system.
	Promotion of a fair, rights-based, gender sensitive and amicable resolution of disputes and rights entitlement: <ul style="list-style-type: none"> • Investigation and Prosecution of Violence Against Women and Children, Violation of RA No. 7610, environmental and extrajudicial killing cases involving public officials; • Public assistance, in terms of legal aid; • Grievance redress, including alternative dispute resolution; • Education of vulnerable and marginalized sectors both on their rights and responsibilities. 	<ul style="list-style-type: none"> • Investigation and prosecution of VAWC, violation of RA No. 7610, environmental and extrajudicial killing cases. • Strengthening of grievance redress mechanism. • Mainstreaming of alternative dispute resolution. • Conduct of grievance resolution. • Strengthening of complaints handling mechanism. • Capacity building of personnel involved in complaints handling. • Forging of partnerships with the pillars of the criminal justice system (community, law enforcement, correction, prosecution, courts). 	OMB	

MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM 2010-2016
RESULTS EVALUATION AND MONITORING MATRIX

C. Courts Pillar

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
<p>Increased investment and raised investors' confidence by having a More Responsive Judicial System</p>	<p>Support the Action Program for Judicial Reform (APJR) projects on case decongestion, judicial systems and procedure project, human resource development project, institutional integrity development project, and reform support systems project.</p>	<p>Continue the ongoing projects under the APJR:</p> <p>A. Decongesting Court Dockets</p> <ul style="list-style-type: none"> • Focus on declogging court dockets and speed up the seemingly slumberous pace of adjudication (Message from the Chief Justice, 2009 SC Annual Report, p. 7). • Designation of more trial courts as family courts and, if possible, the formal creation of such courts to answer for the rising number of family cases (2009 SC Annual Report, p. 51) • Decentralization of courts (<i>id.</i>) • Diminish caseload for each Court of Appeals' (CA) Justice (Zero Backlog Project) 	<p>Supreme Court (SC), all lower courts, administrative agencies performing quasi-judicial functions</p>	<p>APJR projects on case decongestion, judicial systems and procedure project, human resource development project, institutional integrity development project, and reform support systems project supported</p>
	<p>Complete APJR projects on: Docket decongestion and review and improvement of judicial systems and procedure.</p>		<p>SC</p> <p>CA</p>	
	<p>B. Computerization, E-Documentation of pleadings, annexes, presentation of</p>			

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>evidence by means of CD-ROM applicable specifically to accused who are in prison for other offenses in other places other than the court where they are being prosecuted or the same accused is being prosecuted in different courts distant from each other, and Transparency through Case Management System.</p> <ul style="list-style-type: none"> • Implementing nationwide the Judiciary Case Management System (JCMS) which monitors the status of the cases to see whether they are proceeding as scheduled (Message from the Chief Justice, 2009 Supreme Court Annual Report, p. 7). • Fully computerizing courts from Bangued, Abra to Tacurong, Sultan Kudarat (Message from the Chief Justice, 2009 Supreme Court Annual Report, p. 7). • Full coordination of all three CMIS stations of the CA. • Capacity building to enable electronic filing. • Expansion of the Case Management Information System (CMIS) project. • Enhancing CMIS • Conduct of trainor’s training <p>C. Review and improve the Rules of Court and other Rules</p> <ul style="list-style-type: none"> • Possible amendments of the Rules on the Writ of Amparo 	<p>SC</p> <p>CA</p> <p>Court of Tax Appeals (CTA)</p> <p>Sandiganbayan (SB)</p> <p>SC – Rules Committee</p>	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		and Rules of Procedure on Environmental Cases <ul style="list-style-type: none"> • Modification of the small claims procedure • Revision of the rules of procedure for petty crimes • Designation of a tourists' court, which will be operational 24 hours • Designation of a "judgment day" where courts will focus on promulgating judgments for that particular day • Revision of the Internal Rules of the Sandiganbayan (dependent on SC approval) and implementation 	SB	
		D. Expanding the Enhanced Justice on Wheels (EJOW) Program (Message from the Chief Justice, 2009 SC Annual Report, p. 7) <ul style="list-style-type: none"> • All Deputy Court Administrators will have corresponding programs. • Additional mobile courts/buses, if necessary 	SC	
		E. Protection and enforcement of environmental rights <ul style="list-style-type: none"> • Capacity building program for the courts on environmental law and the Rules of Procedure for Environmental Cases. • Partnership with the Pillars on Environmental Justice. • Strengthening of the green courts. 	SC	
		F. Protection and enforcement of constitutional rights <ul style="list-style-type: none"> • Passage of bills on: <ol style="list-style-type: none"> (1) extrajudicial killings and enforced disappearances (stiffer penalties for extrajudicial killings; 	Congress	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		designating Special Courts for crimes against international humanitarian laws; Involuntary Disappearance Act), (2) expansion of Commission on Human Rights powers and (3) Command Responsibility • Ratify (1) Protocol Additional to the Geneva Conventions of August 12, 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) of June 8, 1977; (2) Protocol to the Convention Against Torture; (3) The Hague Convention on the Protection of Cultural Properties; (4) International Convention for the Protection of All Persons from Enforced Disappearances		
	Human resource development projects	A. Increase of personnel, upgrade of positions and deputation • Increase the number of CA court clerks as well as court attorneys • Upgrade of plantilla positions • Deputation of BIR and BOC lawyers B. Develop sourcebooks • Research and development of a sourcebook on the interface of the formal and informal justice systems.	CA SB CTA SC	• Sourcebook on the interface of the formal and informal justice systems

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>A. Access to Justice for the Poor Component 1: Decentralization and Institutionalization of Information Function of the Judiciary</p> <ul style="list-style-type: none"> Continuation of project with support from the European Union (EU). 	SC, lower courts, PMO	
		<p>B. Public Education on the Rule of Law Advancement and Support (PERLAS) Phase 1 and 2 (Originally titled Judiciary Awareness and Development in Education)</p> <ul style="list-style-type: none"> Completion, finalization of the materials and production of prototype. Adoption and integration in the elementary and high school curriculum. 	SC DepEd	
		<p>C. Establish Public Information Office</p>	CA, SB	CA PIO institutionalized by 2011
		<p>D. Support for the formal and informal sectors</p> <ul style="list-style-type: none"> Seeking ways on how to strengthen Alternative Law Groups and network. Scaling-up or broader application and capacity building for the informal sector. 	SC	Learning module for the informal sectors on their rights and legal empowerment
		<p>E. Upgrading and development of Information and Communication Technology (2009 SC Annual Report, p. 51)</p>	SC	
		<p>F. Continuation of Court Tours</p>	SC, CA, CTA, SB	CA to release a protocol in 2011
	Provide access to justice by the poor.	<p>A. Access to Justice for the Poor Component 1:</p>		

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
		Decentralization and Institutionalization of Information Function of the Judiciary. <ul style="list-style-type: none"> • Continue distribution of wallsheets, flow charts and information materials. 	SC	
		B. Standardize format of transcript of stenographic notes (TSNs) to lessen cost of litigation. <ul style="list-style-type: none"> • CMIS will provide for a template format for TSNs. 	SB	
		C. Inventory of all detention prisoner cases and prioritization of: <ul style="list-style-type: none"> • Expanding EJOW • Passage of bills on corrections reform 	SC Congress	
		D. Mainstreaming of gender sensitivity concerns in the judiciary <ul style="list-style-type: none"> • Semestral Assessment on GAD 	SB	
	Pursue advocacy on Alternative Dispute Resolution.	Expanding EJOW	SC	
	Improve free legal services.	Encourage private practitioners and new bar passers to render pro bono services and create incentives for such services. Implementation of Bar Matter No. 2012 (pending Implementing Rules and Regulations by the Integrated Bar of the Philippines [IBP]).	SC, IBP	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCY	MEASURABLE TARGETS/OUTPUTS 2011-2016
	<p>Enhance the integrity and competence of judges, court personnel and all other officers of the court.</p>	<ul style="list-style-type: none"> • Weeding out undesirables both from the Bench and the Bar (Message from the Chief Justice, 2009 Supreme Court Annual Report, p. 7). • Continuation of the Court Cleansing Initiative. • Strengthening the Integrity of the Judiciary (SIJ) – Integrity Development Review. 	<p>SC, Judicial and Bar Council (JBC)</p>	

**MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM 2010-2016
RESULTS EVALUATION AND MONITORING MATRIX**

D. Corrections Pillar

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
<p>Provide an enabling environment for the private sector by enforcing the rule of law and ensuring effective and efficient delivery of public service.</p>	<p>Passage of Executive Order: BUCOR Modernization Act</p>	<ul style="list-style-type: none"> • Submit BUCOR EO to DOJ for review and recommendation. • Submission of EO for approval of the Chief Executive. • Lobbying 	<p>BUCOR, DOJ</p>	<ul style="list-style-type: none"> • 2011: Approval of EO and Implementation through CSC and DBM. • 2012: Implementation on provisional promotion. No hiring. • 2013: 25% Implementation on added increase of personnel, equipment, and facilities. • 2014: 50% Implementation on added increase of personnel, equipment, and facilities. • 2015: 75% Implementation on added increase of personnel, equipment, and facilities. • 2016: 100% Implementation on added increase of personnel, equipment, and facilities.
		<ul style="list-style-type: none"> • Inclusion of budget appropriation for each reformation program. • Submission of budget estimates for each reformation program per inmate. • Lobby for budget approval. 	<p>BUCOR</p>	<ul style="list-style-type: none"> • Approved budget.

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Legislative Agenda of the BJMP	<ul style="list-style-type: none"> • Jail System Comprehensive Development Bill • Jail Integration Bill • Amendment to Law on Recognizance • Subsidiary Imprisonment Bill • GCTA Bill • Election Mechanism Bill • Local Absentee Voting Bill 	BJMP	
	Maximization of Land Assets Value for Inmates' Reformation.	<ul style="list-style-type: none"> • Review all Proclamations, and Decrees regarding BUCOR Prison Lands (including but not limited to those Deeds of Donation awarded to different government agencies, e.g., NHA, LGU, etc.). • BUCOR Lands Titling 	BUCOR, DOJ-LRA, DENR-LMS	<ul style="list-style-type: none"> • 2011: Review, survey and acquisition of required papers. • 2012: Application for land titling. • 2013: 25% land titles acquisition and continuation of land titling. • 2014: 50% land titles acquisition and continuation of land titling. • 2015: 75% land titles acquisition and continuation of land titling. • 2016: 100% land titles acquisition.
	Secure, safe, and restorative management of district, city and municipal jails: 1. Jail Management Services: a. Security and Safekeeping of Inmates b. Welfare and Development Services for Inmates	Security and Safekeeping of Inmates: <ul style="list-style-type: none"> • Creation of STAR teams • Activation of Task Force <i>Balik-Piitan</i> 	BJMP BJMP, DILG, PNP, AFP, LGUs	<ul style="list-style-type: none"> • 2011: 32 teams • 2012-2016: 10 teams per year • 2011: 18 Task Forces • 2012-2016: Maintenance of the readiness of the TF

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	2. Acquisition, retention and development of human resources 3. Innovations and Good Practice Management 4. Logistics Support	<ul style="list-style-type: none"> • Takeover of PNP-manned jails • Takeover of provincial jails • De-radicalization program • Enhancement of Custodial and Escorting Functions 	BJMP, DILG, PNP, LGUs BJMP, DILG, LGUs BJMP, DILG, DND, NICA, NCTU	<ul style="list-style-type: none"> • 2011-2016: 7 municipal jails per year • As need arises • 2011: Formulation of De-radicalization Module • 2012-2015: Inclusion of De-radicalization Module in the POI of Mandatory Training Courses • 2016: Inclusion of Derad Module in the POI of Mandatory Training Courses; Establish separate facilities for High Risk and Radical Inmates • Continuing activity
		Welfare and Development Services for Inmates: <ul style="list-style-type: none"> • Improvement of Food Service 	BJMP, COA, DOH, Local Health Dept.	<ul style="list-style-type: none"> • 2011: Prepare status report of compliance/ monitoring of 423 jails • 2012: Implementation and monitoring for 430 jails • 2013: Implementation and monitoring for 427 jails

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • IWD programs on livelihood, skills training, education, sport and recreation, medical/dental, spiritual services • Create Human Rights Desks in all regions. • Pursue region-specific Therapeutic Community Modality programs and models. 	<p>BJMP, LGUs, NGOs, Civic Groups, Religious Groups, TESDA, Private Companies, others</p> <p>BJMP, CHR, DSWD</p> <p>BJMP, LGUs, NGOs</p>	<ul style="list-style-type: none"> • 2014: Implementation and monitoring for 444 jails • 2015: Implementation and monitoring for 454 jails • 2016: Implementation and monitoring for 458 jails • 2011: Preparation of situation on status of compliance • 2012-2016: Implementation and monitoring • 2011-2013: Creation of HR Desk in 70 jails. • 2014-2016: Creation of HR Desk in 71 jails. • 2011: Six regions assessed for accreditation of model TC facility. • 2012: Creation of three TC model facility. • 2013-2016: Creation of two TC model facility.
		Acquisition, retention and development of human resources:		

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>Develop position-specific competency standards in addition to the Qualification Standards to support recruitment, promotion and talent development of the Bureau's Human Resource.</p> <p>Creation of NUP positions</p>	<p>BJMP, DBM, CSC</p> <p>BJMP, CSC, DBM</p>	<ul style="list-style-type: none"> • 2011: Creation of Committee and TWG; Drafting of position-specific competency standards; Revision of existing Qualification Standards to correspond with the creation of technical services. • 2012: Approval of Revised Qualifications Standards by the CSC; Implement Revised Qualifications Standards; Implement Position-Specific Competency Standards. • 2013: Monitor Compliance to Qualifications Standards and Position-Specific Competency Standards; Evaluation of Effectiveness and Compliance. • 2014-16: Evaluation of Effectiveness and Compliance. • 2011: Submission of request to DBM for creation of additional NUP positions

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>Re-assess and revitalize content and delivery strategies for the Bureau’s mandatory and specialized training programs.</p>	<p>BJMP, PPSC</p>	<ul style="list-style-type: none"> • 2012-2015: Recruitment of 10 additional NUP • 2016: Recruitment of 11 additional NUP • 2011: Creation of Committee and TWG; Revisit and revise the existing POIs of all Mandatory Training Programs; Develop POI for Specialized Training Programs; Creation of Pool of Instructors (PI). • Conduct Training Needs Assessment; Develop electronic training/seminar programs and Penology and Career Service exams review. • 2012: Implementation of new POIs; For Mandatory and Specialized Training Programs; Submit proposal on the establishment of Training Centers for Visayas and Mindanao; Conduct Mandatory and Continuing Trainors’ Training (MCTT); Conduct seminars on a continuing basis.

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>Develop concept papers and pilot programs for unit-level performance evaluation system.</p> <p>Develop strategy paper on the Bureau's retirement and separation benefit system.</p>	<p>BJMP, CSC</p> <p>BJMP, DBM, SEC</p>	<ul style="list-style-type: none"> • 2013: Organize Training Centers in Visayas and Mindanao; Fine-tune standards and procedures in the conduct of seminars. • 2014-2016: Monitor conduct of trainings in all Training Centers nationwide. • 2011: Create Committee and TWG; Establish Agency-Responsive Performance Evaluation System. • 2012: Conduct two Semestral Pilot Tests to determine responsiveness. • 2013: Fine-tune Performance Evaluation System; Submit to CSC for approval. • 2014: Full Implementation • 2015: Continuing Implementation • 2016: Post-implementation evaluation • 2011: Create Committee and TWG; Submit Concept Paper/Position Paper to DBM on BJMP RSBS; Profiling and short-

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
				<p>listing of would-be retirees for the next five years; Conduct at least one Pre-Retirement Seminar/ Workshop.</p> <ul style="list-style-type: none"> • 2012: Organize BJMP-RSBS; Register with SEC and Insurance Commission; Establish standards and promulgate operations manual; Conduct Pre-Retirement Seminar/ Workshop on a continuing basis. • 2013: Launch/Implement BJMP-RSBS; Disseminate information among BJMP personnel on BJMP RSBS. • 2014: Review gaps and enhance administrative, operational and control mechanisms. • 2015-2016: Continue improvements, adjustments, and polishing of standards and procedures.

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		Develop Strategy on Personnel Welfare and Grievance Management	BJMP, DILG, DOH	<ul style="list-style-type: none"> • 2011: Assessment and identification of existing health and work hazards; Issuance of basic medical supply to all field units; Intensified information dissemination on availing agency-supported health insurance; Inclusion of protection clause to existing grievance machinery; Promotion of grievance machinery; Activation of Grievance Committee in the NHQ and Regional Offices; Promotion of Alternative Dispute Resolution (ADR); Designation and training of at least one ADR Specialist in every Region. • 2012: Designate Occupational Safety Officers in every region/jail; Address identified problems to mitigate or eradicate work hazards; Establish tie-up with more health maintenance organizations; Continuing promotion of grievance

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
				<p>machinery; Documentation and publication of success stories on Conflict Resolution thru ADR and Grievance Machinery; Continuous application of ADR to resolve conflicts in the workplace.</p> <ul style="list-style-type: none"> • 2013-2016: Continuing reassessment and remedial measures to address work and health hazards; Assessment of the Delivery of Health Service; Continuing promotion of grievance machinery; Continuous application of ADR to resolve conflicts in the workplace.
		<p>Innovations and Good Practices:</p> <p>Develop and implement program for national database for inmates with functionality in the regional, district, city, and municipal jail levels</p>	BJMP, IT Schools	<ul style="list-style-type: none"> • 2011: Conceptualization of software • 2012: Trainers' Training of IT personnel (1 per region) • 2013: Pilot testing at BJMP-NCR

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>Develop and implement an Annual Research and Development Agenda involving policy, systems development, and operational concerns.</p> <p>Publication of Manual on BJMP Standards (Protocol, Operations, Logistics, Comptrollership, and others).</p> <p>I-Dial kay Dial (reference to Director Rosendo M. Dial, Chief of BJMP)</p> <p>Networking with identified IT schools and other government agencies and private organizations</p>	<p>BJMP</p> <p>BJMP, DepEd</p>	<ul style="list-style-type: none"> • 2014: Implementation at RBJMP 4A, 3, 7, 6 and 10 • 2015: Implementation at 6 BJMP regions • 2016: Implementation at 5 remaining BJMP regions • 2011: Research Call to assess and evaluate the existing studies and programs conducted • 2012-2016: Assessment and evaluation • 2011: Research and prepare Manual on BJMP Standards; Request funding for reproduction and distribution. • 2012-2016: Reproduction and Distribution • Continuing activity • 2011: MOA with IT Schools and other agencies • 2012: Creation of Regional Websites • 2013-2016: Continuous maintenance and upgrading

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>Virtual training (e-wardenship course, e-penology review)</p> <p>E-market of inmates livelihood products</p> <p>Fingerprint scanning and ID system (biometrics)</p>	<p>BJMP</p> <p>BJMP, DTI</p> <p>BJMP, IT Schools, DOST</p>	<ul style="list-style-type: none"> • 2011: 25 – 50% nationwide implementation • 2012: 51 – 75% implementation • 2013: 76 – 100% implementation • 2014-2016: Continuous implementation, monitoring and conduct of post evaluation • 2011: Info dissemination and patronage by RDs and field units; Linkage with Earth Store • 2012: 25-- 50% nationwide patronage • 2013: 51 – 75% patronage • 2014: 76 – 100% patronage • 2015-2016: Maintenance/ Upgrading • 2011: Acquisition of software and hardware • 2012: Application in the National and Regional Offices • 2013-2016: Application in field units; Maintenance/ Upgrading

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>Develop and implement standards-based distribution of mobility requirements of District, City and Municipal jails</p> <p>Acquisition of modern security equipment.</p>	<p>BJMP, DILG, DBM</p>	<ul style="list-style-type: none"> • 2014: Procurement of 30 prisoners vans. • 2015: Procurement of 20 prisoners vans. • 2016: Procurement of 40 prisoners vans; three ambulance vans. • 2011: Procurement of 575 short firearms; 500 pro-batons; 520 handcuffs • 2012: Procurement of 310 short firearms; 350 long firearms; 180 riot guns; 180 gas masks; 400 tear gas canisters, 180 helmets; 180 bulletproof vests; 180 anti-riot shields; 45 walk-through metal detectors; 100 CCTV sets; 50 cellular phone jammers, 3,890 handcuffs; 1,500 pro-batons. • 2013: Procurement of 3,400 short firearms; 350 long firearms; 180 riot guns; 180 gas masks; 400 tear gas canisters; 180 helmets; 180 bulletproof vests; 180 anti-riot

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
				<p>shields; 45 walk-through metal detectors; 100 CCTV sets; 50 cellular phone jammers; 3,550 handcuffs; 1,500 pro-batons.</p> <ul style="list-style-type: none"> • 2014: Procurement of 3,700 short firearms; 350 long firearms; 150 riot guns; 150 gas masks; 400 tear gas canisters; 150 helmets; 150 bulletproof vests; 150 anti-riot shields; 45 walk-through metal detectors; 100 CCTV sets; 50 cellular phone jammers; 4,900 handcuffs; 1,500 pro-batons. • 2015: Procurement of 4,000 short firearms; 350 long firearms; 158 riot guns; 158 gas masks; 345 tear gas canisters; 158 helmets; 158 bulletproof vests; 158 anti-riot shields; 45 walk-through metal detectors; 100 CCTV sets; 50 cellular phone jammers; 5,800 handcuffs; 1,500 pro-batons.

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		Acquisition and establishment of medical infirmaries in jails.	BJMP, DOH, DBM, LGUs, NGOs	<ul style="list-style-type: none"> • 2016: Procurement of 3,000 short firearms; 360 long firearms; 45 walk-through metal detectors; 100 CCTV sets; 50 cellular phone jammers; 5,800 handcuffs; 1,500 pro-batons. • 2011: Printing of forms, IEC materials, medication sheets, patient's records • 2012: Provision of medicine cabinets, nebulizers, sphygmomanometer, stethoscope, minor set, and first aid kits in all jails; • 2013: Provision of oxygen tank, dental chairs, dental equipment, beds in all identified jails; putting up of NP Testing Center at NHQ. • 2014: Construction of infirmaries in all identified jails. • 2015: Construction of isolation room for inmates with infectious diseases in all identified jails. • 2016: Construction of isolation room for inmates with psychiatric disorders in all identified jails.

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		Acquisition of modern communication equipment and facilities.	BJMP, DILG, DBM	<ul style="list-style-type: none"> • 2011: Needs analysis • 2012: Procurement of 58 base radios, 300 hand-held radios, 201 desktop computers. • 2013: Procurement of 58 base radios, 300 hand-held radios, 206 desktop computers; Procurement of hardware support for database and tele-conferencing. • 2014: Procurement of 58 base radios, 300 hand-held radios, 200 desktop computers. • 2015: Procurement of 58 base radios, 300 hand-held radios, 302 desktop computers. • 2016: Procurement of 58 base radios, 300 hand-held radios, 400 desktop computers.
	Jail Decongestion of National Jails and Local Jails.	Construct new security facilities or implement the proposed prison regionalization (Existing 253 buildings Bureau-wide).	BUCOR	<ul style="list-style-type: none"> • 2011: four (Note: additional 20 two-storey buildings with 1,000 inmates per floor in all prison and penal farms) • 2012: four • 2013: three • 2014: three • 2015: three • 2016: three

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Decongestion Program and Paralegal Services 	BJMP	<ul style="list-style-type: none"> • 2011-2016: 10% of the Total Jail Population released through Paralegal efforts.
		<ul style="list-style-type: none"> • Regular transmittal of <i>carpetas</i> to the Board of Pardons and Parole including the recommendation for release of inmates who are 70 years old and older. • Color coding system of <i>carpetas</i> for monitoring of releases and eligibility for parole and executive clemency. 	BUCOR	<ul style="list-style-type: none"> • 2011: 3,290 (Average number based on the last three-years' data excluding year 2010) • 2012: 3,619 (10% increase) • 2013: 3,948 (20% increase) • 2014: 20% increase • 2015: 20% increase • 2016: 20% increase • 2011: Planning, Strategizing and Acquisition of materials. • 2012: Implementation • 2013-2016: Continuous improvement
		<ul style="list-style-type: none"> • Adoption of Memorandum of Agreement (MOA) with BuCor, PPA, PAO, BJMP, and NPS. • Interview prisoners at the national penitentiary and five penal colonies. The Board Members and its support staff visit and interview prisoners in the penal colonies and in the national penitentiary who are qualified for parole/ executive clemency. • Conduct investigation and examination of petitions for parole/executive clemency. 	BUCOR, BPP, PPA, NBI	<ul style="list-style-type: none"> • Number of Cases for Parole <ul style="list-style-type: none"> ○ Granted ○ Denied/Deferred/ Others • Number of Commutation of Sentence <ul style="list-style-type: none"> ○ Granted ○ Denied/Deferred/ Others • Number of Conditional Pardon <ul style="list-style-type: none"> ○ Recommended ○ Denied/Deferred/ Others

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Screen prison records and <i>carpetas</i> of eligible prisoners. • Deliberation during Board meetings by the Members of the Board of investigation cases for parole/executive clemency and supervision cases or reports incidental to supervision of parolees/pardonees resulting in: <ul style="list-style-type: none"> ○ Issuance of Discharge on Parole certificates; ○ Resolutions on recommendation to the President for the grant of Commutation of Sentence, Conditional pardon and Absolute Pardon; ○ Issuance of orders of Arrests and Recommitment and/or Recommitment Orders; ○ Issuance of Final Release and Discharge to parolees and pardonees; ○ Approval/ confirmation of approved transfers of residence of parolees/pardonees; ○ Issuance of authority to parolees/pardonees to travel for job placements abroad. • Amendment of the Rules on Parole and Executive Clemency as amended by Board Resolution No. 24-4-10 dated April 13, 2010 giving chance to inmates previously disqualified to avail of review of their petition for executive clemency upon service of at least 18 years of their sentence. 		<ul style="list-style-type: none"> • Number of Absolute Pardon <ul style="list-style-type: none"> ○ Recommended ○ Denied/Deferred/ Others • Number of Final Release and Discharge <ul style="list-style-type: none"> ○ Granted ○ Denied/Deferred/ Others • Number of Order of Arrest and Recommitment/ Recommitment Order <ul style="list-style-type: none"> ○ Issued ○ Deferred/Others • Number of Transfer of Residence <ul style="list-style-type: none"> ○ Confirmed/ Approved ○ Denied/Deferred/ Others

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Enhancement of personnel capability.	<ul style="list-style-type: none"> • Design a comprehensive Human Resource Development (HRD) Program. • Encourage technology transfer in the field of corrections. • Prepare the training profile of personnel and Volunteer Probation Aides (VPAs). • Train and involve VPAs in the Agency Programs. • Partner with other disciplines to enhance staff morale, effectiveness, and efficiency. 	PPA	
		<p>Build the Image:</p> <ul style="list-style-type: none"> • Utilization of media, establishment linkages with media practitioners. • Continued publication of national and regional newsletters. • Establishment of information data bank and regional public information units. • Networking and partnership with GOs and NGOs. • Improvement of the workplace environment. • Reporting of agency programs and accomplishments in the worldwide web. <p>Program Sustainability and Improvement:</p> <ul style="list-style-type: none"> • Continuous training of frontline service providers (PPOs and VPAs). 	PPA	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>Benchmark Best Practices in Rehabilitation and Training Technologies across regions:</p> <ul style="list-style-type: none"> • Adoption of best practices in administrative and operational systems. • Collaboration and partnership with other correctional and rehabilitation agencies. • Benchmark appropriate technology. <p>Strengthen funding support:</p> <ul style="list-style-type: none"> • Rationalize financial resources through prioritization, systematic distribution of funds and responsible budget execution. • Lobby for additional financial support from DBM and legislators. • Tap funds for rehabilitation from outside source (LGUs, DDB etc). <p>Develop Information Technology (IT) Capability:</p> <ul style="list-style-type: none"> • Develop and enhance PPA website. • Link central, regional and field offices. • Implement the e-NGAs, electronic submission of reports, uploading and downloading of policy statements and other announcements. • Use the e-mail and online conferencing. • Establish clients' database. 		

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		Rationalize Agency Structure and System to improve delivery of services to clients: <ul style="list-style-type: none"> • Rationalize/redistribute positions based on caseload. • Deploy more personnel in the frontline service. • Upgrade the salary scales of regional managers. 		
	Rehabilitation of Offenders/ Inmates in a community-based setting and reduction of crime incidence.	Investigation of petitions for probation, parole, executive clemency, and suspended sentence for first-time minor drug offenders: <ul style="list-style-type: none"> • Linkages with the members of CJS and community. • Establish an internal data base through ICT for easy record verification. • Strengthen ICT in the PPA-DOJ. • Continuous training of Parole and Probation Officers (PPOs) in the conduct of investigation / fact-findings necessary to achieve sustained recommendations. 	PPA	<ul style="list-style-type: none"> • 90% of the total number of investigation referrals disposed within 60 days from receipt of the order. • 90% of the recommendations of investigating officers are sustained by the courts.
		Supervision of probationers, parolees, pardonees and first-time minor drug offenders: <ul style="list-style-type: none"> • Incorporation of the TC, VPA, RJ programs in the orientation and trainings of clients. • Integration of Restorative Justice tools and practices in the TC treatment categories. • Integration of TC structure in the rehabilitation activities of clients. • Utilization of Volunteer Probation Aides (VPAs) in the supervision of clients. 	PPA	<ul style="list-style-type: none"> • 100% of probationers, parolees, pardonees and first-time minor drug offenders supervised. • 90% of recommendations of supervising officers sustained by the courts/BPP. • Behavior Management: 75% of clients attended/ got involved in moral, social

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		Restorative Justice: <ul style="list-style-type: none"> • Application of peacemaking process through the conduct of mediation, conciliation, conferencing, circle of support, etc., to balance the dispensation of justice to include victim, offenders and community. • Establishment of Victim’s Assistance Desk. 		reformation and counselling activities. <ul style="list-style-type: none"> • Emotional and Psychological: 75% of the clients in need and their immediate family members were referred to hospitals, health centers for free or discounted services and medicines. • Vocational and Survival: 30% of unemployed clients were referred to employers, assisted in income-generating activities or involved in skills enhancement seminars. • Reconciliation, healing, empowerment of stakeholders through Restorative Justice process. • Restorative Justice outcome: 80% of clients involved in community service, tree planting, etc.; 25% of clients have partially paid their civil liability.
		Administration of VPA Program <ul style="list-style-type: none"> • Recruitment, appointment, training and deployment of volunteers. • Establishment of Field Training Laboratory in every region. 	PPA	<ul style="list-style-type: none"> • 10,000 VPAs recruited • 8,809 VPAs trained • 6,352 VPAs deployed as supervising officers of clients

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Establishment of Training and Research Institute. • Establishment of a ladderized training program. 		
		<p>Education and Rehabilitation of Inmates</p> <ul style="list-style-type: none"> • Facilitating educational programs by the Teachers: <ul style="list-style-type: none"> ○ College ○ High School ○ Elementary ○ Alternative Learning School ○ Special Classes of Youth Offenders ○ Vocation Training School ○ Muntinlupa Juvenile Training Center • Recruitment of additional education personnel • Construction of additional classrooms • Procurement of additional IT equipment. 	BUCOR	<ul style="list-style-type: none"> • 2011: 4,112 (Note: This shows an average increase of 10 % of enrollees in the different educational programs per year.) • 2012: 4,523 • 2013: 4,957 • 2014: 5,473 • 2015: 6,020 • 2016: 6,622 • 2011: 60 • 2012: 63 • 2013: 66 • 2014: 69 • 2015: 72 • 2016: 76 • 2011: 2 (Note: Additional classrooms are for the 7 operating institutions.) • 2012-2016: 1 per year • 2011-2016: 5 per year (Note: Additional IT equipment are for the 7 operating institutions)
		<p>Sports and Recreation Programs for Inmates:</p> <ul style="list-style-type: none"> • Engage and expose inmates to various athletic activities 	BUCOR	<ul style="list-style-type: none"> • 2011: 18,943 • 2012: 20,269 • 2013: 21,687 • 2014: 23,205

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>both indoor (e.g., chess, table tennis, <i>dama</i>, scrabble) and outdoor (e.g., basketball, volleyball, badminton, tennis). This will be facilitated by the Sports and Recreation Officers in the different operating institutions.</p> <ul style="list-style-type: none"> • Create new plantilla position for Recreation Officers. • Construction of additional facilities for sports and recreation • Procurement of sports and recreation equipment 		<ul style="list-style-type: none"> • 2015: 24,830 • 2016: 26,568 • 2011-2016: 1 per year • 2011-2016: 1 per year
		<p>Health and Welfare Programs:</p> <ul style="list-style-type: none"> • Renovation and refurbishment of hospitals. • Sustain adequate medicines and other medical supplies. • Improve accommodation. • Improve kitchen and food services. • Promote health and environmental sanitation. • Placement of additional suitable and carefully selected personnel that could promote high degree of morale and efficiency. 		<ul style="list-style-type: none"> • 2011: 505 in-patient; 4,608 out-patient • 2012: 455 in-patient; 5,069 out-patient • 2013: 410 in-patient; 5,576 out-patient • 2014: 369 in-patient; 6,134 out-patient • 2015: 332 in-patient; 6,748 out-patient • 2016: 299 in-patient; 7,423 out-patient • 2011: 83 med. staff; 10 admin staff • 2012: 95 med. staff; 12 admin staff • 2013: 107 med. staff; 14 admin staff • 2014: 119 med. staff; 15 admin staff

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Encourage more training and seminars for personnel. • Upgrade infirmary facility. • Effective management information system (set up official working website, conduct information dissemination and advocacy campaign drive; computerization of the key offices of NBP Hospital). 		<ul style="list-style-type: none"> • 2015: 131 med. staff; 15 admin staff • 2016: 143 med. staff; 15 admin staff • 2011-2016: 9 per year • 2011-16: 100%
		<p>Behavioral Modification Programs:</p> <ul style="list-style-type: none"> • Full utilization of Building VI as BUCOR Drug Treatment and Rehabilitation Center. • Enhancement of workforce. • Enhancement and training of personnel/staff development. • Re-introduction of TC program to other colonies • Vocational Skills Development (Continue tie-up with the vocational training school to enhance vocational courses.) 	BUCOR, TESDA	<ul style="list-style-type: none"> • 2011-2016: Implementation of the program
		<p>Work and Livelihood Programs:</p> <ul style="list-style-type: none"> • Advocate for more private joint ventures with BUCOR for the livelihood of inmates. 	BUCOR	<ul style="list-style-type: none"> • 2011-2016: 3 lease agreements; 20 toll/contract manufacturing; 2 contract harvesting; 2 contract farming/ production per year

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> • Maximize arable land use in the penal farms for self-sufficiency in food for the inmates and employees as well. 		<ul style="list-style-type: none"> • 2011: 15k hectares developed • 2012: 15k hectares • 2013: 16k hectares • 2014: 17k hectares • 2015: 18k hectares • 2016: 19k hectares
		Moral and Spiritual Programs: <ul style="list-style-type: none"> • Hiring of additional personnel to effectively handle moral and spiritual programs for the inmates. • Construction of facilities (Spiritual Formation Center to include office). • Procurement of equipment. 	BUCOR	<ul style="list-style-type: none"> • 2011-2016: 11 personnel per year • 2011-2016: 1 additional facility per year
		Inmates' Welfare and Development <ul style="list-style-type: none"> • Improvement of Food Service • Behavior Management and Intervention Program • Health Services • Paralegal Services • Guidance and Counselling Service • Literacy Program • Livelihood Program • Sports and Recreation • Interfaith Program • Establishment of HR Desk • After-care Program 	BJMP	

MEDIUM-TERM DEVELOPMENT PLAN FOR THE PHILIPPINE CRIMINAL JUSTICE SYSTEM 2010-2016
RESULTS EVALUATION AND MONITORING MATRIX

E. Community Pillar

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
Provide an enabling environment for the private sector by enforcing the rule of law and ensuring effective and efficient delivery of public service.	Legislative Agenda	<ul style="list-style-type: none"> Draft the legislative agenda on Human Rights for Congress. 	CHR	<ul style="list-style-type: none"> Number of laws on human rights enacted
	Make more lawyers available for free legal counsel/services to the poor to augment PAO.	<ul style="list-style-type: none"> Increase free legal counselling/ assistance to barangays/ constituents: <ul style="list-style-type: none"> Indigenous Peoples Legal Assistance/ Services Program IP Mediation/Conciliation Board (2012-2016) Legal and Investigation Office 	NCIP	<ul style="list-style-type: none"> Number of indigenous peoples who availed of legal services offered.
			CHR	<ul style="list-style-type: none"> Number of human rights victims who availed of legal services offered.
	Barangay Human Rights Action Centers (BHRAC) mandatory for all barangays; NCIP – council of elders; BCPC – Barangay Council for the Protection of Children	<ul style="list-style-type: none"> BHRAC is continuing. 2010 and beyond. On-site validation of BCPC. 	CHR NBOO	<ul style="list-style-type: none"> Immediate
Enhance assistance and protection of the poor from human rights abuse.	<ul style="list-style-type: none"> Continue pushing for CHRP Charter in Congress. It strengthens the investigation system. It also gives CHR the power to give injunctions among others (According to NEDA, it will be the first time in Asia that a Human Rights-based approach in development planning is adopted). 	CHR	<ul style="list-style-type: none"> Enactment of CHRP Charter 	

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Child-Friendly LGUs: <ul style="list-style-type: none"> • Monitoring the functionality of the Local Councils for the Protection of Children by level (Ideal, Mature, Progressive, and Basic). 	Annual monitoring of the level of functionality of LCPC in the Provincial, City, Municipal and Barangay levels of local governments: <ul style="list-style-type: none"> • Ideal – with 80-100% rating • Mature – with 51-79% rating • Progressive – with 21-50% rating • Basic – with a rating of 20% and below 	NBOO	Number of Provinces, Cities, Municipalities and Barangays with functional (Ideal and Mature) LCPCs <ul style="list-style-type: none"> • 2011: from 20% ideal and 35 % mature BCPCs to 30% Ideal and 40% mature BCPCs • 2012: from 30% ideal and 40 % mature BCPCs to 35% Ideal and 45% mature BCPCs • 2013: from 35% ideal and 45 % mature BCPCs to 40% Ideal and 50% mature BCPCs • 2014: from 40% ideal and 50 % mature BCPCs to 45% Ideal and 55% mature BCPCs • 2015: from 45% ideal and 55 % mature BCPCs to 50% Ideal and 60% mature BCPCs • 2016: from 50% ideal and 60 % mature BCPCs to 55% Ideal and 65% mature BCPCs
	Child-Friendly LGUs: Validation of the results for the functionality of LCPC.	<ul style="list-style-type: none"> • Assist the Council for the Welfare of Children (CWC) in validating Child-Friendly LGUs for the Presidential Awards. • Validate the results for the functionality of LCPC. 	NBOO	Yearly awarding of Child-Friendly LGUs (municipalities and cities): <ul style="list-style-type: none"> • 2011: 3 Provinces/ Cities/Mun./Bgys. • 2012: 3 Provinces/ Cities/Mun./Bgys. • 2013: 3 Provinces/ Cities/ Mun./Bgys

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	<p>Child-Friendly LGUs: Monitoring LGU Compliance to the Provisions of RA 9344 – “Juvenile Justice and Welfare Act of 2006.”</p>	<ul style="list-style-type: none"> • Monitor LGUs compliance on: <ul style="list-style-type: none"> ○ Allocation of 1% IRA for the strengthening and implementation of programs and projects of the LCPC (Sec. 17). ○ Appointment of Licensed Local Social Welfare and Development Officers (Sec. 16). ○ Establishment of Youth Homes for Children in Conflict with the Law (CICL) (Sec. 49). (Output is only an inventory/ summary of LGUs that complied with the above requirement of RA No. 9344.) • Assessment of LGUs Comprehensive Juvenile Intervention Program per RA No. 9344 		<ul style="list-style-type: none"> • 2014: 3 Provinces/ Cities/Mun./Bgys. • 2015: 3 Provinces/ Cities/Mun./Bgys. • 2010 • 2nd Quarter of 2011 and every year thereafter.
	<p>Child-Friendly LGUs: Policy Formulation</p>	<ul style="list-style-type: none"> • Formulates guidelines and other issuances on: <ul style="list-style-type: none"> ○ Guidelines and Procedures in the Assessment of LGUs Comprehensive Juvenile Intervention Program pursuant to RA No. 9344. • Provide inputs/comments/recommendations to Senate/House Bills, etc. 	<p>NBOO</p>	<ul style="list-style-type: none"> • 4th Quarter of 2010
	<p>Child-Friendly LGUs: Advocacy</p>	<ul style="list-style-type: none"> • Development of IEC Materials, such as: <ul style="list-style-type: none"> ○ Handbook on the National Laws on Child Protection: Roles of DILG and LGUs ○ Guidebook on Child-Friendly Legislation 	<p>NBOO</p>	<ul style="list-style-type: none"> • 2010-2012: One Handbook

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<ul style="list-style-type: none"> ○ Compendium of Good Practices on Child-Friendly Local Governance ● Participate in the annual observance/ celebration of: <ul style="list-style-type: none"> ○ National Awareness Week for the Prevention of Child Sexual Abuse and Exploitation ○ World Day Against Child Labor ○ National Children’s Month ○ Girl Child Week ○ Cerebral Palsy Awareness and Protection Week ○ Nutrition Month ○ Children’s Month and other celebrations concerning children ○ Filipino Family Week ● Advocate the implementation of policies on children. 		
	Child-Friendly LGUs: Provision of Technical Assistance	<ul style="list-style-type: none"> ● Act as resource person in seminars/trainings, workshops/ conventions initiated by LGUs, NGOs, GOs and partner agencies. ● Preparation of Assessment Tool on LGUs Comprehensive Juvenile Intervention Program. ● Conduct Cluster Orientation Workshop for DILG field officers on the Assessment Tool on LGUs Comprehensive Juvenile Intervention Program. 	NBOO	<ul style="list-style-type: none"> ● As needed/requested ● December 2010 ● 2nd Quarter 2011 – 1st Quarter 2012
	Gender-Sensitive Barangays: Policy Formulation	<ul style="list-style-type: none"> ● Formulate guidelines and issuances. <ul style="list-style-type: none"> ○ Establishment of VAW Desk in every barangay per RA No. 9710 (being drafted). ○ Monitoring Guidelines on the Establishment of Barangay VAW Desk. 	NBOO	<ul style="list-style-type: none"> ● As needed ● 2011 ● 2012

OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
	Gender-Sensitive Barangays: Advocacy	<ul style="list-style-type: none"> • Development of IEC Material such as Guidebook on Gender-Responsive Barangays. • Development of Primer on Magna Carta of Women • Participate in the yearly observance of the Women’s Month. • Advocate the implementation of policies on women. 	NBOO	<ul style="list-style-type: none"> • 2011 – One Guidebook • One Primer
	Gender-Sensitive Barangays: Provision of Technical Assistance	<ul style="list-style-type: none"> • Conduct GAD seminars/ workshops/ conferences. • Assist in the conduct of assessment and validation on the Search for Outstanding Rural Women. 	NBOO	<ul style="list-style-type: none"> • As needed • Yearly awarding for Outstanding Rural Women
	Community to provide agencies with information on gaps that they should address and should be included in the information materials with CHR, DSWD, barangay level and support groups.	<ul style="list-style-type: none"> • Production and dissemination of information materials and agency manuals/primers at barangay and in CJS offices. Distribution of information materials. • Harmonization of Customary Laws to enhance the Rules on Evidence and Procedure. • NCIP proposes that the Supreme Court should recognize IP elders as mediators or arbiters. • GAD Responsive Barangays (Guidelines on Gender-responsive Legislation) • CSC – “Pasada” – reporting on conduct of business agencies. • Using government-owned media, TV, radio and print media to maximize opportunities for public service through the media 	NBOO NCIP NBOO	
	Implementation of RA No. 9344	<ul style="list-style-type: none"> • Advocacy for the immediate implementation of RA No. 9344 and in the passage of local ordinance of LGUs to 	NBOO	

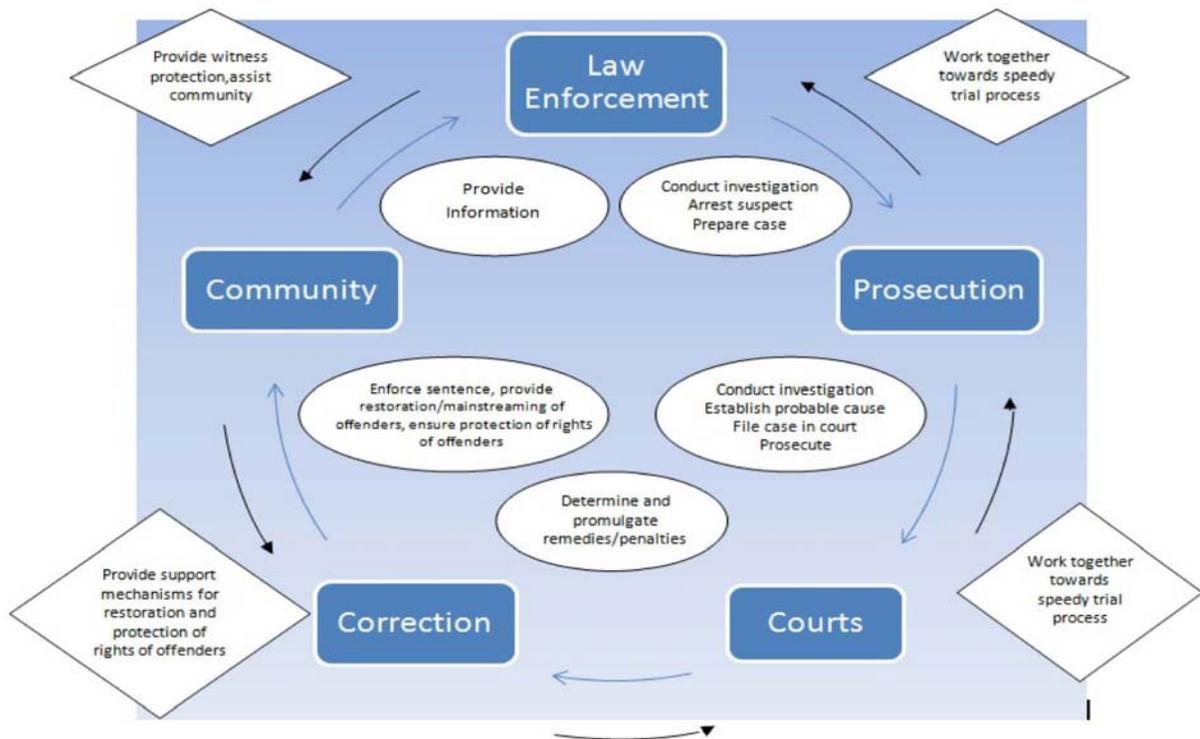
OUTCOME	STRATEGIES	ACTIVITIES	AGENCIES	MEASURABLE TARGETS/OUTPUTS 2011-2016
		<p>support this law; and implementation of community-based services for CICL.</p> <ul style="list-style-type: none"> • Capacitating field officers to handle cases. • Documentation of Indigenous Children Involved in Armed Conflict (CIAC). • Establishment of <i>Bahay Pag-asa</i> or transition homes for CICLs. • Regional Rehabilitation Center for Youth (RRCY), National Training School for Boys and National Training School for Girls (Marilac Hills) to enable CICL to improve their social functioning. • Residential Care Services for children and youth • Child-friendly investigation studio (Pilot: NCR) • Half-way home for CICL (Pilot: Region XI) 	<p>NCIP</p> <p>DSWD</p>	
	Implementation of RA No. 9208 for Anti-Trafficking in Persons	<ul style="list-style-type: none"> • Finalize MOA with the Government of South Korea. 	CHR	
	Establish partnership among LGUs, NGOs/POs in the community on CJS issues.	<ul style="list-style-type: none"> • Continue coordination with NGOs on drafting of bills. 	CHR	

PART FOUR

AN UPDATE ON THE INTER-PILLAR PLANS

The pillars are separate entities – the efficiency and effectiveness of one can easily be hampered by the inefficiency and incompetence of the other. Therefore, in order for the system to operate smoothly, cooperation, coordination and concerted efforts of the pillars, namely the police, the prosecutors, the judiciary and the correctional services are necessary.

This section of the Report focuses on the linkages among the Pillars of the Criminal Justice System. Acknowledging that each pillar depends on the other, it must be stressed that for the Philippine Criminal Justice System to be effective, coordination between and among the different pillars must be strengthened. The figure below shows the interaction between and among the Pillars of the Philippine Criminal Justice System.



The previous MTDP for CJS has identified the areas where the pillars converge. This section re-visits the efforts of the agencies in achieving the outputs identified in the previous MTDP. It also identifies the obstacles and challenges encountered in the implementation of the indicated activity. Furthermore, the concerns raised during the four summits are likewise included in the matrix below.

MATRIX 3: INTEGRATED INTER-PILLAR PLAN ²¹³

A. Law Enforcement Pillar

I. Law Enforcement vis-à-vis Prosecution

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Inability of claimholders to file cases due to lack of legal knowledge by law enforcers of requirements of prosecution in the filing of cases; resulting in the dismissal of cases.	Continuing legal training and seminars for PNP/NBI/law enforcers. NAPOLCOM: Exchange programs or seminars/trainings from experts in the field of case preparation, collection of evidence, serving of warrants, etc.	Establishment of PROLECCS. Some prosecutors stand as resource persons of law enforcement. Efforts to revive practice of the police conducting prosecutorial functions. This was practiced before but abolished. PNP: Seminars and Lectures on: Police Operational Procedure Police Investigation Manual Police Information and Continuing Education Program Instructions DOJ resource speakers in seminars and lectures PNP Coordinating with EU Justice Support System (exchange program) PDEA <ul style="list-style-type: none"> • Project Moot Court and case conferences with law enforcers • Training 	Some areas have no prosecutors especially in far-flung areas. Lack of funding.
Lack of facilities, particularly in crime laboratories, which results in the possible loss of evidence.	Additional crime laboratories, initially at the provincial level	Capability enhancement program. PNP has crime laboratory areas in the provincial areas. Forensic laboratories (PNP, NBI, PAO) – available to cases being handled by PAO.	Lack of equipment. Most of them are still in the regional areas. No storage facilities. Evidence such as drugs are being lost, especially those under the custody of the PNP.

²¹³ The shaded rows were taken from the four summits on family, environment, extrajudicial killings, and access to justice.

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
		<p>PDEA – ongoing projects for new laboratories: Cebu, La Union and Davao; plans to add more labs in all regions.</p>	<p>PNP said that the courts should have custody. The OCA responded that there are different custodial requirements depending on the law. For example, in case of illegal logging, the evidence (referring to logs) are too big to be stored by the courts. The law or the Rules of Court should be amended to take these things into account.</p> <p>Delay in the investigation and lack of SOCO personnel in the regions. This causes technicality issues in the filing of cases.</p> <p>PDEA:</p> <ul style="list-style-type: none"> • Lack of laboratories; and problem of disposal. Some substances have to be disposed by the ton. • Lack of funding.
<p>Perception of corruption, especially in evidence collection and down-grading of cases.</p>	<ol style="list-style-type: none"> 1. The evidence inventory receipt should be done under oath or verified. 2. Re-shuffling of operations team leaders and prosecutors to prevent or minimize possibility of collusion, especially in drug cases 3. Continuing “bombardment” of values and spiritual formation programs for law enforcers 	<p>NPS has a code of conduct which embraces all official transactions.</p> <p>NBI : No. 1 always done PNP : Part of POP</p> <p>DOJ: Central Office – Task Force but re-assignments are made when necessary.</p> <p>Policy of automatic review of drug cases – dismissed at the local level.</p> <p>3. PNP, NBI: Continuous program on spiritual and values formation DOJ: Integrated Ethics Modules for Basic Orientation for New Prosecutors</p>	<p>There appears to be confusion as to which cases fall as graft case.</p> <p>NPS is creating an internal affairs unit to expedite investigations in administrative cases against prosecutors.</p> <p>Decriminalize trivial offenses like commissions.</p> <p>Passage of whistle blowers act necessary, to give incentives to those who would implement this to avoid corruption.</p>

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
	<p>4. Legislating higher penalties for law enforcers and prosecutors involved in manipulating evidence to coddle or protect criminals</p>	<p>RA No. 9165 Proposed Firearms Bill (Increase penalty for erring law enforcers, e.g., planting evidence.)</p> <p>PDEA: – PDEA Code of Conduct – PDEA Manual of Operations</p>	<p>PDEA: Assigned PNP are re-assigned to other stations; (Coordination with PNP is necessary). Major cause for dismissal of drug-related cases is the non-appearance of PNP personnel.</p> <p>Lack of benefits (e.g., hazard pay).</p>
<p>Lack of coordination in the investigation of cases.</p>	<p>A prosecutor and a police officer should be present at the crime scene investigation and there should be close coordination between them from the time of inquest.</p>	<p>In highly urbanized areas, this is followed. Conferencing is also conducted.</p> <p>In some areas, where there are high incidences of EJK, there is a case build-up assistance program initiated by the Prosecution in cooperation with the PNP, pursuant to AO No. 181 for prosecutors to help PNP in case buildup. (continuing program).</p> <p>On the part of PNP, task forces, anti-crime groups side by side with the prosecutors were created.</p> <p>PNP has MOA with IBP in case buildup especially in local chapters.</p> <p>MC No. 04 – but limited only to political killings, media and other activists’ killings.</p>	<p>This is not followed in far-flung areas. As regards EJK, there should be implemented systems of reward and guaranteed protection because witnesses are scared to testify.</p> <p>Lack of prosecutors. To ensure impartiality, the prosecutor should not conduct the preliminary investigation. He should inhibit.</p> <p>PDEA: Previously, prosecutors did not coordinate with the initial filing of cases.</p>
<p>Incompetent investigation and/or lack of modern and appropriate forensic tools, including weak case buildup.</p>		<p>PNP: PNP has capability enhancement program, specialized training, and provision of tools.</p>	<p>Lack of funding.</p>

II. Law Enforcement vis-à-vis Courts

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Failure of claimholders to pursue case due to lack of interest or failure of law enforcers to testify in court as witnesses, frequent non-appearance of law enforcers as witnesses in Courts, and inadequacy of documentary evidence prepared by law enforcers, which usually lead to case dismissal.</p>	<ol style="list-style-type: none"> 1. SC Resolution prescribing higher penalties against PNP personnel who fail to testify in court without valid reason: <ul style="list-style-type: none"> – legislate a more punitive law; – imposition of administrative sanctions; – institutionalize exercise of courts' contempt powers against erring law enforcers. 2. Re-orientation on morals and values 3. Law enforcement agencies should allot funds for allowances of law enforcers obligated to appear as witnesses. 4. Upgrading law enforcers' knowledge through continuing legal training and education. 	<p>OCA: This is a continuing program.</p> <p>There is no need for additional penalty. Contempt should be used.</p> <p>PNP:</p> <ul style="list-style-type: none"> • PNP files administrative cases against those who fail to attend hearing. Also, PNP has eight disciplinary bodies. • Has an institutional policy where the police cannot be reassigned to another place when a case has already been filed against them. • Has a monitoring system to monitor the attendance of PNP personnel in court; Court process server will find the concerned PNP personnel and stringent disciplinary penalties will be imposed. • Has a Memo Directive that personnel who is a witness cannot be re-assigned (or at least inform the court beforehand); Re-assignment needs valid justification. <p>NBI: Disciplinary measures for personnel not attending court cases</p> <p>NAPOLCOM: Existing MC prescribing penalties for PNP personnel who fail to appear in hearings.</p>	<p>PNP: Additional allowance for witnesses e.g., Transportation expenses are currently not reimbursable. Sometimes, notice of hearing is given late to police officers. PNP should post notice on the website. Frequent re-assignment of PNP and NBI personnel to other areas of responsibility should be prohibited.</p> <p>Ombudsman Ombudsman personnel should no longer issue a subpoena to ensure attendance of law enforcers.</p> <p>PDEA</p> <ul style="list-style-type: none"> – Almost 50% of cases dismissed because of failure of law enforcers to testify as witnesses. – Direct to PNP instead of PDEA – Cases before were in coordination with the PNP. In 2007, PDEA acquired its own personnel.

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Perception of corruption, as manifested in giving of false or downplayed testimonies in Court by law enforcer-witnesses.	<ol style="list-style-type: none"> 1. Impose higher penalties for law enforcers who give false, downplayed testimonies to favor the accused. 2. Legislate a more punitive law. 3. Imposition of administrative sanctions. 4. Institutionalize exercise of courts' contempt powers against erring law enforcers. 	<p>PNP: Capability Enhancement Program is a continuing activity.</p> <p>Catch-all offense: Grave Misconduct (NAPOLCOM MC 2007-001)</p>	<p>PNP: If there are punitive measures, there should also be rewards e.g., there should be commendation from the judge.</p>
Evidence are being lost.			<p>Custody over evidence should not be with the PNP; but because of court order, PNP is compelled to take custody.</p> <p>Lack of storage facilities.</p>
Selected courts to cater especially to drug cases.			

III. Law Enforcement vis-à-vis Corrections

PROBLEM/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Lack of prison/detention cells.</p>	<p>Construction of prison/detention cells conducive for rehabilitation.</p> <p>NAPOLCOM:</p> <ul style="list-style-type: none"> • Advocate in the PNP the Restorative Justice (RJ) philosophy. • Engage in community-based services of parolees and probationers. • Establishment of halfway houses and work furlough. • Include in the curriculum the roles of police and community in the CJS. • Jail management should invite religious groups to conduct spiritual trainings and seminars. • BUCOR should tap TESDA to provide programs for inmates. 	<p>PNP: Detention prisons – this is temporary under custodial investigation.</p> <p>BUCOR: Collapsible dormitory –500 capacity (but without bed and comfort room), and seven pre-fabricated buildings.</p> <p>BJMP: Nine additional jail facilities</p> <p>NAPOLCOM:</p> <ul style="list-style-type: none"> • Organization of Pool of Resource Persons on RJ • Conduct of seminar-workshop on RJ • Supervision of the halfway house • Project of the Community Pillar • Therapeutic Community Modality • Restorative Justice 	<p>There is lack of prisons for CICL. We should consider recidivism.</p> <p>PNP/DSWD PNP said that the problem is that DSWD keeps releasing CICL. DSWD responded it only has regional jurisdiction. It is the LGU who has control over DSWD offices in their localities.</p> <p>BUCOR No facilities for CICL.</p> <p>RSCC facilities are overflowing.</p> <p>Judges are also at fault. Judges would commit to BUCOR children 9 years of age even though this is not allowed.</p> <p>Amend and improve the CICL Law.</p> <p>LGU should be required to establish CICL facilities.</p> <p>Security camps and additional dormitories designed for 8,000 inmates. Maximum Security Compound: capacity is 5,000 but at present 11,516 inmates to 35,846 inmates; congestion rate of 120%.</p>

PROBLEM/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
			<p>BJMP: Congestion rate: 209% (as of August 2010) Long-Term construction plan to lower the congestion rate (10 years) (detention cells).</p> <p>PDEA: No facility for children, no immediate response from DSWD especially during the weekends. A separate detention cell for CICL is proposed.</p>
<p>Mishandling of detained persons by law enforcers and corrections officers.</p>	<ol style="list-style-type: none"> 1. Building a culture of professionalism in handling detainees through training and values orientation. 2. Strict implementation and compliance with detention prisoners guidelines and policies. 3. Intensify rights awareness campaign through multi-mass media to prevent abuse. 	<p>There are administrative and criminal cases already filed.</p> <p>BJMP: Requires medical certificate from PNP before they turn-over detainees.</p> <p>BUCOR: Commitment Order and medical certificate of inmates</p>	<p>There should be stricter implementation of the anti-torture law.</p>

IV. Law Enforcement vis-à-vis Community

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Claimholders hesitate to seek law enforcers due to negative impression and distrust of law enforcers.</p>	<ol style="list-style-type: none"> 1. Conduct common programs and activities for the community and the PNP such as sports fests, free clinics and consultations. 2. Law enforcement agencies shall showcase and publicize best practices. 3. Build a favorable image in the eyes of the public using multi-mass media. 4. Institutionalize police and community dialogues and consultations at the barangay level. 	<p>PNP: There are ongoing programs to address the recommendations. <i>Talakayang Barangay</i> initiated by police station to determine the concerns of the community.</p> <p>NBI: <i>Kasali Ka</i> program to encourage the members of the community to report crimes.</p> <p>NAPOLCOM: National Police – Community Relations Month (Annual – every July) to highlight the importance of police-community relations in the fight against crime and the maintenance of peace and order.</p> <p>PDEA: Hotline (since 2007)</p>	<p>Police officers should be neat and clean. PNP should also be sensitive in their language. PNP responded that spy police officers must also blend in with the environment.</p>
<p>Passive response of the community against crime prevention especially due to the “<i>Piaget must die</i>” mentality.</p>	<ol style="list-style-type: none"> 1. Strengthen the witness protection program. 2. Barangays should be officially informed of the presence of accused felons within their jurisdiction. 3. Law enforcement assistance programs for complainants and witnesses should be institutionalized and properly implemented. 	<p>PNP: It has a witness protection office and conducts security assessment, but limited to certain persons. Proposes passage of CHR Charter to strengthen the witness protection program within CHR.</p> <p>DOJ: Recent development: budgetary increases, proposed passage of Whistleblower Protection Act (currently pending).</p>	<p>Lack of funding. Currently there are around 600 witnesses.</p> <p>DOJ as the main agency should strengthen witness program.</p> <p>Even the family must be protected. At present, protection is limited to immediate family.</p> <p>Offer option of going abroad to change identity through a bilateral treaty.</p>

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
		<p>PDEA: Preventive Education and Community Involvement Service (since 2007)</p> <ul style="list-style-type: none"> – after operation, people are informed of reasons for arrest or capture; – information dissemination to barangays and schools. 	
Lack of protection given to witnesses.	Strengthen and increase the budget for the witness protection program.	Same as above.	<ul style="list-style-type: none"> – Whistleblowers Act – enhance the Witness Protection Program
Media being victims of extrajudicial killings.	Law enforcement agencies should provide safety and security training in return for free media space for announcement of missing persons or suspects.	<p>PNP: Has a task force for media.</p> <p>Conducted nationwide seminar on security assessment and prevention in favor of media personalities (under the DIDM).</p> <p>PNP also released posters of those wanted for media killings; and activated Task Force <i>Usig</i> (2006).</p> <p>NBI: NBI created a special task group against EJK and Enforced Disappearances of Militants, Activists, and Media practitioners (cases solved). NBI takes an active part in the projects of Task Force 211 giving seminars, media briefings, and multi-sectoral fora on EJK and Media Killings.</p>	
Absence of women's desks in the barangay or the courts.		<p>PNP: Women and Children Protection Desk in all police stations staffed by trained women police officers. IRR of magna carta for women requires women's desk in barangay. PNP conducts trainings for women's desk.</p>	There should be more personnel for women's desks.

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Lack of capability or knowledge of barangay officials and lupon who are charged with maintaining peace and order and in the settlement of local disputes.</p>		<p>PNP: PNP conducts dialogue between offenders and complainants. Local municipal and city police conduct training of barangay tanods as Force Multipliers for maintaining peace and order.</p> <p>DOJ and PAO: They are usually tapped as resource persons by LGUs.</p> <p>PAO: Barangay Outreach Program (free legal aid)</p>	
<p>Access to public information is not as dynamic as in the local level.</p>		<p>This is DILG's and LGU's responsibility.</p>	
<p>Need for complainant in criminal cases:</p> <ul style="list-style-type: none"> • PNP memorandum circular directing its women's and children's desk officers to perform dual function of investigator and complainant in cases where none of the child's family and relatives are willing to file criminal complaint. • DSWD / PSWDO/ CSWDO / MSWDO memorandum circular directing the handling social worker to act as complainant. 		<p>PNP/NBI: In the absence of complainants, PNP/NBI personnel have been acting as complainants in these cases.</p> <p>PNP/NBI also act as nominal complainant.</p>	

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<ul style="list-style-type: none"> • Executive Order from the LGU head directing the provincial/city/municipal legal counsel to assist and defend LGU social workers against kidnapping and other retaliatory suits lodged against them by parents/family/relatives of children they placed under protective custody. • Local legislative action creating local defense fund and appropriating funds for the defense of LGU social workers facing harassment and retaliatory suits. 		<p>This is in place.</p>	<p>Lack of funding.</p>

B. Prosecution Pillar

I. Prosecution vis-à-vis Law Enforcement

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Victims or complainants unable to get help in filing cases due to inadequacy in technical know-how of law enforcers on case preparation; mishandling of evidence and in enforcing arrests that leads to violation of due process; and insufficient equipment.	<ol style="list-style-type: none"> Continuing orientation and seminars in handling complaints for investigation, collection of evidence, and preparation of case. Require all law enforcers to submit to psychological and drug tests every six months. All police officers are required to have credits in law subjects, particularly in criminal law procedures and evidence including continuing seminars and orientation. Exchange programs or seminars/training from experts in the field of case preparation, collection of evidence, serving of warrants, etc. 	<p>Orientation is held every three months.</p> <p>PNP: PNP hires as police those who are criminology graduates. There is a general physical examination, without a psychological exam. Psychological examination is done for promotion.</p> <p>PNP conducts random drug testing.</p> <p>Training abroad (International Criminal Investigative Training Program sponsored by the US).</p> <p>DOJ: Personnel are tapped as resource persons.</p> <p>Ombudsman: Public Accountability Seminars</p>	<p>Lack of funding.</p> <p>Ombudsman: Complaints are filed in any manner. The problem is how to substantiate the case with evidence.</p> <p>This issue may be a community concern as well.</p> <p>Public Accountability Seminars are more for the respondents and not for claimholders, although advocacy groups also undergo these seminars.</p>
Delay by enforcers in the filing of complaints.	Strict compliance in filing of complaints within the reglementary period, irrespective of weekends/holidays.	<p>DOJ: Under existing procedures, inquest prosecutors have night duties.</p> <p>PAO: 24/7: In all districts offices nationwide, one lawyer/one staff to render duty for 6 p.m.-8 a.m.</p>	There is delay because the certificate required by prosecutors must still be secured from Camp Crame.
Overlapping of functions.	SOP for dereliction of duty.		OMB: With the Truth Commission, there may be a possible overlap.

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
			However, the validity of the Truth Commission is now with the Supreme Court for decision.
Lack of collaboration/ coordination between the law enforcement and prosecution in conducting investigation and preparing the case.	Review/make guidelines by classified experts in the field (academe or agency before and after the fact) and to see to its strict implementation.	<p>DOJ: Various laws that require collaboration like Trafficking in Persons (inter-agency council); Special Protection of Children, etc.</p> <p>Tax cases; certain prosecutors are assigned to BIR to assist in case buildup.</p> <p>PAO: MOA with PNP (legal assistance to PO1 to PO4 for service-related cases); if not committed in the performance of duties, PAO subjects them to indigency test.</p> <p>OMB: Conduct of Public Accountability seminars and workshops.</p>	<p>There should be a multi-disciplinary training for all pillars before the case is filed to avoid overstepping of functions.</p> <p>No guidelines yet. There should be a MOA between the NPS and PNP</p>
Organized crime	Strict enforcement of the law.	PNP and NPS have specific programs and have tracker teams for each organized crime.	
Dismissal due to technicality because of police officer's lack of full knowledge on court procedures.	Prosecutors and PAO lawyers should give legal education to police on court procedures.	Continuing	
Recitation of Miranda Rights.	Lectures to the military	Policemen carry cards containing the Miranda rights as part of their uniform; also written in the dialect/language of the locality.	Ombudsman: Lectures to the military stopped in 2007.

II. Prosecution vis-à-vis Courts

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Delay in the schedule of arraignment.	Set a deadline for arraignment, which should be within 10 days from commitment of the accused. Change the Rules of Court so that pending incidents would not be a ground to delay arraignment.		Ombudsman: Accused is allowed to file a Motion for Travel upon conditional arraignment.
Delay in prosecution due to twice-weekly raffling of cases.	Daily raffling of cases.		
Lack of Judges/Prosecutors.	Immediate filling of vacancies.		Lack of budget Ombudsman: Executive Order 2; Politics; politics of patronage; personal vendetta Allot budget to salaries instead of creating savings.
Victims are being further victimized.	Sworn video statements so victims need not relive their traumatic experience.		PROPOSALS: Change in the Rules of Court.
Delay in the release of protection orders.	Change Rules to expedite the release. Extend the period of a Temporary Protection Order.		
Witness will not appear in court.	Video conference Amend the Rules of Court or reform the law to include arrest of witnesses who do not appear.	Contempt power of the Courts used. PNP <ul style="list-style-type: none"> Files administrative cases against those who fail to attend hearing. Eight disciplinary bodies discipline police officers who do not appear. 	Not all courts have facilities for this; Needs budget allocation. Ombudsman: Contempt has no teeth, lack of budget, harassment, lack of arrest power, lack of witness protection support.

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
		<p>Institutional policy that a police officer cannot be reassigned to another place when there is already a case filed against him.</p> <p>VAWC cases are being implemented.</p>	
Language barrier	Conduct hearing in English and Tagalog or local dialect/language.		<p>Courts have no space for interpreters.</p> <p>Absence of procedure for witnesses with disabilities.</p>
Delay in the proceedings due to prosecutor's values/work ethics.	Fiscal/prosecutors to be trained to observe the rules.	<p>Performance and conduct standards are being drafted.</p> <p>DOJ: Ethics modules; re-tooling programs</p> <p>PAO: For newly hired employees and those up for promotion: orientation and training.</p> <p>OMB: Performance Appraisal Reports</p>	OMB: Lack of sense of accountability; inadequate support staff or the support staff is not utilized; no customized code of conduct.
In Sandiganbayan, there is additional layer for filing which delays proceedings, e.g., Judicial review of probable cause.	Create/Amend Rules to treat such motions as prohibited pleadings to prevent delay of proceedings.		<p>Sandiganbayan cannot dismiss outright motions filed by the accused as it is the right of the accused to file such motions.</p> <p>There should be regular dialogue between courts and NPS or between the Sandiganbayan and the Ombudsman's Office. Prosecutors should have a working relationship with the Court Administrator so recommendations may be directly conveyed (Writ of Amparo effected after five months).</p>

III. Prosecution vis-à-vis Corrections

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Delay in resolution of cases due to limited facilities to transport detainees to the Prosecutor's Office during preliminary investigation.	Provision of High Security Service Vehicles in all jails or modern telecommunications with videoconference capability.	Modern telecommunication installed. BUCOR and BJMP: MOA on concurrent jurisdiction over criminals is underway. BJMP: 2010: 156 units of vans	BUCOR: – lacks personnel and security vehicle BJMP: – DBM did not give them capital outlay for 2011.
Separate date for execution of judgment.	SC to clarify with the Rules of Court.		OMB: Corrections rate is low.

IV. Prosecution vis-à-vis Community

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Lack of cooperation among witnesses and in gathering of evidence.	Provide free orientation seminars to the community in cooperation with LGUs, NGOs, etc.	NPS conducts orientation seminars.	
Barangay Tanod's jurisdiction	Training/ Lectures with manuals.	This is LGU and local prosecutors' concern.	No manual yet.
Organized crime	Strict enforcement of the law.		
Increase in juvenile and drug-related abuse cases (e.g., SK Chairman as pusher).	<ol style="list-style-type: none"> 1. Collaborate with DILG's youth development programs and education of parents on this issue. 2. Reform the SK system. 3. Legislation/DILG policy making SK responsible for campaigns vs. drugs in the barangay (education of youth, assistance in rehabilitation, etc.). 	(This is DILG's and LGU's responsibility.)	

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Backlog of cases to be filed by the prosecutor.	Give power to prosecutor to authorize private prosecutor or any human rights organization accredited by the SC to conduct investigation; with the power to subpoena witnesses, to produce documents, and to do ocular inspection, order entries to camps, and cite in contempt.	This is questionable, subject to abuse.	Needs legislation.
RA No. 9344 (Juvenile Justice Law) is silent on the provision whether the aggrieved party can appeal the findings of the social worker to the prosecutor.		NPS issued circular on this.	
Protective Custody 1. Executive Order from the LGU head directing the provincial/city/municipal legal counsel to assist and defend LGU social workers against kidnapping and other retaliatory suits lodged against them by parents/family/relatives of children they placed under protective custody.		(This is DILG's and LGU's responsibility.)	

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>2. Local legislative action creating local defense fund and appropriating funds for the defense of LGU social workers facing harassment and retaliatory suits.</p> <p>3. Resolution adopted by ULAP enjoining all LGUs to implement items 2 and 3.</p>			
<p>Filing of numerous harassment suits against community and civil society group members.</p>		<p>NPS issued circular to guide prosecutors.</p>	<p>Problem arises when the mayor himself is the accused and the witnesses are his subordinates.</p>
<p>Utilizing the Ombudsman's Office as a battleground during election season for purposes of black propaganda (e.g. harassment suits).</p>	<p>Strengthen preliminary investigations and training of prosecutors.</p>		

C. Courts Pillar

I. Courts vis-à-vis Law Enforcement

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Problems with Warrant of Arrest</p> <ul style="list-style-type: none"> • Service of the warrant. • Return of the warrant. • If arrested, persons are released. • Failure to commit body of accused to the BBRC/CPDRC and/or other BJMP jails. 	<p><i>Warrant of Arrest</i></p> <ul style="list-style-type: none"> • Strict monitoring of return of issued warrants. • PNP to impose stricter sanctions on erring personnel. 	<p>PNP: PNP has existing policies on this, such as PNP Policy reminding PNP to strictly comply with service of WOA under pain of being administratively charged.</p>	<p>On the judge's level, there is strict monitoring. On the macro level, there is none.</p> <p>NBI:</p> <ul style="list-style-type: none"> • Court delay in giving a copy of warrant for the NBI clearance.
<p>Problems with Testimonies</p> <ul style="list-style-type: none"> • Affidavits are unintelligible. • Failure to appear in court despite subpoena. • Testimony inconsistent with affidavit. • Failure to inform the court of the change of assignment/station of the police witness. 	<p><i>Testimonies</i></p> <ul style="list-style-type: none"> • Training of Police Investigators. • Station Commanders be given the responsibility to ensure appearance of police witnesses. • More coordination with the "Internal Affairs" office and the Clerks of Court in the prosecution of erring police officers. • Inform the court where the police officers are witnesses. 	<p>Same as above.</p> <p>Sandiganbayan: Conduct of out-of-town hearings.</p>	<p>Sandiganbayan: Cost of transportation for witnesses/accused is prohibitive.</p>
<p>Evidence</p> <ul style="list-style-type: none"> • Lack of system in keeping/turnover of the custody of object evidence. • In isolated circumstances, police officers change the evidence submitted to the prosecutor/court. 	<p><i>Evidence</i></p> <ul style="list-style-type: none"> • System of the chain of custody between police and prosecution be clearly set up. • More coordination with the "Internal Affairs" office and the Clerks of Court in the prosecution of erring police officers. • Code of Ethics 	<p>Same as above.</p> <p>PNP: POP</p> <p>PDEA: Manual of Operations</p>	<p>NBI: Lack of storage facilities.</p>

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Other Issues</p> <ul style="list-style-type: none"> • Police officers facilitate the release of prisoners on bail by acting as agents of bonding companies/sureties. • Engaging in “moonlighting” activities by following up cases filed in court. • Misrepresentation in the procurement of search warrants. 	<p><i>Other Issues</i></p> <ul style="list-style-type: none"> • More coordination with the “Internal Affairs” office and the Clerks of Court in the prosecution of erring police officers. • Revisiting the rules on misrepresentation of facts in securing a search warrant with a view to imposition of stiffer penalties for erring penalties. • Code of Ethics 	<p>PNP: PNP argued that this should not be a problem. It is not a crime to help in the release on bail. In any case, PNP has policies prohibiting this.</p> <p>NBI: Launching of the NBI – specific Code of Ethics which provides among others, sanctions against conflict of interest</p>	
<p>Lack of coordination between Law Enforcement and the Courts.</p>	<p>Organize a committee between Courts and Law Enforcement Agencies to conduct monthly dialogue.</p>		
<p>Claimholders’ inability to exercise their constitutional rights.</p>	<ol style="list-style-type: none"> 1. Training for law enforcers on the constitutional rights of an individual. 2. Post on the wall of police stations the statement of the rights of an individual. 	<p>PNP: PNP has existing policies on this; part of training on human rights.</p> <p>This is continuing (foreign-funded).</p>	
<p>Overlapping institutional roles for courts and administrative agencies for environmental cases.</p>		<p>Court has multi-sectoral capacity building.</p> <p>DENR has police powers.</p>	

II. Courts vis-à-vis Prosecution

PROBLEM/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Administrative Problems</p> <ul style="list-style-type: none"> – Fees assessed are perceived to be “excessive” especially in the Affidavit of Desistance. – Errors in the preparation of Information filed in court (e.g. reliance on clerks in the preparation of Information without review). – Re-assignment of Prosecutors causing delay in the presentation of evidence. 	<p><i>Administrative</i></p> <ul style="list-style-type: none"> – Review of the schedule of court fees assessed especially on the “pauper litigants.” – State Prosecutor/ RSP to ensure the equal distribution of prosecutors in cities and provinces. – Preparation of template which they can use. – Coordination with the courts before re-assignment of prosecutors. 	<p>Pauper litigants are already exempt from fees.</p> <p>DOJ: Schedule of fees: Revised Manual for Prosecutors provided exception for indigent litigants; Recent Issuance Exempting PAO clients from filing fees Templates for affidavits.</p> <p>RA No. 10071 addressed the issue on distribution of prosecutors.</p> <p>NBI: Administration of oaths and affidavits is done free of charge.</p>	
<p>Trial</p> <ul style="list-style-type: none"> – Lack of Preparation resulting in delay and/or eventual dismissal. – Prosecutors do not appear on time, if at all they appear. – Custody of Object Evidence. – Period for the re-investigation is not followed. – In case of Ombudsman prosecutors, the need to seek permission from the Ombudsman regarding the consent to the plea bargaining proposal. 	<p><i>Trial</i></p> <ul style="list-style-type: none"> – Retraining and values reorientation program for prosecutors. – Code of Ethics – Systematizing the custody of evidence. – Strict observance of the period. – Courts to look into this problem. 	<p>NPS: Has performance standards including tardiness.</p> <p>DOJ: Code of Ethics for Prosecutors is being finalized which include the establishment of Internal Affairs.</p> <p>Custody of Evidence: prohibits prosecution from taking custody of any object evidence.</p> <p>PAO: Continuous training; Lack of preparation: furnished by the court of orders and upon receipt, PAO requires lawyers to explain and then impose appropriate sanctions.</p> <p>OMB: Covered by Internal Admin Order.</p>	

PROBLEM/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
		<p>CTA: Lack of preparation: Penal-tax related cases: CTA conducts regular dialogue and proposals with DOJ to deputize BOC or BIR lawyers.</p>	
<p>Passing the problem to the court by filing the case in court and letting the court decide if there is a strong evidence against the accused.</p>	<ol style="list-style-type: none"> 1. Courts and Prosecution Reorientation Program. 2. Prosecutors should dismiss the case at their end if they find out that the evidence against the accused is weak. 	<p>NPS: As to NPS, in case of doubt, they still file case. NPS is already coming up with a study on probable cause. DOJ: Re-tooling programs; positive enhancement programs.</p>	<p>Perception of corruption DOJ: For 2. Definition of probable cause” Sandiganbayan: Problem of the prosecution</p>
<p>Failure to file on time comments and other pleadings required by the court despite the period given which cause delay in the disposition of cases.</p>	<p>The court should assign personnel to follow up the prosecutor’s concern. The court should give specific guidelines on extension of time.</p>	<p>DOJ: Partly covered by Revised Manual for Prosecutors. PAO: PAO lawyers are mandated to file pleadings on time; in case they fail to do so, and court issues an order on this, PAO requires the lawyer to explain and file the necessary admin case against them.</p>	<p>NPS has 350,000 cases.</p>
<p>Inventory of all prison detention cases.</p>	<p>Enhanced Justice on Wheels (EJOW)</p>	<p>Actual release of prisoners. LGU should provide Court the statistics.</p>	
<p>Indigency test</p> <ul style="list-style-type: none"> • Some Clerks of Court Offices would not accept the petition unless the certificate of indigency is issued by the LGU. • Impediment on the speedy disposition of CICL cases because PAO has no funds for docket fees despite the mandatory requirement of RA 9406. 	<p>PAO Regional Directors prepared a memorandum circular to amend the 1990 version on the determination of indigence, specifically amending the net income for Metro Manila and other cities.</p>	<p>PAO: Already amended the indigency requirement from family-based to individual based; aside from submission of documentary requirements, require clients to execute affidavits of indigency.</p>	<p>PROPOSAL: Tap IBP to help PAO.</p>

III. Courts vis-à-vis Corrections

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Inability of accuser/accused to have speedier resolution of case due to administrative problems, i.e., no system in the turnover of files/record of prisoners.	<ol style="list-style-type: none"> 1. Improve system of records of files or adopt a case management system. 2. Systematize the administrative offices of BJMP. 	<p>CAMIS, CECFM, CMIS</p> <p>BJMP: BJMP has conducted seminars on management technology. It has created directory management and computerized the records of the detainees (easy access to their cases).</p>	<p>BUCOR: Not yet computerized; Information System Strategic Plan disapproved by the DBM, but already approved by the National Computer Center.</p>
<p>Non-availability of an accused during the hearing due to unavailability of vehicles and manpower to bring them to court.</p> <ol style="list-style-type: none"> 1. Prisoners do not come on time, if at all brought to court. 2. Prisoners fail to appear in court because they are in poor health. 	<p>There should be enough vehicles and manpower provided by the DILG or the local government in order to ferry the accused and escorts regularly to the court for court proceedings.</p> <ol style="list-style-type: none"> 1. LGU to fund maintenance of vehicles. 2. LGU to improve facilities. 	<p>BJMP: Some LGUs have donated vehicles.</p> <p>Sandiganbayan: Conduct of out-of-town hearings. COA Rules on liquidation for bonded officers.</p>	<p>BUCOR: There is delay in the notice.</p> <p>Some LGUs have not been very supportive.</p> <p>BJMP: Lack of manpower: ratio is one jail officer per three inmates, without supervisor.</p>
Conduct inventory of all prison detention cases and prioritize.	Enhanced Justice on Wheels (EJOW)	<p>BJMP: Paralegal services (prioritization of cases)</p>	<p>BJMP: Taken over eight provincial jails and four sub-provincial jails so the number of detainees increased.</p>
Coordinate with other government agencies (PAO, DILG, BJMP) relative to outreach efforts for jail decongestion and visitation (PAO).	EJOW	<p>PAO: continuing program; lawyers are directed to conduct regular jail decongestion.</p>	

IV. Courts vis-à-vis Community

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Failure to get support of witnesses for crime investigation and resolution, especially those involved in heinous crimes, due to fear, indifference, and lack of appreciation of the roles and responsibilities in the CJS.	The witness protection program of the government should be strengthened and made effective because of the clamor of witnesses that the cases are sometimes resolved and nothing is being done to protect them and their families due to many bureaucratic requirements.	(See Law Enforcement vis-à-vis Community)	WPP problem
Public Attorney's Office: Lack of personnel to render services to community.	<ul style="list-style-type: none"> • Revisit the pay structure of the PAO lawyers to make it more attractive for lawyers to join the service. • New bar passers to render "community service." 	PAO Law RA No. 9406: Full implementation especially the allowance and the 1 court: 1 public attorney ratio.	Ratio is not 1 court:1 public attorney.
1. Complainants/ witnesses fail to appear during trial. 2. Lack of information of the system, process.	<ul style="list-style-type: none"> • NGOs to render support services to complainants and their witnesses. • Information, Education, and Communication campaign. 		
Witnesses refuse to testify because of threats to life.	Allow transfer of venue.	SC concern	
Lack of judges with expertise to decide extrajudicial cases and enforced disappearances.	Invite representatives from international community in mixed tribunal or foreign-local posts.	SC concern	
Facilities for witnesses: Set up private waiting areas in court buildings to prevent intimidation, harassment, or trauma by the accused and/or his/her supporters.		SC concern	Budget allocation Lack of facilities for child witnesses such as waiting areas, screens, one-way mirrors, live-link television.

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Determination of Discernment</p> <ul style="list-style-type: none"> Manual and Assessment Tools developed by the DSWD. SC Rule re: Assessment and Determination of Discernment <p>SC to issue a circular directed to family courts to consider secondary evidence (e.g., dental records).</p>		<p>DSWD has implemented these.</p>	

C. Corrections Pillar

I. Corrections vis-à-vis Law Enforcement

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Lack of police/law enforcers (one law enforcer per 1,000 population)</p> <ul style="list-style-type: none"> Delayed execution/serving of warrant of arrest for erring probationers recommended for revocation of probation. Lack of commitment/determination to serve the warrant, or preferential execution. Probationers/jail escapees. 	<p>Lobby for the PNP Recruitment Program</p> <ul style="list-style-type: none"> Recommend the deputation of barangay officials (may require legislation) to do the arresting function (if imminently needed) in the absence of law enforcers. Lateral coordination with the LGU officials, promote vigilance in the community through information drives. 	<p>PNP: It has different bureaus for recruitment.</p> <p>There is regular recruitment in the PNP. Recruitment has been increased from 3,000 to 10,000 personnel (entry positions) nationwide.</p> <p>Citizen’s arrest.</p>	<p>NBI: Lack of personnel; lack of training on JMP.</p>
<p>Lack of commitment in serving the warrant of arrest for offending released parolees/pardonees who violated conditions of their privilege.</p>	<p>Improved coordination between Law Enforcement and the Courts</p> <ul style="list-style-type: none"> Courts to furnish Law Enforcement copies of warrants of arrest. 		<p>This is the parole officer’s responsibility.</p>

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
	<ul style="list-style-type: none"> • Law Enforcement to serve warrant on time (if not served, return to Courts with complete detail on the failure to serve the warrant of arrest). 		
<p>Abuse and violation of human rights of probationers/parolees/pardonees/and released offenders/suspects.</p> <ul style="list-style-type: none"> • Stereotyping suspects with police records as probable suspects in another crime. • Frame-up/planting of evidence to meet the arrest quota. • Utilizing the released offender as asset in police operations against his/her will. • Involuntary servitude. • Summary killing/salvaging. 	<p>Advocate/immerse in the PNP perspective the “restorative justice” philosophy, practices, and strict adherence to the principles of due process.</p> <ul style="list-style-type: none"> • Intensify education of human rights standards. • Values reorientation/moral recovery programs. • Police debriefing. • Strict adherence to the Miranda doctrine. 	<p>PNP: PNP has strict policies on these: POP and establishment of HRAO.</p>	
<p>Delayed processing/issuance of records check (clearance, certification, etc.) especially the NBI.</p>	<p>Integrated computerization of records for agencies involved in the CJS.</p> <ul style="list-style-type: none"> • MOA between NBI and PPA to regionalize release of records for the expeditious issuance of records check. • Strengthening of finger-print/photograph-checking between NBI and PPA. 	<p>Computerization of program.</p> <p>NBI: MOA with BJMP with respect to records checking (to be signed).</p> <p>(Proposal: Include BUCOR.)</p>	<p>No MOA yet. One problem is that the accused would have multiple crimes in their records because of similar surnames with other accused.</p>
<p>Enhance claimholders’ access to justice by providing competent investigators.</p>	<p>Training of police on investigation by legal experts/groups.</p>	<p>There are trainings with police/law enforcers.</p>	

II. Corrections vis-à-vis Prosecution

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Delayed preliminary investigation.	Lobby for additional prosecutors.	Additional prosecutors were added. Implementation of electronic prosecution case management.	DOJ: Vacancy rate: 21%. PAO: Number has increased but compared to number of courts and prosecutors, PAO lawyers are still insufficient in number.
Exorbitant filing and other legal fees.	Socialize imposition of filing fees with proviso for availment of free filing fee for 'legitimate' indigents.	Indigents are already exempt.	
Delayed filing of cases.	Regular follow-up/ coordination by DSWD with the Prosecutor's Office.	Continuing, this is DSWD's concern.	
Delayed scheduling/hearing.	Regular follow-up/ coordination by the Provincial Jail with the Prosecutor's Office.	Continuing	BJMP: Hearings reset and this causes clogging of court dockets.
Coordinate with other government agencies (PAO, DILG, BJMP) relative to outreach efforts for jail decongestion and visitation (PAO).		Continuing	

III. Corrections vis-à-vis Courts

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Lack of judges; delays in issuance of resolution of probation reports to the prejudice of probationer and petitioner.	Lobby for additional judges, network with the courts.	PPA concern/ SC concern	There is lack of judges and action. The delay in the issuance of resolution of probation reports is a problem of the corrections pillar. It is a cause of corruption.
Delayed action on request for records check.	<ul style="list-style-type: none"> • Establish rapport with Court personnel to fast-track requests. • Encourage the Courts to implement the NCIS. • Improve records management, rapport with Court personnel to fast-track requests, efficient administrative work; and lobby for early retirement program. 	<p>OCA says there are existing programs for court officers.</p> <p>A.M. No. 05-2-01-SC, Access to Justice for the Poor Project, Information, Education, Communication (IEC) Guidelines for Municipal Court Information Officers.</p> <p>OCA Administrative Circular No. 16-2007, Clerks of Court designated as Municipal Court Information Officers (with pilot).</p>	Court personnel are not congenial.

IV. Corrections vis-à-vis Community

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Lack of community support for the thrusts and programs of the community-based corrections system.</p>	<ul style="list-style-type: none"> – Engage in community-based services of parolees and probationers which will increase public awareness; encourage community acceptance; and shift/transform the traditional retributive mindset of the community to restorative justice. – Volunteer Resource Development (Training, Organization, Utilization as Supervisors/Resource Individuals). – Institutionalization of the Volunteer Movement with full support from the government and private sector. – Documentation and publication of success stories of reintegrated offenders. – AFTER CARE Program – Linkages with NGOs, GOs, private donors, and LGUs for financial support to strengthen the existing livelihood programs and provide micro-financing assistance for released offenders. – Establishment of halfway houses and work furlough. – Network with private sector in providing employment referrals. 	<p>BUCOR: LOVE Foundation – does liaison with the community; provides scholarships.</p> <p>BJMP: Directorate for Inmates Welfare Development: AFTER CARE to be supported by POs and NGOs in the area.</p> <p>There should be a MOA with LGUs.</p> <p>NGOs actively participate in “Adopt-A-Jail Program.”</p>	<p>BUCOR: Graduates of BUCOR College not accepted by the community.</p> <p>External Relations Commission- possible employment of the released inmates (proposal).</p> <p>BJMP: Discrimination against inmates.</p>
<p>Resolve swiftly motions for release of CICL pending in courts.</p>		<p>DSWD’s concern</p>	

D. Community Pillar

I. Community vis-à-vis Law Enforcement

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Negative perception by claimholders of duty-bearers or their fear towards law enforcers so they don't report crimes or criminals; and their impression of inability of law enforcers to protect them.	<ol style="list-style-type: none"> 1. Information campaign to uplift the image of the law enforcers, e.g., billboards showing police as protector of the people. 2. Police involvement in community activities, e.g., church activities, sports. 3. Police modeling good conduct and behavior. 4. Police as integral part of community and therefore should be seen as part of the community. 5. Increase police visibility and penalize corrupt police officers. 	<p>PNP: Quality Service Lane Continuing Enhancement of the Police Community Relations Program.</p>	<p>PNP: PNP has different PCR projects.</p>
Natural indifference to get involved in criminal incidents for fear of being implicated (" <i>ayaw makialam</i> " culture).	Church to preach; and the educational system to include in the curriculum the role of the police and the social responsibility of the community in the CJS.	(This is the Church's responsibility.)	
Insufficiency of details in the preparation of the complaint affidavit.	The police investigator should thoroughly investigate and make of record all the details of the testimony of the witness, asking searching and relevant questions.	<p>PNP: Trainings</p> <p>NBI: Strictly adhere to the rule of thoroughness and legality. Basic Training Course</p>	Language barrier. Affidavits should be in the local language/dialect or interpreters should be hired.
Law enforcers/Police officers/NBI who commit crimes.	Automatic administrative investigation within the police office and sanction meted immediately even before the criminal prosecution begins.	<p>NBI: Files both administrative and criminal cases for those who violate the law (organic employees).</p>	

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Public service announcement of <i>desaparecidos</i> or suspects.	Media should allot free space for announcement of missing persons and suspects in return for training on safety and security of media people.	PNP: Task Force <i>Usig</i> (only for enforced disappearance) NBI: See above	
Lack of forensic capability or personnel.	Municipal Health Officers should be directed to take DNA samples of unidentified cadavers for preservation by the PNP forensic laboratory.	PNP: SOCO NBI: Latest DNA machines	PNP: DNA: only at the National HQ
Absence of an integrated crime information system.	NGOs with expertise on information systems to assist in the establishment of a national crime information system.		NCIS is not yet integrated. The system should be upgraded.

II. Community vis-à-vis Prosecution

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Inability to get legal assistance due to lack of knowledge on the existence of PAO, Prosecutor's Office and other government agencies that can provide free assistance.	Information, education and communication programs on the agencies of govt. and the assistance that they provide in the CJS, including their location, e.g., billboards in the municipal or barangay halls.	This is already implemented. Ex. TV5. (Face to Face, PAO show, website, print)	
Fear to act as witnesses due to lack of protection and financial support. Fear to testify for fear of retribution or personal safety.	Community to provide recognition and incentive to witnesses of high-profile crimes (scholarships for their children, programs for law-abiding citizens e.g., during commencement exercise, etc.).	NGO's concern	
Delayed filing of Resolution/ Information in court.	– The period to make resolution and information of cases should be strictly followed and monitored.	See above (DOJ)	

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
	<ul style="list-style-type: none"> – The prosecution who caused the delay should be penalized. 		
Parties to the preliminary investigation cannot receive subpoena.	<ul style="list-style-type: none"> – The arresting officers should get the complete address of both the complainant and the accused during police investigation. – The process server of the Prosecutor’s Office should exert diligent efforts to personally locate the parties. 	<p>PNP: Included in the Booking Sheet and Arrest Report.</p>	
Inability of the complainant to understand the CJS at the Prosecutor’s Office level.	<ol style="list-style-type: none"> 1. The investigating fiscal should take time to explain patiently to the party the relevant matters pertaining to the case. 2. Install ‘one-stop-shop’ from legal groups. 	<p>This is implemented (A2J posters, pamphlets, tarpaulins).</p> <p>DOJ: Part of orientation and capacity enhancement.</p>	

III. Community vis-à-vis Courts

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Victims of and witnesses to petty crimes do not report because of the perception that courts are slow in the administration of justice.	<ol style="list-style-type: none"> 1. Courts should aim to expedite disposition of cases to assure the public that justice is swift and available for the rich and the poor alike. 2. Judges should behave in a manner that would merit the respect and trust by the community. 	SC’s concern	
Fear to testify for fear of retribution or for personal safety.	<ol style="list-style-type: none"> 1. Improve witness protection program. 2. Training on responsibilities of everyone on the CJS. 3. Passage of the Whistleblower’s Act. 	Same as above	
Prohibitive costs resulting in settlement of cases for a fee, thereby depriving the other pillars of justice.	<ul style="list-style-type: none"> • Raise similar revenue-generation schemes like “piso para sa pondo ng bayan” for indigent litigants. 	Same as above	

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
	<ul style="list-style-type: none"> Government to provide funds for poor litigants through PAO (for fare, food, etc.) 		
Manipulation in raffling of cases	Transparency in raffling of cases before interested parties	SC's concern	
Lack of knowledge on the part of the complainant regarding service of Warrant of Arrest (W/A).	<ul style="list-style-type: none"> The Court should have a standard and uniform system regarding release of W/A and this should be known to the party asking for it. Posting of flow charts regarding this procedure on the bulletin boards 	<p>Flow Charts disseminated and posted outside court</p> <p>SC's concern</p>	
Delayed and expensive Transcripts of Stenographic Notes (TSN)	<ul style="list-style-type: none"> Stenographers should observe the required number of words per page of the TSN and follow SC Circular regarding this matter. TSN should be readily available even if no party requires it. 	SC's concern	Sandiganbayan: CMIS to provide a template format for TSNs
Impartiality of the presiding judge.	If a party believes that the presiding judge is biased or impartial, it should be made a ground for inhibition.	SC's concern	
Unreasonable exercise of the contempt power.	Contempt power should be used sparingly and fairly and its basis reasonably acceptable for citing a person in contempt.	SC's concern	

IV. Community vis-à-vis Corrections

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
Poverty makes prison attractive because it is a source of shelter and food for the poor, thus, encouraging commission of crimes.	<ul style="list-style-type: none"> • Improve the economy, generate employment, make available micro-financing, etc. • Skills training and sheltered workshops for employment of ex-detainees (DSWD and the LGUs). 	Volunteer Probation Aides	Parolees are not given employment opportunities.
Negative community attitude towards ex-detainees, thus the unwillingness to provide them with jobs.	Church intervention to dissipate the stigma towards ex-detainees through sermons that are more socially relevant.	Volunteer Probation Aides	
Overstaying inmates at the BUCOR.	Religious monitoring/follow-up on the cases of inmates.		BUCOR: Overstaying happens if inmates get sick (exceptional circumstances).
Inhumane condition of detention centers.	DOJ and LGU should increase the budget so as to improve the sanitation and increase food allocation for inmates.	It should be DBM's responsibility. BJMP: Allocation: P50/day/inmate BUCOR: Conducts reengineering of whole system. Allocation: P50/day/inmate; for 35,546 individuals	Lack of facilities, funding
Value formation of inmates.	The Jail Management should invite religious groups to conduct spiritual trainings and seminars.	Input of provincial jail in Cebu is taken into account. BJMP: Inter-faith program in place BUCOR: Value formation programs	

PROBLEMS/ISSUES	RECOMMENDATIONS/ STRATEGIES	ACTUAL ACCOMPLISHMENTS	OBSTACLES/CHALLENGES IN THE IMPLEMENTATION
<p>Inmates' inability to earn livelihood.</p>	<p>The BUCOR should tap TESDA to provide programs where inmates could acquire skills in order to be productive and earn while in detention.</p>	<p>BUCOR: Has programs and has tapped LGUs, TESDA.</p> <p>External Relations Division</p> <p>Love Foundation chaired by CJ Puno.</p> <p>Joint Venture Agreement with Private Personal Corporation Livelihood</p> <p>Inmates employed by certain corporations; handicraft business.</p> <p>BJMP: Livelihood programs in jails in metro centers (NCR, Cebu and Davao).</p>	

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