



*On the Occasion of the Launching of the Implementing Rules and Regulations (IRR)
of Republic Act No. 10575 or the BuCor Modernization Act*

9:00 a.m.
12 December 2014

Hyatt Regency Hotel
Manila

A Re-birth for BuCor

Message delivered by Secretary **Leila M. de Lima**

Good morning to everyone present here today to witness the launch of the much-awaited Implementing Rules and Regulations (IRR) of Republic Act No. 10575, otherwise known as "The Bureau of Corrections Act of 2013" or, as it is popularly known, the "Bucor Modernization Act".

First of all, I would like to thank, not just those who helped draft these Implementing Rules and Regulations, but also those who have been working and advocating for years for the passage of the law itself. You are the heroes we celebrate today.

The law and these IRR, as expected and anticipated, hold the key to upgrading the facilities, manpower and other resources of the BuCor.

It is the ultimate recognition that our penal and corrections system has been neglected for far too long, as it operates under an organizational structure, staffing pattern and compensation system that have become unresponsive to the growing and changing needs of our prison management and inmate population alike.

Thus, it is an honor that it was during this Administration's term that these changes and opportunities for improvement have finally been realized.

It has been a long road, and I have not forgotten the many incidents and issues that have driven home the severity of the problems and challenges facing the BuCor, including severe congestion problems at the New Bilibid Prison due to its inadequate facilities, which at one point was even further exacerbated by the fire back in May 2011, which gutted Building 5 of the Medium Security Compound (the "MedSC").

These were all reasons why we worked hard to have the BuCor Modernization Act passed and, now, with the launch of the IRR, we could heighten and accelerate the implementation of its salient provisions, which include the improved compensation package for our personnel – who, on a daily basis, take on the increasingly difficult task of ensuring that the inmates do not end up running the penitentiary.

I recognize all the efforts that the leadership of the BuCor has been exerting, especially through our Director General of Corrections, Franklin Jesus B. Bucayu, and all the officials all the way to the rank-and-file personnel of the Bureau, especially our custodial guards. I know that yours is not an easy mandate to discharge.

In fact, at this point, perhaps it is not an exaggeration to state that the BuCor, out of all the attached agencies of the DOJ, carries the most demanding and lingering of burdens. After all, if we think about it, all successful investigations and prosecutions of criminal offenses theoretically result in more inmates for our prisons and penal farms, who will be kept as wards of the BuCor for months, years and, in some cases, decades to come on a 24/7 full-alert basis.

It is a mandate that never sleeps and never allows the lowering of guard, figuratively and literally.

I am certain and quite hopeful that the law and these IRR would tip the scales in favor of the BuCor, especially in light of the many controversies it has hurdled, is currently hurdling, and will conceivably continue to hurdle in the future.

However, while it provides answers and solutions, or mechanisms for the finding of such answers and solutions, for many of the past and current problems of the Bureau, it is not a panacea; it is not a cure-all; it is not a magic potion; it does not hold a universal remedy.

In fact, it is as it should be. We should harbor no illusions that our troubles will ever completely disappear because **constant vigilance** is the name of the game when it comes to operating and managing prisons

and penal farms. We can only strive to make sure that we are completely and adequately prepared for any and all contingencies, that we are several steps ahead, and never behind, the people under our custody.

Hence, while most of us are probably focused on the physical and structural modernizations that the law and these IRR will herald in, I would like to emphasize that we can only realize the true potential for success of the BuCor and our prisons and penal farms if we combine these with a shift in the mentality and philosophy with which we approach the discharge of the mandate of the Bureau.

I invite you to think deeply and keenly about what we can change in ourselves – all of us, from the rank-and-file to the leadership of the BuCor. Sure, we have been having problems in the operation and management of our facilities, and it is but right that we go into problem-solving mode. But we should go further. We should have a clear idea of what we want to accomplish. We can't be working on a fire-fighting or reactive mode only. We have to simultaneously and constantly be on an achievement or pro-active mode as well.

What do we hope to achieve anyway?

Paul Watson, the Canadian environmental activist focused on marine conservation and was once imprisoned by the Netherlands Government after a court in Oslo had convicted him for sinking a ship in an anti-whaling protest, once said that "Dutch prisons are probably the most civilized you're going to find anywhere in the world." Any one of us present here today, who knows the challenges prevalent in Philippine prisons and penal farms, would acknowledge that that is very high praise indeed. Especially so coming from one who is not merely an impartial observant, but an *inmate* no less!

The idea of prisons – of punishment through the inhibition, not just of movement but also of several aspects of what we take for granted as part of a "normal life" – is perhaps something that we don't readily equate with being "civilized".

Yet, as counter-intuitive as it may sound, I believe that being able to say that about the prisons and penal farms that the Philippine State runs and manages is perhaps the second highest goal that any of us, who are mandated to administer the corrections system, could ever aspire to. Second only to the goal – or perhaps the *pipe dream*, some would say – that, someday, our society could progress into being perfectly functional that our prisons would lose their reason for being.

This, I believe, is what we should aspire to. To focus on the old mentality or approach that prison life has to be made as miserable as possible, as an emphasis on the punitive and retributive aspects of our criminal justice system, is precisely what would make our jobs difficult and our goals impossible to achieve. Misery breeds misery; or, as succinctly put by a Russian philosopher and revolutionary, *"Have not prisons - which kill all will and force of character in man, which enclose within their walls more vices than are met with on any other spot of the globe - always been universities of crime?"* (Peter Kropotkin)

Of course, the answer ought to be "No."

Our prisons ought not to breed malcontent. On the contrary, our prisons ought to be where those who have not experienced humanity at its best get a second chance.

Our prisons ought not to produce even more hardened criminals, but productive citizens.

Our prisons do not have to be universities of crime; or hotbeds for criminal operations; or training grounds for aspiring career criminals; or marketplaces for illegal drugs trade and other nefarious activities; or a physical social and professional networking site where criminal elements thrive and expand.

Our prisons could be much more than that: they could be a real place for learning, for developing useful and *legal* professional and life skills. There is a reason why one of the most well-known Bible verses, even in secular discourse, is the one that states that "An Idle Mind Is the Devil's Playground" (Philippians 4:8).

Thus, it should be our goal to channel the potential of the individuals in custody away from criminal activities to "civilized" ones, so-to-speak.

That is what I meant when I say that we have to be on an achievement mode. Each moment that the inmates spend on activity that does not further criminal activities within and beyond the walls of our facilities is an achievement.

And I hope we make ample use of the opportunities and resources that the law and these IRR have given us to achieve that goal. After all, the law and these IRR are for the common benefit of those serving in the

BuCor and the inmates serving their time in its facilities. I know that each and every one of you are up to that task.

Again, thank you to all those who made this day possible.

Let this day herald in a re-birth for the BuCor.

Good morning and God bless us all!