

Department of Justice

**ANNUAL REPORT
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**Prepared by
The Planning Staff
Management Services Office**

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OFFICE OF THE SECRETARY (OSEC)

The Department of Justice derives its functions from Executive Order (EO) No. 292 otherwise known as the Administrative Code of 1987. It is mandated to uphold the rule of law and ensure the effective and efficient administration of justice. It acts as the principal law agency and legal counsel of the government.

The Secretary of Justice, assisted by three (3) Undersecretaries, three (3) Assistant Secretaries, The Chief State Prosecutor, the Chief State Counsel, the Board of Pardons and Parole, and Support Services namely the Technical Staff, Financial and Management Service, Administrative Service and Management Service Office, accomplished the following from January 1 up to December 30, 2007:

NATIONAL PROSECUTION SERVICE

The National Prosecution Service (NPS) 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 Presidential Decree (PD) No. 1275, as amended, and EO 292.

By the end of CY 2007, besides the Office of the Chief State Prosecutor (OCSP) in the Department Proper, there are 135 city prosecution offices, 81 provincial offices, and 115 provincial sub-offices. At that time as well, the NPS was manned by 1,750 prosecutors and prosecution attorneys out of 2,415 plantilla positions (665 or 27.5% vacancies) and 1,819 support staff out of 2,015 plantilla positions (196 or 10% vacancies). The said national government personnel are augmented by more than 600 support staff provided by local government units (LGUs)

Investigation and Prosecution Services

For the year 2007, the NPS handled a total of about 400,000 cases for preliminary investigation which constitutes the bulk of the workload of prosecutors (including prosecution attorneys). With 1,750 prosecutors by the end of 2007, the prosecutor–case ratio pertaining to preliminary investigation can be deduced to an average of one (1) prosecutor handling 230 cases for the entire year. This was on top of the around 800,000 cases prosecuted in the first and second level trial courts, or an average of one (1) prosecutor handling 460 court cases for the entire year.

Out of the said preliminary investigation caseload, about 320,000 cases were resolved, resulting to a disposition rate of around 80%, which is higher than the 78% disposition rate in year 2006 and 76% in 2005. Pending cases numbered about 80,000, less than the 88,703 and 93,235 in the years 2006 and 2005, respectively. The target under the updated Medium-Term Philippine Development Plan (MTPDP) is to progressively increase disposition rate to 85% by year 2010 and further reduce backlogs.

There are various organizational issues and concerns that hamper the performance of the NPS. The primary concern is manpower deficiency that has been severe for many prosecution offices nationwide. For prosecutors, the above mentioned 665 or 27.5% vacancies have been largely due to lack of takers, delays in the recruitment and appointment, and the high rate of transfer to the judiciary. This problem is besides the lack of prosecutor positions in newly created city prosecution offices. For the support staff, there have been inadequate plantilla positions and increasing number of vacancies due to the ongoing moratorium on hiring under the government rationalization program.

Other internal management areas that need to be improved include the organizational and functional structures, systems and procedures, information dissemination, case management, reporting and performance monitoring, manpower/financial/physical resource management, human resource development, halls of justice and office space, 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.

Special Programs, Projects and Activities

Besides their regular investigative and prosecutorial functions, provincial and city prosecutors are deputized by the Offices of the Solicitor General and Ombudsman, as ex-officio legal counsel of LGUs, serve as the vice chair of the election board of canvassers, and sometimes act as local Register of Deeds.

The OCSP and Office of the Regional State Prosecutors (ORSP) administer the Witness Protection Security and Benefit Program, Victims Compensation Program, and together with the Public Attorney's Office, the DOJ Action Center which renders free legal assistance to the public.

The NPS as a whole has also been actively involved in various efforts on human rights/women/child protection, anti-trafficking in persons, anti-money laundering, anti-smuggling and tax evasion, anti-terrorism and Katarungang Pambarangay, among others.

Institutional Reforms and Internal Management Improvement

In 2006, the Department commenced the Organizational Development (OD) Program for the NPS. It consolidates key reforms into an organized set of doable strategy-based projects, focuses on the rationalization of critical organizational systems, procedures and structures, and planned/undertaken in the context of macro bureaucratic and justice system reforms, considering government limitations and resource constraints.

Projects and activities as of the end of 2007 and still ongoing are as follows:

Procedural Development Project – review and standardization of case management procedures as input to the manuals for prosecutors and administrative procedures for production within the year 2008

Management Systems Improvement Project – transitional NPS reporting and performance monitoring system maintained for 2008 with significant improvements under D.O. No. 997 dated 03 December 2007

Basic Orientation of New Prosecutors – Seven (7) trainings scheduled for 2008 funded by the Asian Development Bank (ADB) and the United States Agency for International Development (USAID) through The Asia Foundation

Acquisition of Reference Materials - the ADB has been working on the provision of electronic compilation of statutes and jurisprudence for all prosecution offices nationwide

Development of NPS I.T. Infrastructure and the Prosecution Case Management System (PCMS) – mass procurement of computers for prosecution offices nationwide (in addition to the 500 units acquired and distributed in early 2007) and further development of the PCMS

Two (2) technical assistance packages from the USAID and the ADB have been negotiated and are scheduled for approval in January 2008 for the said projects. More projects are now in the pipeline and negotiations for further external support are being undertaken to augment the limited Department resources for the purpose.

Besides the OD Program, another significant accomplishment as indicated in the MTPDP is the intensified recruitment of prosecutors by the Department in the face of high rates of separation and transfer to the judiciary. In 2007, 190 prosecutors and prosecution attorneys were appointed, effectively offsetting the 173 separations and transfers.

Major Plans and Targets

The Department is committed to undertake the strategies and activities for the NPS under the MTPDP. As earlier mentioned, the primary goal is to progressively increase disposition rate of 85% of cases under preliminary investigation by year 2010 and further reduce backlogs. Also, the Department shall continue to intensify the recruitment of prosecutors and prosecution attorneys—at least 200 every year. Establishment of the I.T. systems shall also proceed as planned under the DOJ-OSEC Information Systems Strategic Plan (ISSP).

The NPS OD Program shall also proceed as planned. The above mentioned projects will be continued and completed, maximizing available resources and existing partnerships with donor institutions. Other projects to be undertaken as planned for 2008 and beyond are as follows:

Review of Organization and Staffing Structures, and Reorganization Efforts - development of a rationalized organization and staffing structure for the NPS in the context of the government rationalization program and legislated reorganization

Ethical Strengthening and Productivity Enhancement Project – development of integrity and productivity standards, anti-corruption mechanisms, and new organizational and personnel performance indicator/evaluation systems.

Improvement of Management Systems – manpower/financial/physical resource management (programming, allocation, utilization, and accountability) and records management systems among others.

LEGAL STAFF

The Legal Staff (Office of the Chief State Counsel) was created under R.A. No. 2705 dated June 18, 1960, as amended. It is mandated under E.O. No. 292 to, among others, assist the Secretary of Justice in the performance of his duties as Attorney General of the Philippines and as ex-officio legal adviser of government-owned or controlled corporations or enterprises and their subsidiaries and to prepare and finally act for and in behalf of the Secretary on all queries and/or requests for legal advice or guidance coming from government officials and employees as well as private parties.

For the year 2007, the Legal Staff rendered, upon the request of national government functionaries, including the Office of the President, various legislative committees, as well as senior officials of the Department, 426 opinions (memoranda/comments/legal studies) on difficult questions of law attending the performance of their respective functions, which opinions have economic, social and political implications.

The following are some of the significant opinions rendered by the DOJ Legal Staff:

1. The exchange of correspondence between Presidential Chief of Staff Michael Defensor and Chinese Minister of Commerce BoXi/Chinese Ambassador Li Jijun may be considered as an executive agreement, pursuant to the case of *Abaya vs. Ebdane* (G.R. No. 167919, February 14, 2007), provided that the Loan Agreement between the Government of the Republic of the Philippines and China Exim Bank is subsequently concluded. (Opinion No. 46)

2. The guidelines of the foreign lending institution on procurement shall be followed unless the loan agreement with said institution is silent as to the governing guidelines, in which case, the Implementing Rules and Regulations (IRR)-A of Republic Act No. 9148, The Government Procurement Reform Act, may apply. (Opinion. No. 46)
3. The transfer operation, maintenance and management of the existing treatment and rehabilitation centers for drug dependents of the National Bureau of Investigation (NBI) and Philippine National Police (PNP) to the Department of Health (DOH) does not include the transfer of the lot areas where the centers are located. The “lot area” where the centers are located are not included in the term “actual resource” to be transferred to the DOH. Only the corresponding logistics, its personnel services, equipment, actual resource including newly constructed buildings, and the current allotment for the treatment and rehabilitation centers in the General Appropriations Act as transferred to DOH. (Opinion. No. 25)
4. The proposal to customize the community tax certificate (CTC) as an alternative or a supplement to the Unified Multipurpose Identification (UM-ID) System may not be considered without the active participation of the local government units concerned or absent an implementing legislation or the active participation of the concerned local government units. It is the local government units, specifically the cities and municipalities, that are empowered to levy community taxes and, consequently, to issue, through its treasurers, the CTCs printed by the Bureau of Internal Revenue. (Opinion No. 31)
5. A local government unit is empowered to acquire, dispose or alienate its properties of whatever kind or nature. However, when a local government unit enters into a contract disposing its property in favor of any person or entity, it is understood that such disposal or conveyance is only limited to properties owned in its property capacity. In addition, such need for conveyance must be executed by the local chief executive in behalf of the local government unit upon prior authority from the *Sanggunian* concerned. (Opinion No. 41)
6. The grant of exemption from the payment of taxes, duties, fees, charges, costs and services fees to the Zamboanga Special Economic Zone Authority under its charter (RA No. 7903) applies only to court or administrative proceeding in which the Authority is a party. It does not apply to transactions involving the disposition of real and/or personal properties to private individuals. (Opinion No. 45)
7. The Department of Agrarian Reform may not draw from or access the coconut levy funds for the particular use, object, purpose or purposes of the implementation of the comprehensive agrarian reform program. Before the coconut levy funds can be classified as funding sources for the Agrarian Reform Fund (ARF), the Sandiganbayan must make a prior determination that the said funds are “ill-gotten”. Absent such determination, the funds cannot be included as a funding source for the ARF. (Opinion. No. 61)

The Legal Staff prepared 8,121 decisions/orders/resolutions in aid of the Secretary of Justice’s exercise of adjudicatory power/jurisdiction/appellate or revisory authority concerning controversies between/among government agencies, constitutionality/legality of municipal tax ordinances grant of special non-immigrant visas and exemption from the Anti-Dummy Law, issuance/lifting of hold departure orders (HDOs) and watch list and citizenship cases transmitted by the Bureau of Immigration to the Department for review, and processed applications for recognition of refugee status as well as handled requests for extradition and/or mutual legal assistance to or from countries with extradition and/or mutual legal assistance treaties with the Philippines.

The Legal Staff also prepared for and on behalf of the Secretary of Justice, 107 replies and/or legal advice at the instance of private parties and minor government officials and employees, and 1,079 legal studies as well as working drafts for the ad hoc bodies/committees where State Counsels represent the Secretary or of the Department.

Members of the Legal Staff have actively participated in various inter-agency committee meetings and those called particularly by the various offices of the Department of Foreign Affairs (DFA) and the Department Trade and Industry (DTI), particularly those involving the negotiations of free trade agreements (FTA's) such as: the ASEAN-China, ASEAN-European Union, ASEAN-Korea, ASEAN-Australia New Zealand (AANZ) as the lead negotiator for the dispute settlement mechanism (DSM) chapter, and assists in the negotiation of the settlement mechanism (DSM) chapter and assists in the negotiation of the Investments Chapter as well as to assist in the negotiations of the other chapters of the FTA.

Funding requirements for foreign travels are expected to increase because of requests by various Departments being assisted by the DOJ Legal Staff, particularly the DFA and DTI, for the participation of the Department not only be limited to submission of position papers but also to be actively involved in actual negotiations. For 2007, 94.42% or P1,342,956.78 of the P1,422,298.99 charged to the Travelling Expenses of the Legal Staff, was incurred in relation to FTA negotiations. It is anticipated that the said amount will further increase because of the start of the ASEAN-EU FTA negotiations as well as the involvement in the drafting of the ASEAN Trade in Good Agreement (ATIGA).

BOARD OF PARDONS AND PAROLE

Pursuant to Act No. 4103 dated December 5, 1933 and Executive Order No. 83 dated January 11, 1937, the Board of Pardons and Parole (BPP) 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 or executive clemency, the Board relies mainly on two (2) basic documents: the prison records and the prison jackets or *carpetas* of qualified prisoners. The Board's output therefore depends on the availability of these records with complete requirements, which originate from the main prison facility in Muntinlupa City and local jails.

For the year 2007, the Board handled a total of 5,059 *carpetas* from the main prison and local jails, out of which are 105 carried over from year 2006, 3,640 received in 2007, and 1,314 resubmitted cases. From these handled cases, 4,450 resolutions were issued both for parole and executive clemency; 165 returned to Bureau of Corrections for being premature, and 54 cases of seriously ill and old age prisoners transmitted to the Office of the President per Memorandum Order No. 155. Disposition rate in this area was 92.29% or 2.71% below the target of 95% due to the 390 pending cases (264 received during the last week of December and 126 distributed to Board Members for further study and review.

The Board received a total of 2,394 Summary Reports, 15 of which were carried over from year 2006 while 2,379 were newly received. Of this number, 1,705 were issued resolutions while 526 cases were either acknowledged, filed or verified. Disposition rate for this area was 93.19%, exceeding the target by 3.19%.

The Board handled 739 infraction reports, 23 of which were carried over from year 2006 while 716 were newly received. The Board issued resolutions to 297 with corresponding Orders of Arrest and Recommitment; 381 cases were acknowledged/filed/verified. Disposition rate for this area was 91.74%.

In the case of transfer of residence, the Board confirmed 330 approved transfers through the issuance of the corresponding resolutions and 383 were acknowledged/filed/verified. Disposition rate for this area was 96.09%, exceeding the target of 90%.

The Board also acted upon the reports submitted by Parole and Probation Administration such as death reports of parolees/pardonees, requests for the lifting of Order of Arrest and Recommitment, requests for authority to travel abroad and cancellation of parole.

Special activities of the Board included interviews with prisoners qualified for parole/executive clemency in the different penitentiaries, and legal assistance concerning parole/executive clemency matters for individuals residing in depressed areas of Metro Manila as part of the DOJ Outreach Program. The Board has also been an active party-member in the Jail Decongestion Program.

The Board intends to further increase disposition of prisoners' carpentas so that more qualified prisoners will be released, increase scheduled visits to penal colonies and local jails in order to interview prisoners and facilitate their release and integration into the mainstream society, and continue to participate in the DOJ Outreach Program and the Jail Decongestion Program.

In terms of internal management, the Board has been implementing a monitoring system devised especially for prisoners' carpentas. The installation of a computer-aided document tracking system using local office network is yet to be completed. Operational constraints include the growing clerical staff vacancies which could not be filled due to the standing moratorium on hiring under the government rationalization program, and the inadequacy of serviceable computer units.

SPECIAL COMMITTEE FOR THE PROTECTION OF CHILDREN

The Special Committee for the Protection of Children (SCPC) was created pursuant to Executive Order No. 275 s. 1995 to report to the president actions taken to address specific issues on child abuse and exploitation brought to its attention, direct agencies to immediately respond to problems and report on actions taken, and perform other functions as necessary.

The Committee monitored 380 cases on child abuse and other child-related cases, including violations of RA 7610, the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and RA 9208, the Anti-Trafficking in Persons Act. The Offenders' Database is continuously updated with data from prosecution offices; and efforts to improve the system and include data from law enforcement agencies have been undertaken.

Funded by a grant from the Asia Foundation and United States Agency for International Development, the SCPC in 2007 produced 2,000 copies of a prosecutors' manual on handling child-related cases, as a guide for child-sensitive investigation and prosecution. The manual effectively unified legal procedures in accordance with standards and existing laws on child protection, taking into consideration the well-being and best interests of the child at all times. The said foreign grant also funded three-day training workshops in four (4) areas for 156 family court prosecutors in Regions 4, 5, 9, 10, 12 and ARMM. Forty-three (43) prosecutors from the Task Force on Women and Children were also trained using SCPC appropriations.

In July 2007, the SCPC launched the Comprehensive Program for Child Protection in Camp Crame, Quezon City in partnership with concerned government agencies and non-government organizations. Efforts to localize the implementation of the Program have been started utilizing the local structures such as the Local Child Protection Committee, Regional Child Welfare Councils, Barangay Child Protection Councils and other child protection committees.

The thrusts of the SCPC for 2007-2010 includes effective and consistent enforcement of laws on protection of children, establishment of child-sensitive and gender-responsive justice system (speedy disposition of cases), improved response capacity of the five (5) criminal justice pillars, effective monitoring of child abuse/exploitation cases, and strengthening coordination among the criminal justice pillars.

JUVENILE JUSTICE AND WELFARE COUNCIL

Signed into law on 28 April 2006, RA No. 9344, the Comprehensive Juvenile Justice and Welfare Act, provided for the creation of the Juvenile Justice and Welfare Council (JJWC) chaired by the Department of Social Welfare and Development (DSWD) under the administrative supervision of the DOJ. In addition to representatives from the DOJ and DSWD, the Council is composed of the Council for the Welfare of Children (CWC), Department of Education (DepEd), Department of Interior and Local Government (DILG), Commission on Human Rights (CHR), National Youth Commission (NYC), and two (2) non-government organizations—Consuelo Foundation, Inc. and Educational Research and Development (ERDA) Foundation, Inc. The Council is also provided with a Secretariat headed by an Executive Director.

Implementing Rules and Regulations of RA 9344 and various guidelines were adopted by the Council together with other related rules and guidelines issued by member agencies. The JJWC conducted an inventory of the number of children in conflict with the law (CICL). For the 2nd quarter of 2007, there was a total of 4,039 CICL. Out of this number, 2,070 or 51.25% were under the care of DSWD, 917 or 22.70% in youth homes.

The JJWC and its member agencies have been undertaking some projects including regular visits, inspection and inventory of CICL, coordination of the release of detained CICL, production and distribution of information, education and communication materials, and capacity building activities.

Among the doables and challenges for the Council are documentation of positive impacts of the law, installation of database system that captures report of LGUs and NGOs, setting up of comprehensive intervention programs at the local level, setting up of transition homes for CICL before their reintegration into their families and communities, strengthening of institutional partnership with organizations and agencies involved with CICL, extensive and sustained implementation of the communication plan, and documentation of good practices in handling CICL.

WITNESS PROTECTION, SECURITY & BENEFIT PROGRAM

The Witness Protection, Security and Benefit Program (WPSBP) was established under Republic Act No. 6981 otherwise known as “The Witness Protection, Security and Benefit Act”. Under the program, the government seeks to encourage a person who has witnessed or has knowledge of the commission of a crime to testify before a court or quasi-judicial body, or an investigating authority, by protecting him from reprisals and from economic dislocation.

In 2007, at a time when government is under fire because of its perceived inability to stop unexplained killings as borne by recommendations of the Melo Commission, the UN Special Rapporteur Philipp Alston, EU Needs Assessment Mission and the National Consultative Summit on Extra Judicial Killings and Enforced Disappearances organized by the Supreme Court, the need to improve protection of witnesses, victims, judges and prosecutors has been consistently articulated.

Although there has been a marked increase in the number of applications for coverage under the Program due mainly to the increasing awareness of the importance of protecting witnesses in the prosecution of heinous crimes the Program has remained under resourced.

From the stand point of the prosecutors and law enforcers witness protection and care has become a vital tool in the effective prosecution of criminal cases. With the proactive stance taken by the Justice Department in the implementation of the Program's mandate, even the courts have relied on the Program for security and other allied assistance to judges and court personnel particularly in high risk anti terrorism cases.

The Program has remarkably expanded its operation through the years since its inception in 1991 with only six (6) admissions then. For 2007 a record of 209 applications were filed with the Program. Out of this number 188 applicant witnesses were admitted and added to the witnesses already being maintained by the Program. For the year end of 2007, the Program had under its coverage 554 witnesses nationwide. As a general rule, dependents of covered witnesses extend up to the second civil degree. Hence, this translates to additional warm bodies to feed, secure, transport, send to school and care for. The Program obtained 25 convictions in 38 important cases utilizing seven (7) covered witnesses; thereby posting a conviction rate of 74.50% for year 2007.

Major Plans and Recommendations

Pursuant to the directive of the President to strengthen the Witness Protection Program the following measures have been recommended for implementation:

Proactive Implementation

Regional State Prosecutors' who are the Program's implementers in the regions have been directed to adopt a proactive stance in seeking out witnesses in cases involving political killings, media murders and human rights violations. Although, application for admission for witness protection coverage necessarily requires strict compliance with statutory requirements, stringent and vetting procedures and the identification and evaluation of threats, program personnel have been directed to liberalize admission requirements particularly when threat level on bona fide witness in media and political killings is high.

Enhancement of Witness Benefits

Witnesses often decline proposal to testify for the prosecution not only because of fear of physical harm but more often because of economic dislocation. To allay witnesses' uncertainty because of a drastic change in their way of life upon admission into the Program economic benefits and social services shall be enhanced. Psychological counseling which is undertaken in coordination with the Department of Health and Department of Social Welfare and Development shall be extended ample logistical support.

Witness-Client Skills Training and Education

To prepare witnesses in re-joining mainstream society after their discharge from the Program as protected witnesses and to lessen their dependence on the Program consistent with security requirements, a wide-ranging vocational orientation-training program shall be undertaken in cooperation with TESDA and/or TLRC to prepare them for suitable employment here and abroad.

Conversion of Certain Areas of Penal Farms for Use as Witness Relocation Sites

To encourage farmer witnesses to continue to be productive and make good use of idle land of penal farms of the BUCOR the prospects of allowing interim Witness Protection Program relocation sites therein should be closely studied.

Institutionalization of Coordination with Judiciary and Other Pillars of Criminal Justice System

Speedy disposition of cases is a key feature in the maintenance of a reliable and credible witness protection program. Prolonged pendency of cases particularly before the courts results to apathy and indifference of witnesses on the success of the case. Loss of opportunity, isolation and boredom associated with extended confinement in relocation sites and safe houses away from native community and relatives dampen witnesses' resolve to testify. A team of prosecutors shall be organized to monitor and coordinate, and if circumstances so warrant, take over cases involving covered witnesses.

Upgrade in Training and Equipment of Protective and Administrative Personnel

Acquisitions of firearms suitable for close quarter battle, body armor and communication equipment for use of protective personnel are essential requirements for enhancement of the Program's protective capability. Training of administrative personnel should likewise be undertaken to keep them posted on trends in records keeping and confidentiality. Purchase of utility vehicles augment the Program's aging fleet to transport witnesses from regional relocation sites to trial venues across the country is also an operational necessity for the security and well being of witnesses.

Construction of a Secure Building for the Program

At present Program's administrative operations are carried out from 3 separate locations within the DOJ compound for lack of space. This exposes program documents, personnel and witnesses to risk because accused, their relatives, representatives, lawyers, their agents and the general public all converge in the DOJ to follow up their various concerns. Operation is hampered and confidentiality and security is unavoidably compromised under this set up as regulations and procedures designed to protect and secure covered witnesses cannot be fully implemented as it would interfere with activities of other DOJ agencies also holding office in the compound. For a credible witness protection organization to function, there is a need for the construction of a secure building devoted to witness protection purposes only to ensure the effective discharge of the Program's mandate.

Special Programs, Projects and Activities

Media Murders and Extra-Judicial Killings

The Secretary of Justice directed the Program implementers to be involved in case buildup, identification of potential witnesses, filling of charges, securing of warrants and relocation of witnesses in a number of cases. The speedy convictions of the accused in the murders of Edgar Damalerio (Pagadian), Allan Dizon (Cebu) and Marlene Esperat (Sultan Kudarat) have been secured through the testimony of witnesses under the Program.

US Rewards for Justice Program

The US government arranged to pay US\$1 M to informants/witnesses who proved crucial to the capture of Abu Sayyaf Group (ASG) leader Hamsiraji Sali who was killed in the shootout with the AFP in 2004. More recently, four (4) individuals who provided information for the neutralization of Khadaffy Janjalani and Jainal Antel Sali (Abu Solaiman) were admitted into the WPSBP at the behest of the US State Department after payment of US\$10 million. The rationale for the huge payments in cash to informants with extensive media coverage, is to encourage potential informants to come forward with information against remaining ASG and Jemmaah Islamia personalities. This would enhance government's anti-terrorism campaign. Thereafter, the informants-witnesses and their families were turned over to the WPSBP.

Support for Anti-Terrorism Cases

The spate of terror bombing attacks in Regions 11 and 12 have required extensive program intervention in identifying and securing material witnesses and their relocation to safe locations. Considering the mobility of suspected terrorists and their involvement in numerous cases pending across the country, it has been essential to deploy and re-deploy material witnesses for them to testify in various courts in Metro Manila and Mindanao and relocate them elsewhere to ensure confidentiality and security. Emergency relocation of WCs and families to different harboring sites in the country has increased cost of operations. Through the cooperation and testimony of witnesses under the Program, the prosecution succeeded in securing convictions in cases against ASG members and MILF Commander Tahir Alonto and other accused.

Plunder Trial Witnesses

Security risk level on plunder trial witnesses has been assessed to remain high. Thus, the anticipated downgrading of security services on the witnesses after they testify can not be undertaken without jeopardizing their security and safety.

Trafficking of Persons Cases

The deportation of Filipinos from Malaysia and other ASEAN neighbors brought in its wake filing in our courts of human trafficking cases mostly at the behest of international organizations. Considering that criminal cases against organized criminal syndicates have been filed nationwide in the victims' port of departure/re-entry, Program resources were devoted to secure, house and transport witnesses in support of said cases. Because of the successful prosecution of human trafficking cases by Zamboanga City Prosecutor Ricardo Cabaron who is a Program implementer in Region 9, he was recognized by the United States Government as the 2007 Sen. Benigno Aquino, Jr. Fellowship for Professional Development awardee and awarded a training course in the US.

Regionalization of Temporary Shelters and Safehouses

Because of close family ties and extended family system ingrained in our culture, the Program is oftentimes compelled to grant witnesses' requests to keep all family members in the safehouse for their security and peace of mind. This accounts for a high number of occupancy in temporary shelters. This is however more economical compared to the need to transport and secure the witnesses whenever they would want to visit their family outside of the safehouse.

To enhance operational efficiency, cut down on transport cost and reduce stress on witness clients and their families, a number of regional temporary shelters with full security complement have been established in areas of witness preference in NCR, Regions 6, 7, 9 and 12. The Program intends to duplicate regionalization efforts in Regions 1, 5, 10 and 13 where crime incidence on national interest cases appear to be high to make the Program's operation be better felt. The Program would be able to make the government particularly the Department of Justice more relevant to the people's needs particularly the underprivileged and marginalized in our aim to strengthen the rule of law in our country.

VICTIMS COMPENSATION PROGRAM

The Victim's Compensation Program was created by virtue of Republic Act No. 7309. The Board of Claims was created to determine whether to grant or deny the compensation to be awarded to victims of unjust imprisonment or detention and victims of violent crimes. It conducts verification, investigation or submission of applications to the program.

For 2007, out of the total of 3,263 applications handled by the Board, 2,720 or 83.36% were acted upon. Granted compensation were 2,413 victims of violent crimes and one (1) unjustly accused, the total amount for which amounted to P23,621,251. Pending applications by the end of the year numbered 543 including newly received applications and those awaiting compliance/completion of requirements.

DOJ ACTION CENTER

The DOJ Action Center (DOJAC) was set up to provide free legal assistance to the people especially the marginalized sector in the speedy solution/action of their problem within the bureaus/agencies under the DOJ, other government agencies, and the existing barangay justice system. More specifically, it is mandated to act on complaints or requests for legal assistance from the public, refer to the appropriate units/agencies of the Department or to appropriate government offices the complaints or request for appropriate action, inform the writer or client of the status of the complaint or request, maintain a follow-through tracer system relative to the action taken on the complaint or request, and perform such other related functions.

The DOJAC focuses on the needs of the less privileged citizen who not only has little access to competent legal assistance, but is often ignorant of legal issues connected with matters crucial to his life and livelihood. Enlightenment, therefore, represents a major focus of DOJAC, convinced that enlightenment on rights often deters abuses and enlightenment on remedies solves abuses already committed. DOJAC pursues in the arena of legal contention, bearing the precept of leveling the playing field for those with less resources. DOJAC's meaningful social program of the government reflects compassionate thoughts of "Let those who have less in life have more in law." Complaints, requests for legal assistance and queries of walk-in or phone call clients are being acted upon. Any client can talk to a lawyer or paralegal officer who can render assistance.

The regionalization process was completed on August 7, 2007 in every region nationwide. Members of the National Prosecution Service and the Public Attorney's Office were tasked to man the regional Centers. For the year 2007, the Centers nationwide served a total of around 53,000 clients with prompt action/solutions on their problems.

JUSTICE SYSTEM INFRASTRUCTURE PROGRAM

In December 1988, President Corazon C. Aquino established a Committee headed by the Secretary of Justice, as Chairman, to implement the Justice System Infrastructure Program or (JUSIP) and provide decent office buildings and offices for judges, prosecutors, public attorneys and parole and probation officers.

The selection of JUSIP projects depends primarily on the actual condition of the existing court building or facilities and the availability of a suitable building site. The donation of the building site to the Department is an auditing requirement.

The Program started in 1988 with a P530 million budget. From 1989 to 2007, JUSIP funds were included in the regular budget of the DOJ, except in 2004 to 2006. The total released appropriation amounted to P3,041,201,929. As of 2007, P2,443,104,001 was spent for the construction of 272 new buildings, repair/renovation of 27, and improvement/development of 40. The remaining balance was spent for office furniture and fixtures, water and electrical connections as well as project management, architectural and engineering fees. The Supreme Court is in charge of the repair and maintenance of completed JUSIP buildings.

There are 10 ongoing projects in various stages of construction, some of which are past their completion dates due to delays in release of funds, denial of requests for price adjustment/escalation, revision of plans, termination of contract, financial and political problems of local governments, and change of site. For 2007, the DOJ was provided P75 million appropriations but only P25 million was released particularly for Talisay City in Cebu, while the rest of the projects are awaiting release from the Department of Budget and Management.

For 2008, 47 JUSIP projects were proposed amounting to P491 million but only P200 million was appropriated. Per information from the Supreme Court, there are 261 existing courts not housed in a Hall of Justice building.

INTERNAL MANAGEMENT AND SUPPORT SERVICES

As of 2007, the internal management and oversight operations of the DOJ-OSEC are supported by five (5) Undersecretaries, three (3) Assistant Secretaries, and (4) staff bureaus, namely the Technical Staff, Administrative Service, Financial and Management Service and the Management Services Office.

The said Officials and Support Bureaus efficiently rendered various day-to-day services to ensure the sustained operations of the DOJ-OSEC and compliance to laws and prescribed administrative/financial government policies, rules, regulations, systems and procedures. This includes representation in various international and local fora, oversight monitoring and coordination, participation in inter-agency activities, policy formulation and implementation, reportorial compliance to oversight agencies, various legislation efforts, and cooperation with non-government sector institutions including the media.

In line with Government reforms and the Medium-Term Philippine Development Plan, special activities, efforts, programs and projects were undertaken, including transparency and anti-corruption mechanisms, implementation of the Electronic New Government Accounting System (e-NGAS), rehabilitation/improvement of existing buildings and facilities, construction of a new annex building for prosecutors, continued implementation of the ISSP, and continued implementation of the NPS Organizational Development Program as earlier detailed in the NPS portion.

The primary challenge in this regard is the continued attrition of technical and support staff due to the protracted moratorium on hiring of personnel. This has over-stretched the remaining personnel and limited the ability of Officials and Support Bureaus to improve support services given their voluminous tasks in compliance to rules/regulations and strict reportorial requirements by various oversight agencies. Another challenge is the government austerity measures that restrict the conduct of trainings for support personnel, thereby limiting their productivity improvement in the workplace and adversely affecting their morale and career development.

BUREAU OF IMMIGRATION

The Bureau of Immigration (BI) is principally responsible for the administration and enforcement of immigration, citizenship, and alien admission and registration laws in accordance with the provisions of the Philippine Immigration Act of 1940, otherwise known as Commonwealth Act No. 613, as amended.

BI is also tasked to “adopt measures for the apprehension of suspected traffickers both at the place of arrival and departure and shall ensure compliance by the Filipino fiancés/fiancées and spouses of foreign nationals with the guidance and counseling requirement” under RA 9208 Anti-Trafficking in Persons Act of 2003.

AGENCY OPERATIONS

Revenue Collections

In 2007, the Bureau posted a 14% increase in revenue collection, with a collection of P1,736,808,536.80 which is 14% or P217,974,195.64 higher than its P1,518,834,341.16 collection in 2006. It also surpassed the target collection of P1,498,682,000.00 by 17% or P247,126,536.80 over its targeted Php1,498,682,000.00. The BI was awarded as among the government’s top revenue earners in 2007.

Border Control and Management

The bureau has processed a total of 5,568,291 foreign arrivals which is 315,760 higher than year 2006. Americans posted the biggest foreign arrivals at 660,258 followed by Koreans at 468,570. Taiwanese and Singaporeans posted the highest percentage increase at 20.75% and 18.31%, respectively.

The BI has processed 6,267,212 departures in 2007. Acting upon strict orders from the President, the BI has established a check and balance mechanism in the country’s premiere airport. In June 2007, the BI constituted the Migration Compliance and Monitoring Group (MCMG) that served as the Commissioner’s link to border control and management. Through the MCMG, the BI has excluded blacklisted incoming passengers and off-loaded outgoing passengers.

Alien Monitoring, Intelligence and Law Enforcement

The BI focused on deportation effort which resulted to the decongestion of the BI Detention Facility in Bicutan, Taguig City. A total of 109 deportation cases were handled in 2007. The BI also released on bail, some foreigners undergoing the legal processes and dismissed a total of 104 cases.

Dual Citizenship

In 2007, the Bureau received and processed a total of 4,019 applications for Dual Citizenship, 3,965 of which were approved. Most applications were filed by American nationals at 3,173 or 79% of the total number, followed by Canadians and Australians at 293 and 189, respectively.

INSTITUTIONAL REFORMS

Pro-Investment Programs

While the Bureau originally served as the “hammer and shield” of the Republic, the new leadership ensured that the agency harnessed its potential to serve the economic agenda of the government. It embarked on pro-investment, tourism and business intervention, chief among which is the “pro-investment visa upon arrival”.

Organizational Strengthening

To improve agency effectiveness, the Bureau established/constituted the following:

Migration Compliance and Monitoring Group (MCMG). Established in the Ninoy Aquino International Airport, the MCMG serves as the Commissioner's direct link to border control and management activities;

BI National Operations Center (BINOC) links the BI main office to its field offices, its clientele and the general public;

Competitive Planning and Management Staff (CPMS) is a research and development group that serves as the Commissioner's "radar screen";

Composite Committee on Good Governance (CCGG) handles the Integrity Audit and Monitoring Task of the Office of the Commissioner

Human Resource Management and Development

Recruitment and hiring are now preceded by "merit and fitness" calibration activities. The Bureau, being regarded as a "dumping ground" of political protégés, now strictly requires examinations and interviews as prerequisite to employment and promotions.

The Bureau conducted various trainings and seminars for its personnel aimed to optimize core competence of the agency, particularly on anti-trafficking in persons, document examination, anti-fraud, Philippine immigration laws, policies and procedures, Philippine border management, supervisory development, migration, Integrated Data Migration System (IDMS) and computer essentials, gender and development, basic intelligence, and transnational crime.

Networking and Alliance-Building

There is an existing electronic link-up with the International Police in Lyons, France and other foreign police organizations. Alliances have been established with the International Organization of Migration (IOM), European Union (EU), and other international development partners that extended technical assistance to the Bureau. A five-year training program on immigration management skills and techniques was also established with assistance from the Australian government.

Other Internal Management Improvement Efforts

Policy formulation and management decisions are now driven by intelligence data which supports management decisions and are being culled from its own electronic databases.

The Bureau strategically established a check and balance to avoid concentration of authority and discretion that often leads to corruption with the establishment of the MCMG in the premiere port of entry. The Law Enforcement Division (LED) was also created to handle the enforcement of case-build up activities of the Intelligence Division. The Rules of Engagement which canalize enforcement operations was also crafted in order "to keep the LED from overflowing."

The meetings of the Board of Commissioners (BOC) which were conducted more frequently from twice a month to weekly, aimed to speed up processes for efficiency and customer satisfaction as well as good governance stratagem.

MAJOR PLANS

In 2008, the Bureau will focus on the transformation of the agency from a strictly “hammer and shield” mindset to that of a pro-investment asset of the government under a regime of sovereignty-inspired development agenda. In support of this, the following programs will be prioritized:

1. Visa Issuance Made Simple
2. Internal Audit and Compliance Unit
3. Strengthening of Migration Capacity Center
4. Passage of the New Philippine Immigration Act
5. Construction of the new BI building
6. Computerization of other BI processes
7. Case tracking and management

BUREAU OF CORRECTIONS

The Bureau of Prisons was created on November 1, 1905 under the Department of Public Instruction through Reorganization Act of 1407 of the Philippine Commission. The Bureau was renamed from Prisons to Corrections on November 23, 1989 under Section 26 of the Administrative Code of 1987, to emphasize rehabilitation as the primary goal of the Bureau. The Bureau of Corrections is mandated by law to accomplish its twin objectives of effective rehabilitation and safekeeping of national prisoners.

AGENCY OPERATIONS

Effective Safekeeping and Rehabilitation of National Prisoners

Prisoners Maintained

For the year 2007, the Bureau had in its custody 32,314 prisoners, confined in its seven (7) prisons and penal farms, as shown in Table 1. This figure is about 5% higher than the previous year:

Table 1 – Inmate Population

PRISON FACILITIES	CAPACITY	POPULATION	% SHARE	CONGESTION RATE
1. New Bilibid Prison	8,700	19,474	60.3%	124%
2. Correctional Institution for Women	1,000	1,457	4.5%	46%
3. Iwahig Prison and Penal Farm	3,500	3,178	9.8%	--
4. Davao Prison and Penal Farm	3,100	4,513	14%	46%
CIW - Mindanao	200	105	0.3%	--
5. San Ramon Prison and Penal Farm	1,300	1,019	3.1%	--
6. Sablayan Prison and Penal Farm	1,500	1,515	4.7%	1%
7. Leyte Regional Prison	1,000	1,053	3.3%	5%
TOTAL	20,300	32,314	100%	59.2%
Deviation from Previous Year		5% ↑		

The congestion problem in the main penitentiary in the New Bilibid Prison (NBP), Muntinlupa is expected to gradually dissipate with the regular transfer of NBP inmates to less crowded penal farms. In 2007, a total of 731 inmates were transferred (to Iwahig – 508; Sablayan – 210; San Ramon – 6; Davao – 6; and Leyte – 1). These transfers also complemented the manpower for the operations of agro-industries in the penal farms.

Admission and Classification

A total of 5,220 prisoners were admitted at the Reception and Diagnostic Center. Of this figure, 88% were first offenders committed directly from courts, 10% were recidivists and 2% were parole violators. Both rates of recidivism and admission were higher by 5% and 4% respectively, compared to the previous year.

Processing of Inmate Carpetas

The expanded record computerization system sped up the processing of carpetas and the immediate forwarding of papers to the Board of Pardons and Parole (BPP). For the period, a total of 3,496 inmates' carpetas were forwarded to the BPP. Of this number, 3,391 or 97% were granted release on parole, pardon, and expiration of sentence, among others. This was 8% less than the number of releases in 2006.

Escapes and Security Programs

In 2007, 46 escape incidents were recorded involving 55 inmate escapees. Through the years, the level of escapes continued to drop, indicative of the Bureau's effective safekeeping strategies. Compared to the past two (2) decades, the number of escapes in CY 2007 was a record low despite the steady increase in prison population. For the past four (4) years, the rates of retrieval were high, also indicative of the administration's successful efforts to recover escaped prisoners.

In the NBP, most of the escapees were inmates of minimum security classification, who, because of their security class, were allowed to work outside the prison dormitories. Escapes in other penal colonies, however, involved those working in the farms that were under-guarded.

Peace and order prevailed in the prison community. The Bureau monitors the welfare of inmates taking into consideration their basic needs. The prisoners continued to engage in livelihood programs and enjoy family visits as well.

Intensive campaign against entry of contrabands was observed. Series of search operations were conducted to rid the prison premises of prohibited articles. The search operations resulted to the confiscation of prohibited drugs, deadly weapons, cellular phones, intoxicating liquor, gambling paraphernalia and similar items.

Meetings with the inmates' "Council of Elders" were periodically conducted directing them to extend full support and cooperation to the Bureau with the aim of achieving a drug-free community. As forms of deterrence on the proliferation of illegal drugs and other contrabands, visiting privileges of inmates were cancelled and their visitors were banned from entering any of the prison compounds once found in possession of prohibited items.

Provision of Inmate Basic Needs

For CY 2007, the Bureau spent for basic needs at an average of P15,271.00 per inmate as shown in Table 2, which is equivalent to P1,273.00 monthly or about P43.00 a day.

Table 2 – Inmates Basic Needs

BASIC NEEDS	PROCURED
Food Ration at P40.00/day for 365 days	P471,784,400.00
Medicine at P1.00/inmate/day	11,794,610.00
Laundry Soap (202,940 bars at P15.35/bar)	3,115,129.00
Uniforms & T-shirts (69,244@P98/pc)	6,783,952.00
Total Basic Needs	493,478,091.00
Others:	
Gratuity of P200 for each released prisoner	678,200.00
Transportation of P400 for each released prisoner	1,630,033.13
GRAND TOTAL	P 495,786,324.13

Inmate Health Care

Medical and dental care services are provided to inmate patients in prison hospitals and infirmaries. However, BUCOR medical officers have to refer to outside medical facilities inmates whose medical needs are not available in the prison facilities, subject to approval of the DOJ Secretary.

Deaths in Custody

The past decade showed a steady increase in the number of recorded inmate deaths. In 2007, inmate deaths totaled to 354 of which 98.6% were due to various illnesses while only 1.4% were due to unnatural causes. It is expected that as prison population escalates, cases of death increases. Nevertheless, another reason probably is the inadequate budget for medicines, very limited funds for inmate health care and lack of more sophisticated medical equipment to cater to inmates' needs. This condition is further aggravated by overcrowding in prison compounds which facilitates the spread of diseases.

Inmate Rehabilitation Programs

Inmate rehabilitation programs are made available to cater to the physical, intellectual and spiritual needs of the prisoners, and prepare them for later reintegration into the mainstream society.

Education and Skills Training

Elementary, high school and college (small entrepreneurship) education are being provided at the NBP. Vocational training is also being undertaken at NPS and CIW coordination with Technical Education and Skills Development Authority (TESDA) and other NGOs through formal and on-the-job training programs.

There is also a non-formal education or adult literacy class—a program designed to teach inmates in math, reading and writing. The classes include applied skills training on barbering, tailoring and sandals-making and are being undertaken in all prison and penal farms.

The Muntinlupa Juvenile Training Center (MJTC) on the other hand is designed to provide a separate facility for the juvenile and youth offenders; to train them on vocational skills; and to provide a follow-up program for the Therapeutic Community Center initiated at the Reception and Diagnostic Center. In 2007, MJTC had six (6) new admissions and six (6) drop outs leaving a total of 24 juveniles. The facility was designed for only 24 clients.

Other juveniles admitted to the Medium Security Camp are housed in a separate cell to avoid mingling with adult offenders, pursuant to RA 9344, otherwise known as the Juvenile Justice and Welfare Act. They attend special classes for youth offenders so they can later on avail of the Bureau's Formal Education Programs.

The education rate or the percentage of those attending formal and non-formal education was 18% of the entire inmate population. This is about 3% lower compared to last year. The decline is primarily due to the inmates' preference for livelihood projects over education so they can earn a living while in prison. Due to the lack of BUCOR teachers, qualified volunteer teacher and inmate teacher-aides were tapped to cater to the educational needs of the inmates.

Drug Testing and Rehabilitation

Drug testing and detoxification services are being undertaken at the NBP Hospital. For year 2007, sixty nine (69) inmates were recorded to have been subjected to drug testing, seven (7) of which were found positive and detoxified.

Therapeutic Community Program

Therapeutic Community Program focuses on reshaping an individual's behavior and attitude by creating a helping community, where the inmate's sense of belonging is enhanced and his self confidence restored. However, of the 3,946 inmates whose cases were related to illegal drugs, only 10.56% participated in the program.

Sports and Recreation

Community participation in various sports tournaments and athletic meets inside prisons is being encouraged by the institution. As a result, there is continuous active involvement of private groups and other NGO's who give donations in kind such as prisoner's athletic supplies and uniforms. Of the inmate population, 48% participated in various sports programs and activities that play an important role to inmates' physical health and social well-being. However, for the purpose of minimizing drug and contraband proliferation inside the prison compounds, stricter policies on the entry of NGO's and other volunteers were enforced.

Religious Programs

As part of the Bureau's commitment to the reformation process of inmates, different religious organizations and civic volunteers were encouraged to continue catering to the spiritual needs of prisoners. Eighty percent (80%) of the entire inmate congregation is composed of Christians. For CY 2007, about 77% of the prisoners were involved in religious activities.

Work and Livelihood Program

The BUCOR has provided inmates the opportunity to develop agricultural and industrial skills which they can utilize as a means of livelihood upon release from prison. For 2007, a total of 9,295 inmates were deployed in various areas of work resulting to an employment rate of 28%. The Bureau continues to encourage prison-based factories for more employment opportunities for the inmates to utilize their talents and skills as part of the livelihood program of the institution. More inmates were also utilized for maintenance, cleanliness and beautification within the prison reservation as well as deployment to the different agro projects.

For local agro-industries, the net productivity of BUCOR reached P16,161,917.71 – a level within the target for 2007, but down by 14.8% compared to the previous year. The income derived from TADECO amounting to P38,720,425.26 was still the biggest source of revenue to augment insufficient budget for inmates' subsistence and improvement of prison facilities.

Internal Management

As a commitment to cleanse its rank, the Bureau has installed mechanisms to resolve its docketed administrative cases efficiently and judiciously. Disposition rate was at 58%, comparatively higher than CY 2006. This is notwithstanding the lack of lawyers to attend to legal functions of the Bureau.

As of the end of 2007, there were more than a hundred unfilled custodial positions. To cope with the high vacancy rate, trainings were conducted to improve the effectiveness and efficiency of the existing personnel.

INSTITUTIONAL REFORMS

Anti-corruption efforts have been undertaken and mechanisms put in place. The Bureau actively participates in the Integrity Development Review, a joint project by the Office of the Ombudsman, Commission on Audit, Department of Budget and Management and Civil Service Commission. An Integrity Development Committee was created to monitor compliance with IDR Action Plans. In addition, the Office of the Resident Ombudsman was also installed.

As provided under RA 9344, the Bureau segregated juvenile offenders at the Medium Security Camp to prevent close contact with adult offenders. A female prison facility was also established in Sto. Tomas, Davao Del Norte (CIW Midanao), on September 18, 2007. This was established to bring female offenders from CIW Mandaluyong and mostly from the South closer to their respective families.

MAJOR PLANS

The BUCOR intends to sustain, expand and improve its existing custodial and rehabilitation programs, projects and activities discussed above. On top of this, the Bureau has also planned the following:

The major plans of the Bureau are as follows:

1. Transfer of the NBP from Muntinlupa to Tanay, Rizal;
2. Improve inmates health care through increased medicine allowance and improvement of the NBP hospital;
3. Expand operations of the Prison Inmate Labor Contract Office;
4. Encourage more prison based private industries for the livelihood of inmates;
5. Maximize arable lands for food production in penal farms;
6. Intensify recruitment of correctional guards to cope with increasing prison population;
7. Detail of lawyers from the DOJ to augment the legal staff of BUCOR;
8. Standardize operating procedures;
9. Expansion of IT projects including internet connectivity and inmates and personnel records systems; and
10. Improvements in personnel, financial, and physical resource management.

COMMISSION ON THE SETTLEMENT OF LAND PROBLEMS

The Commission on the settlement of Land Problems (COSLAP) was created on September 21, 1979 by virtue of Executive Order No. 561. It provides immediate but effective cross-cutting procedures in adjudicating land problems or disputes within its authority as well as settle land problems through conciliatory measures as alternative modes of resolving land disputes, for the benefit of those who have less in life such as small landowners, tillers, informal settlers and indigenous cultural minorities.

AGENCY OPERATIONS

Legal Services

The main thrust of the COSLAP is the speedy and inexpensive investigation, conciliation and disposition of cases. The Commission focuses its effort towards enhancing the mediation process and other alternative methods in resolving land disputes. Its continued existence can be attributed largely to the resolutions of out-of-court disputes.

For 2007, the Commission received 673 new cases and resolved 1,625 cases which surpassed its 1,500 target. Of the cases resolved, 21 case were amicably settled, 952 adjudicated and resolved with finality, 104 adjudicated and resolution awaiting finality, 186 adjudicated and resolved but referred to other agencies for implementation and/or execution, and 362 dismissed for lack of jurisdiction and referred to other administrative agencies who has jurisdiction. Brought to the higher courts were 13 significant cases, 2 of which were resolved in the Court of Appeals wherein one (1) of these affirmed the decision of COSLAP, while 11 cases are still being heard.

Internal Management

There are a total of eight (8) lawyers, including the Commissioner and two (2) Associate Commissioners, who conduct hearings pursuant to the Commission's mandate. Meeting its target to achieve the purpose of its creation is almost impossible since majority of the cases are being filed in the Central Office which has only two (2) lawyers. This is compounded by the lack of provincial offices in the localities where cases arise. Such inadequacy of lawyers, together with budgetary constraints, has limited the Commissions capacity to improve its services.

It is however fortunate that local governments of Marinduque, Davao and Tacloban have been supporting the Commission through the provision of office space and equipment. This is due to the numerous cases being handled by the Commission in those provinces.

INSTITUTIONAL REFORMS

The Commission has pursued efforts relating to its Rationalization Plan, development of an Information Systems Strategic Plan (ISSP), and institutionalization of the Alternative Dispute Resolution (ADR).

MAJOR PLANS

For 2008 and beyond, the plan is to at least meet its target performance. Should resources warrant, the target may be gradually increased. Zero backlog is envisioned for the year 2008 and beyond. Notwithstanding the limited number of lawyers and resources, the COSLAP aims to bring its services closer to the people especially in the countryside for them to be able to obtain substantial justice in the resolution of land disputes in an inexpensive and expeditious manner. Should resources warrant and with the support of local government units, the Commission aims to establish more provincial offices. Information campaign will also be intensified.

Policy reforms will also be pursued including the proposed COSLAP bill, and further institutionalization of the ADR through the revision of the Commission's internal rules of procedure. Other plans include the increase in the number of lawyers, updating of research materials and continued development and later implementation of an ISSP.

LAND REGISTRATION AUTHORITY

The Land Registration Authority is mandated under PD No. 1529, as amended, to issue decrees of registration and certificates of title and register documents, patents and other land transactions for the benefit of landowners, agrarian reform beneficiaries and the registering public in general. It is committed to effectively implement the laws and the regulations relative to the registration of land titles and deeds to maintain and foster greater public trust and confidence in the Torrens Title through honest, prompt, and efficient service.

AGENCY OPERATIONS

The LRA acts as the central repository of all land records involving registered or titled lands, issues decrees of registration pursuant to final judgments of courts in land registration proceedings and causes the issuance of corresponding Torrens certificates of title, issues all subsequent or transfer of title pursuant to the registration of deeds, exercises control over the disposition or alienation of registered lands in accordance with existing government rules and regulations, executes registration of deeds, resolves *consultas* elevated to the Administrator, performs administrative reconstitution of lost or destroyed certificates of title, provides legal and technical assistance to other agencies of the government in the implementation of the agrarian reform program, and collects substantial revenues for government from the above functions.

For 2007, deeds registered and land titles issued numbered at 2,527,509 and 602,034, respectively, which are 4% higher than the previous year. The number of subdivision/consolidation plans approved also increased by 9% at 5,949. On the other hand, decrees issued, *consultas* resolved and titles reconstituted all decreased at 653, 201 and 2,461, respectively.

The LRA was able to collect a total of more than P2.5 billion, more than P500 million or 20% of which (pursuant to PD 1529) was earmarked as special trust fund to cover the maintenance and other operating expenses (MOOE) and capital outlays (CO) of the agency. Such earmarked amount has always been much higher than the appropriated MOOE and CO amounting to P149.38 million and P50 million respectively. Hence, the special trust fund of the LRA in the national treasury has been increasing through the years. The remaining 80% or P2 billion was credited to the general fund of the national government. This amount surpasses the P419 million personal services appropriation of the LRA. This implies that the government earns rather than spend for the agency's operations and service delivery to the public. The LRA was awarded as among the top revenue earners for the government in 2007.

The Task Force Titulong Malinis (TFTM) continues to operate on its mandate to work with other government units to eradicate fake and spurious certificates of title as well as in the apprehension of land syndicates and unscrupulous individuals dealing in land.

INSTITUTIONAL REFORMS

The LRA continuously espouses Total Quality Management through improved systems and procedures both at the central office and the registries of deeds. And in line with continuing efforts to avoid tedious, time consuming and expensive court proceedings, the LRA has proposed measures for amendment of pertinent laws affecting the agency and the registries of deeds with respect to procedures.

MAJOR PLANS

The LRA plans to commence the implementation of the Land Titling Computerization Project, which is intended to improve and expedite procedures and processes, and provide client-friendly computer-based facilities, accurate land title information, no double issuance of title, effective preservation of land titles, faster service delivery, immediate detection of fake land titles, improved access to information, and secured land registration system.

To expedite the issuance of decrees, a document tracking system will be developed and a signature reduction program implemented. For registration of land titles and deeds, regular operations audit shall be conducted and the Internal Audit Unit institutionalized, a new monitoring scheme and client feedback mechanism developed and implemented, and process flow in all registries of deeds standardized. For reconstitution of titles, a monitoring scheme on standard processing time will be developed.

NATIONAL BUREAU OF INVESTIGATION

The National Bureau of Investigation (NBI) was originally established under Commonwealth Act No. 181 later reorganized by RA No. 157 and EO No. 94 in 1947. The Bureau is primarily mandated to investigate and detect crimes and other offenses against Philippine laws upon its own initiative or as properly requested, act as national clearing house of criminal and other information for use of all prosecuting and law-enforcement agencies, provide technical aid to such agencies as well as the courts, and establish/maintain an up-to-date scientific crime laboratory and conduct researches in furtherance of scientific knowledge in criminal investigation.

AGENCY OPERATIONS

Investigation and Intelligence Services

In 2007, the NBI responded appropriately to the accelerated thrust against criminality. It increased participation in both local and global efforts to significantly curb the threat of terrorism.

The Investigative and Intelligence Services including the regional and district offices of the bureau received a total of 12,382 crime cases, an increase of 2.6% compared to the previous year's 12,064 received cases. Likewise, terminated crime cases also increased by 13.2% to 10,265 from 9,071 in the previous year. On the overall including service and miscellaneous cases, case termination increased by 2%.

Of the crime cases terminated, 4,165 cases with additional counts of 2,594 were recommended for prosecution, 4.3% higher than the 3,995 in the previous year. Located by NBI agents and special investigators were 247 subjects/persons by virtue of warrants/orders of arrests issued by different courts nationwide and through requests made to locate missing persons.

Among the cases handled by the NBI were as follows:

Illegal Drugs

- Seizure of chemicals used for shabu manufacturing, and the subsequent arrests of and filing of charges of violation of RA 9165 against Robert Li, et al.
- Raid of a shabu warehouse in Biñan, Laguna and the subsequent arrest of Chinese national Tony Go y Lim a.k.a. Kim Lim which led to the discovery of another such warehouse in San Pedro, Laguna
- Arrest in Davao City of 7 suspects for possession of 4 kilograms of dried marijuana leaves, a 12-gauge shotgun and several ammunitions
- Raid of a shabu warehouse in Victory Village Legazpi City resulting to the arrest of and filing charges against suspected big-time pusher Joseph "Lada" Vargas for violation of PD 1866, as amended by RA 8294 and RA 9165 after the discovery of a live M-33 hand grenade and an unspecified amount of shabu

Murder and Killings

- Investigation relative to the death of UP Diliman student Cris Anthony Mendez, an alleged Sigma Rho fraternity hazing victim
- Solution to the killing of Kalinga Vice Governor Rommel Diasen with the turn-over by Tabuk, Kalinga Mayor Camilo Lammawin and Mignao elders of suspect Joel Melod (who confessed to the killing) to the NBI
- Arrest in Palawan of and filing of murder charges against PNP 413th Provincial Mobile Group member PO1 Alfredo T. Carandang for involvement in the murder of COMELEC Election Assistant II Petronillo Amorin and for violation of the COMELEC gun ban

- Arrest of gunman Arthur Ponay y Donaire a.k.a. Arthur Dacallos and the filing of murder charges against Leyte Congressman Catalino Figueroa, et al. for the killing of Daram, Samar Mayor Benito Astorga
- Solution to the murder of Sta. Rosa Laguna Mayor Leon Arcillas and bodyguard PO1 Erwin Rivera with the arrest of 4 Royal Blood Gang members involved in the assassination
- Investigation and filing of murder and frustrated murder against Samsodin Hadji Abas for the killing of Cotabato RTC Branch 15 Judge Sahara U. Silongan
- Arrest of Rodolfo D. Cuer, et al. after witnesses positively identified them as the perpetrators of the murder of Pasay City RTC Presiding Judge Henrick F. Guingoyon

Women and Children, and Human Trafficking/Trafficking in Persons

- Conviction of Teresa Castro and Roland Cuico for qualified human trafficking of 9 minors for sexual purposes in Cebu City
- Arrest of Ryan Aguinaldo and Jose Plandez and Jose Plandez, and the filing of charges for the filing of Qualified Trafficking in Persons against 5 other members of a syndicate involved in the fraudulent sale and transplant of human kidneys
- Arrests of Jeffrey Hirang y Rodriguez, et al. for child trafficking; and the rescue of 4 minor girls used in sexual exploitation and sex tourism
- Entrapment and subsequent arrest of Annaliza Concio, et al., alleged members of a syndicate involved in large scale/qualified trafficking of persons to Malaysia via Zamboanga (the Philippine's "back door") for promising their victims work in Sandakan, Malaysia as entertainers, but ended up as prostitutes in Sabah sex dens

Kidnapping

- Rescue of kidnap victim Edgar To Barroso (brother-in-law of AKHARD Supervising Agent Jayfer Cabiles) from the lair of the Balbacua kidnap-for-ransom gang, resulting in the death of 4 members in a shootout. The rescue was in coordination with PACER-Mindanao, Davao City and NBI SEMRO
- Rescue of one-year old kidnap child-victim Dariz Jakob Galler in Davao

Expired, Unauthorized and Counterfeit Products

- Seizure in Tondo, Manila of hundreds of sacks of expired dairy products being repacked and sold to the public for human consumption—charges filed against owners Teofilia Paraon and Armando Masangkay
- Raid by virtue of a search warrant to Arman Drug Store in Biñan, Laguna owned by Antonio Breguilles for selling an abortion-inducing pill Cytotec (Mysoprostol), wherein 176 such tablets were seized—charges of violation of RA 3720 filed
- Seizure of equipment from Design Editions International Corp. and Cannon Creek Asia, Inc. in Cebu City for illegally reproducing copyrighted software
- Entrapment and subsequent arrest of and filing of intellectual property rights case against Merlyn Escamillas for selling bogus pharmaceutical products
- Seizure with the help of Lusaka Agreement Task Force of Africa of 35 elephant tusks, 94 pieces of finished and unfinished religious images and 81 kilos of cut-off ivory from a store owned by Dondon and Josie Awa who were not around during the raid. Cases of illegal shipments and illegal possession of the elephant tusks were formally transmitted to the DOJ for preliminary investigation for violation of RA 9147.

Estafa and Swindling

- Extradition from the US of fugitive Angelito Ermita Alix (charged before the Pasig City RTC for estafa, and with an Alias Warrant of Arrest against him)
- Deportation to the US of fugitive spouses Terry and Rebecca Solomon who are both wanted for conspiracy to defraud investors
- Arrest of a FRANCSWISS Chief Financial Adviser Elizard Castillo after failing to return the money totaling P3 million to the investors

Illegal Recruitment

- Filing of charges for violation of the Migrant Workers Overseas Filipino Act of 1995 (RA 8042) against Ranilo Terania, et al. for the illegal recruitment of flyweight boxing champion Angelito Sisnorio who died of brain hemorrhage in Thailand after losing to his Thai opponent—respondents found to have neither Games and Amusement Board licenses nor authority from the POEA to contract services/employment for Filipinos abroad
- Arrest of Pio Luna for illegal recruitment who is a subject of a string of arrest warrants

Theft, Robbery and Other Syndicated Crimes

- Arrest in a sting operation in Quezon City of PO1 Jericho Ballena (PNP Maritime Group), et al.—members of a highly organized carjacking syndicate operating in Metro Manila and Central and Northern Luzon provinces
- Arrest and inquest of Mapua Institute of Technology Engineering Professor Rudy G. Mortera for Robbery-Extortion
- Busting of carnapping and cattle rustling syndicate with the arrest of and filing of carnapping cases against Redeemer Aballe, Sr. et al. members of Deloeste and Ebarle Robbery and Carnapping group in Zamboanga del Sur
- Arrest and filing of Robbery with Homicide and Carnapping charges against Abdul Sarip Benito and Rodelio Pestanio Coja in relation to a holdup of a Cagayan de Oro City-bound Rural Transit bus in Zamboanga del Sur

Graft and Corruption

- Extradition to the Philippines of Charlie “Atong” Ang, co-accused with former President Joseph Estrada for the crime of plunder
- Arrests of and filing before the Ombudsman of charges for Malversation of Public Funds against Rosemarie Gertes and Eilyn Ducot, after investigation revealed a total undeposited and missing fiduciary fund collection of P11,729,425.34
- Arrest and inquest of Antipolo City Health Office employee Francisco M. Gajudo for violation of the Anti-Graft and Corrupt Practices Act and Article 216 paragraphs A & C of the Revised Penal Code (Illegal Exactions)

Technical/Records Services

Technical assistance rendered by the Bureau’s experts in the fields of forensic medicine & chemistry, questioned documents, ballistics, polygraphy, dactyloscopy and investigative photography accounted to 18,238 cases. Laboratory examinations were also conducted to 45,450 specimens.

On clearance processing, the Bureau received 4,530,881 applications for various purposes nationwide, 2.8% more than the 4,406,841 in 2006. An average of 18,569 clearance applicants were serviced each day. The NBI Clearance-on-Wheels continued to operate in Metro Manila and neighboring provinces including Masbate and Bicol Region. The COA-approved NBI Clearance Renewal Cards was also implemented: 2 in the NBI Clearance Center in Carriedo and the other in NBI Marikina City

The overall income generated by the NBI for the government in 2007 was P 451 million effectively recovering 64% of the P708 million budget appropriations for the agency. Bulk of the said income (P500 million) was from the issuance of clearances which was 2% higher than the previous year. The NBI was awarded as among the top revenue earners for the government in 2007. Income is expected to even increase in the next years.

Special Concerns

Woman and Child-Friendly investigation rooms were made in the Dipolog City District Office, the DSWD Provincial Office in Tabuk Kalinga, and in the PNP Station in Tagudin, Ilocos Sur.

A Memorandum of Agreement (MOA) with the Department of Environment and Natural Resources (DENR) and other government agencies has been forged to protect wildlife. The NBI's role is primarily the enforcement of the Wildlife Act.

A MOA was also signed with the Supreme Court through the Office of the Court Administrator, the NBI representing the DOJ to address the spate of killings of judges. The MOA was entered into for the purpose of protecting judges and justices from threats arising from their judicial work. The Task Force Judiciary Protection, composed of NBI personnel, is tasked to implement the MOA. The duty of the Task Force is to provide prompt and effective protection to justices and judges whenever needed, and to investigate without letup all unsolved killings or attempted killings of judges and justices until all these are resolved with finality.

Internal Management

Various internal management improvements were put into place. Backlog in administrative cases were reduced from 205 in 2006 to 144 in 2007. Expenditure management policies were fully complied with. The e-NGAS was also implemented.

However, resource constraints remained to be a challenge. There was lack of training funds and opportunities, qualified personnel to do specialized tasks, as well as proper facilities and equipment. Additional manpower is also needed to address backlogs. There have been difficulties in the procurement of supplies and equipment. Field offices also perceived to be too centralized.

INSTITUTIONAL REFORMS

The NBI has initiated various computerization projects for purposes of internal management. This includes a case tracking system development project, "Online Quick Search of Case Status", which was drafted/proposed to help concerned parties track the progress of cases in real time, thus reducing the waiting time from days to seconds.

MAJOR PLANS

Among the major plans of the NBI are the following:

1. Investigation to focus against high profile illegal drug syndicates, most wanted criminals in heinous crimes, and transnational crimes
2. Intensified intelligence services as proactive and aggressive response to syndicated/heinous crimes
3. Close coordination with other law enforcement agencies and foreign governments, agencies, counterparts, and airline companies
4. Expansion of regional/local operations
5. Electronic payment system for the renewal of clearance via internet
6. Database on criminals involved in heinous crimes
7. More woman and child-friendly investigation rooms, human trafficking monitoring stations and temporary holding/detention centers for minors
8. Construction of the NBI Clearance Building in the Manila Office compound
9. Upgrading and improvement of information technology (IT) infrastructure
10. Funding to be requested from foreign counterparts to provide foreign schooling/training for operatives

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

The Office of the Government Corporate Counsel (OGCC), receiving its mandate from R.A. 2327, R.A. 3838, P.D.1415, E.O. 878 and other legislations and executive orders, is statutorily the legal counsel of government-owned and/or controlled corporations (GOCC's) and its subsidiaries, other corporate off-springs and government acquired asset corporations.

AGENCY OPERATIONS

Legal services through litigation by representing the interests of client GOCC's before the regular courts and administrative bodies, issuance of legal opinion, drafting and reviewing of contracts, hearing of administrative cases, and arbitration of disputes are part of the regular operations of the OGCC.

In 2007, the OGCC rendered 22,397 various legal services to client GOCCs, drafted and reviewed 485 contracts, and rendered 422 legal opinions.

The Office also advocated the ADR, actively involved in Public-Private Sector participation and privatization of government corporations, conducted forums for potential partners in public corporate governance, carried out capability programs and activities, conducted case conferences among OGCC lawyers, provided IT equipment/systems and training, and exercised corporate social responsibility with favored beneficiaries such as raising funds for the children of Bahay Tuluyan and the elders of the Home for the Aged, plus rendering community service to Gawad Kalinga's Molave Community in Fairview, Quezon City.

The primary constraint of the office is the minimal increase in the budget. This has limited the implementation of plans including staff capacity building, acquisition of computers and adoption of the e-NGAS.

INSTITUTIONAL REFORMS

In the face of very limited resources, the OGCC institutionalized reforms and programs for greater work efficiency, accountability, productivity and corporate social responsibility. It also pioneered in streamlining policies and participated in the drafting of guidelines affecting all GOCCs.

MAJOR PLANS

Among the plans of the OGCC are as follows:

1. Continued resolution of disputes using ADR (arbitration, conciliation and mediation)
2. Involvement in GOCC privatization
3. Conduct of regular consultations with partner GOCCs
4. Pro-active policy formulation such as becoming a proponent of corporate governance, joint venture guidelines, government-to-government relations, defining relations with Legal Departments, and involvement in regulation
5. Development of universal guidelines and codification of policies
6. Pursuit of thrusts in corporate governance, legislative initiatives, policy research, continuing education, and publications
7. Development/implementation of a case management and central docket systems
8. Regular consultations and education sessions
9. Codification of legal opinions and contract reviews of the OGCC
10. Continued implementation of the "Zero-Backlog" policy

OFFICE OF THE SOLICITOR GENERAL

The Office of the Solicitor General (OSG) is the legal representative of the Government of the Republic of the Philippines. It is an independent and autonomous agency under the Office of the President but attached to the Department of Justice for budgetary purposes. The OSG is primarily tasked to represent the Government of the Philippines, its agencies and instrumentalities and its officials and agents who are suing or are being sued in their official capacities before the local court system and in international fora in any litigation, proceeding, investigation, or matter requiring the services of a lawyer. It is also the counsel of the People of the Philippines before the appellate courts. As the “Tribune of the People”, the OSG is tasked to represent the Republic in any action which affects the welfare of the people as the ends of justice may require.

AGENCY OPERATIONS

The OSG legal staff consists of 166 lawyers including the Solicitor General and Assistants. An Assistant Solicitor General heads every division. With a total caseload of over 250,000 cases a year, each solicitor or associate solicitor handles an average of more than 1,700 cases. In 2007, OSG lawyers filed 13,000 briefs, comments, complaints and reports nationwide with occasional calls for duty abroad. This does not include the numerous appellate court cases handled.

Operations of the OSG has been hampered by the low salaries relative to the earnings of a private law practitioner or some lawyers in other government offices. The Office has been losing its solicitors and associate solicitors to private law firms and big corporations. In 2007, the performance target was not accomplished largely due to the resignation of some lawyers who transferred to private firms and corporations.

INSTITUTIONAL REFORM

Republic Act 9417 was approved in March 2007, reorganizing/expanding the OSG and increasing the benefits of OSG lawyers and support employees. However, the Implementing Rules and Regulations (IRR) have yet to be approved. Upon its approval, it is expected that more lawyers can be hired to fill vacancies and the expansion.

MAJOR PLANS

Besides the thrust to fully implement RA 9417 in support thereto, the OSG plans to intensify the hiring of lawyers and support staff upon approval, continue the computerization efforts and development of information technology systems, and pursue the acquisition of new building and improvement of existing facilities.

PAROLE AND PROBATION ADMINISTRATION

The Probation Administration was created by virtue of Presidential Decree No. 968, “The Probation Law of 1976”, to administer the probation system. Under E.O. 292, “The Administrative Code of 1987” which was promulgated on November 23, 1989, the Probation Administration was renamed “Parole and Probation Administration” (PPA) and given the added function of supervising prisoners who, after serving part of their sentence in jails, are released on parole or are granted pardon with parole conditions.

The investigation and supervision of suspended sentence for the First Time Minor Drug Offenders (FMTDOs) have been an added function of the PPA pursuant to Sections 66, 68 and 81 (b) of RA 9165, “The Comprehensive Dangerous Drugs Act” of 2002 and per Dangerous Drugs Board (DDB) Resolution No. 2 dated 19 July 2005 and the Memorandum Agreement between DDB and PPA dated 17 August 2005. Further, EO No. 468 s. 2005 mandated the revitalization of the Volunteer Probation Aide program.

The Parole and Probation Administration is therefore mandated to conserve and/or redeem convicted offenders and prisoners who are under the probation and parole system. The goals are to promote the reformation of criminal offenders and reduce the incidence of recidivism and to provide a cheaper alternative to the institutional confinement of first-time offenders who are likely to respond to individualized, community-based treatment programs.

AGENCY OPERATIONS

Referrals by the courts, Board of Pardons and Parole (BPP) and Dangerous Drugs Board (DDB)

This program makes certain the sustainability of petitioners for probations, parole, conditional pardon and first-time minor drug offenders, who will likely to respond to community-based individualized treatment. Those offenders who have no potential to reform are recommended to remain in jail or prison to ensure community safety.

This involves gathering of information on the petitioner's personality, character, antecedents, environment and other relevant information, which includes the internal as well as external resources to be tapped in rehabilitating clients.

A total of 11,863 investigation cases were handled during the year, composed of 1,104 cases carried over from the previous year and 10,759 new court referrals. Of the total cases handled, 11,295 were completed and submitted to the courts, BPP and DDB. The target of 90% disposition rate for investigation cases completed within 60 days was effectively surpassed, and actual disposition rate progressively increased from for the past three (3) years.

Supervision and Rehabilitation of Probationers, Parolees, Conditional Pardonees and First-Time Minor Drug Offenders Placed on Suspended Sentence or Community Service

This program seeks to administer and execute existing laws relative to probation and parole systems in order to effect the rehabilitation and integration of the probationers, parolees and pardonees as productive, law abiding and socially responsible members of the community. The objective of supervision is the permanent regeneration of the client's attitude towards law observance. Supervision treatment should be concerned with the total configuration of the offenders' personality in relationship to family, community and society.

A total of 52,726 cases under probation and parole supervision were handled. Of this number, 40,418 were carried over from the previous year and 12,308 were new referrals from the courts. It is noteworthy to mention as well that there has consistently been a high degree of acceptance (almost 100%) of the courts with respect to the recommendations of probation and parole officers.

Enlistment and Deployment of Volunteer Probation Aides (VPAs)

The recruitment and deployment of volunteers play a vital role in strengthening the partnership of government and the non-government sector in ensuring the success of programs and activities that derive their existence from public funds. VPAs are provided with necessary training and orientation for them to appreciate the knowledge, skills, attitude and values that will enable them to perform their functions. For 2007, there were 5,800 appointed VPAs assisting in the supervision and monitoring of 3,410 clients in their respective communities. These VPAs were organized in 100 local associations nationwide. In support of the program, 470 community resources were mobilized in relation to such services as counseling, facilitation of group activities, and/or resource persons, including the conduct of crime prevention programs.

Rehabilitation Services

Rehabilitation activities were organized by field officers to facilitate the reintegration of clients into their respective communities. Most of these activities were conducted in coordination with socio-civil, charitable and religious organizations and local government units. The foci were social issues with regard to personal lives of clients and their involvement in the community, development of self-esteem through self-sustaining livelihood projects and social obligations. Further, the rehabilitation activities were aligned with national government thrust on poverty alleviation program. Among these activities with thousands of beneficiaries were moral/social/spiritual reformation, group counseling, literacy, health, sports and physical fitness, work and livelihood.

Special Activities and Concerns

Therapeutic Community Program

The PPA has continued this Program in the treatment of drug dependents and those clients with profound behavioral problems. The program operates as a functional family with a hierarchical structure and sets of rules and community norms that members commit to live by and uphold upon entry. At present, the Program is implemented by 92.41% of field offices nationwide (207 out of 224). The Program was participated by 19,468 clients with the total cost of P1,133,175.00 through the support of local government units and private individuals.

Restorative Justice

This is a victim-centered response to crime that provides opportunity of restoring broken relationship caused by the offense among those directly affected—the victim, offender, their families, and community. In 2007, the program effected the process among 1,254 victims and 3, 170 clients by way of dialogue, victim-offender mediation, conferencing, restitution, community work service and peacemaking encounter and/or agreement.

Compliance with legal and civil obligations to indemnify their victims as determined by the courts was enforced by field probation and parole officers. During the period, 1,141 clients paid the total amount of P17.46 million to their victims or victims' families as indemnification for civil liabilities or damages.

Community service was designed to enhance clients' involvement in the community, wherein local governments appreciated/acknowledged the participation of PPA clients. About 47,362 clients participated in 1,845 various community service activities.

Also, 11,627 probationers, parolees and pardonees planted and cared for 184,942 trees either in the delineated public lands or in their backyards. Tree planting activities are pursuant to a Supreme Court Circular requiring the planting of trees as one of the conditions for parole.

Integrated Allied Social Services

This is a special project that supports the harmonized Therapeutic Community, Restorative Justice and Volunteer Probation Aide Programs. The PPA considers the client's family as a major support and object in the process of rehabilitation. Children and other minor dependents of clients were the main targets of the program. During the year, 431 children and other minor dependents were involved in rehabilitation activities such as counseling, health and hygiene lectures, assistance for school supplies, referrals to schools and other related activities conducted by field offices.

Jail Decongestion

This is one of the major projects of the PPA in coordination with other agencies in the criminal justice system, as embodied by the February 12, 1993 MOA among the PPA, Board of Pardons and Parole, Bureau of Jail Management and Penology and Public Attorney's Office. Its main purpose is to help the government decongest the jails, unclog court dockets, provide detention prisoners with fair and speedy trial, provide access to probation and parole, and lessen expenditures of prisoners' daily maintenance.

Performance of the core function of the Agency has contributed to this endeavor. During the year, supervision of 52,726 probationers, parolees and pardonees saved for the national government an estimated amount of P398.92 million in terms of prisoners' basic needs, which is more than the P355.123 million budget appropriation of the PPA in 2007. This is on top of other savings as those derived from recidivism and human/social costs of imprisonment, as well as economic benefits and tax revenues from probationers and parolees employed and/or engaged in income-generating activities.

In line with the Jail Decongestion Program, field officers conducted 4,873 jail visits and interviewed 6,292 detainees, 4,291 of which were referred to PAO for legal assistance.

INSTITUTIONAL REFORMS

Internal management improvement efforts were undertaken in 2007. A modified performance evaluation system based on shared standards, commitments and objectives was pilot-tested to enhance organizational effectiveness and productivity. An information system strategic plan was also formulated to systematize the collection of data, facilitate information among units/office of the Agency, and generate more reliable statistics in support to policy formulation, program planning, resource allocation and performance monitoring and control.

In the context of the government rationalization program, the PPA formulated a plan to correct the disparity in the number of middle supervisory positions and that of direct service providers, proposing a 4-year implementation towards an ideal pyramidal staffing structure. The revised PPA rationalization plan was resubmitted to the DBM in October 2007. Higher level reorganization is also proposed per Senate Bills No. 1281 and 1339, proposing to place the Board of Pardons and Parole under the PPA.

The In-Country Training Program on the Holistic Approach to Volunteer Resource Development also continued in 2007. Through the technical cooperation of Japan International Cooperation Agency, the overall goal of the Program was the revitalization and development of the VPA program. On its third year of implementation, the program was focused on the training for trainers for volunteer resource development, involving probation and parole officers and VPAs. As of yearend, 288 field officers and VPAs underwent the training.

MAJOR PLANS

The PPA will adhere to its seven (7) strategic pathways, as follows:

1. Build the image of the Agency and media exposure
2. Harmonize Agency rehabilitation programs
3. Benchmark best practices
4. Strengthen funding support
5. Develop information technology capability
6. Rationalize structures and systems
7. Enhance personnel capability

PUBLIC ATTORNEY'S OFFICE

The Public Attorney's Office is mandated to extend free legal services to indigent persons or to the immediate members of their families in civil, administrative, labor and criminal cases, which services include judicial and quasi-judicial representation, mediation and counseling, jail visitation, inquest assistance, miscellaneous legal advice and documentation.

The Office has 1,048 lawyers, who actively handle criminal and civil cases before 2,255 courts nationwide and about 25 lawyers devote themselves on appealed cases before the Court of Appeals and the Supreme Court. There are 16 regional and 257 district and sub-district offices, most of which are situated in Halls of Justice along with the courts and other offices involved in the administration of justice.

AGENCY OPERATIONS

Free Legal Assistance and Judicial Representation

In 2007, the total number of clients assisted was 4,382,611 or an average of 4,182 per PAO lawyer. The number of cases handled was 599,076 or an average of 572 per lawyer. Of the 146,301 criminal cases represented by PAO lawyers before the courts, 108,635 or about 74% were favorable dispositions to indigent clients.

Despite the large caseload, the PAO was able to represent accused in court and facilitated the release of at least 86,593 bereaved convicts after having been acquitted or for some other reasons.

As to criminal cases appealed before the Court of Appeals and Supreme Court, a total of 145 favorable decisions for PAO clients were obtained for 2007. Aside from these, 408 favorable dispositions were obtained by the PAO on appeals from the decision of the National Labor Relations Commission (NLRC), Social Security System (SSS) and Government Service Insurance System (GSIS).

By virtue of a MOA, the PAO has been maintaining its sub-station in the NLRC to facilitate the rendition of assistance to complaining workers and expedite proceedings. In 2007, a total of 2,681 clients were accommodated and were extended legal assistance.

Special Projects and Concerns

Jail Visitation and Decongestion Program

As approved by the Secretary of Justice, the PAO launched its nationwide free legal and medical jail visitation and decongestion program. Through the program, at least 4,065 received legal advice, 6,356 received medical/dental assistance, 2,339 provided reading glasses and/or received eye consultations, and 3,101 inmates released.

Children in Conflict with the Law and Violence against Women

In 2007, 79,050 cases of women and 19,125 cases of children in conflict with the law were represented in court by PAO lawyers.

Through the support from the United Nations Children's Fund (UNICEF), the following manuals were developed and later officially circulated and published in December 2007:

1. Standard office procedures in extending legal assistance to women and their children under RA No. 9262 and other related laws; and
2. Standard office procedures in extending legal assistance to children in conflict with the law under RA No. 9344 and other related laws.

Internal Management

On the average, a PAO lawyer is assigned to two (2) to four (4) courts. This is on top of the day-to-day rendition of free legal assistance to thousands of clients. While recruitment has been high and vacancy rate low, turn-over of PAO personnel especially the lawyers has been high—transfers to other agencies such as the NPS, Office of the Ombudsman, and the Judiciary—due to uncompetitive compensation and retirement benefits. This has necessitated sustained capacity building to ensure that all, including newly hired personnel are thoroughly equipped to discharge their duties.

In 2007, the PAO provided seminars and trainings including the PAO-UNICEF seminar on the Violence Against Women and Their Children Act (RA 9262), Comprehensive Juvenile Justice and Welfare System Act (RA 9344), and other related laws pertaining to children, and the regional seminar on crime scene investigation and reconstruction, forensic evidence and medico-legal issues. A total of 1,773 lawyers and 54 support personnel attended a total of 104 seminars, trainings and conferences including those provided by other government and non-government organizations.

The PAO undertook efforts to improve its library services, research capability, information management and public awareness service. A total of 170 research works were completed including those addressing legal queries from the public as a result of increasing public trust and tri-media linkage as a means of education and information dissemination. Through its tri-media linkage, the PAO has also started rendering legal advice since September 2007 in the “Say Mo Attorney” column in the People Tonight tabloid. The PAO also cooperated with the broadcast media with the provision of on-the-air legal counseling in various radio and television stations nationwide.

The Office was able to procure much needed office equipment including computers in order to improve working conditions and increase office productivity. However, the PAO still faces inadequacy of equipment to support nationwide operations.

Consistent with the thrust to maintain the integrity of the organization, administrative cases were expeditiously resolved—104 out of 122 received complaints in 2007.

INSTITUTIONAL REFORM

Year 2007 has engraved a significant milestone for Public Attorney’s Office (PAO). Republic Act No. 9406, also known as PAO Law, was signed into law on March 23, 2007 which became effective on April 15, 2007, mandating PAO as an independent autonomous office but attached to Department of Justice for purposes of policy and program coordination. The law effectively reorganized the PAO similar to the structure of the NPS and provided additional benefits for their lawyers.

MAJOR PLANS

The PAO intends to fill all available vacancies, and closely coordinate with the DBM for the approval of the IRR of the new PAO Law and funding requirements to upgrade the salaries of its personnel and increase in the number of plantilla items for PAO lawyers equivalent to the number of courts nationwide.

Other plans include the continuous and vigorous undertaking of the following:

1. activities and outreach programs for the welfare of prisoners and inmates;
2. efforts on good governance, professionalism and anti-corruption;
3. enhancement of skills and competence of lawyers and staff;
4. improvement of communication facilities and office equipment;
5. coordination with the tri-media
6. active participation in ongoing pro-poor programs of the government

PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT

The Presidential Commission on Good Government (PCGG) was created by virtue of Executive Order No. 1 of President Corazon C. Aquino on February 28, 1986. Its primary mandate is to assist the President in the recovery of ill-gotten wealth of former President Ferdinand E. Marcos, his immediate family, relatives, subordinates and close associates, whether in the Philippines or overseas, investigation of corruption cases as the President may assign and the adoption of safeguards to ensure that the aforementioned practices shall not be repeated, and the institution of adequate measures to prevent the occurrence of corruption.

Effective May 26, 2005, by virtue of EO No. 432, PCGG has been empowered to assume the task of investigation, filing and prosecution of cases for recovery of claims arising out of non-performing loans whether behest or non-behest. In July 2007, EO No. 643 placed the PCGG under the administrative supervision of the DOJ.

AGENCY OPERATIONS

The recovery of ill-gotten wealth involves four (4) major functions, which constitute the PCGG's areas of accountabilities, otherwise referred to as its key result areas, namely:

1. Prosecution and litigation of cases involving the recovery of ill-gotten wealth in the Philippines and abroad;
2. Preservation, administration and management of assets to prevent their dissipation;
3. Disposition of surrendered assets, the proceeds of which are to be deposited with the Bureau of Treasury, in trust for the Comprehensive Agrarian Reform Program (CARP);
4. Continuing identification, investigation and conduct of research of ill-gotten wealth, both domestic and abroad.

In 2007, the PCGG investigated and filed 59 ill-gotten wealth cases. A total of P25.3 billion were recovered and remitted to the national treasury. The net cash recoveries from 1886 to 2007 amounted to P86.205 million. The PCGG is mandated to remit the net proceeds of the disposal of surrendered assets to the Bureau of Treasury for the CARP. A total of 59 ill-gotten assets and behest loans were also litigated.

Among the major accomplishments of the Commission are as follows:

1. Philippine Telecommunications Investment Corporation shares of 111,415 registered in the name of PHI and reconveyed to the Republic on August 8, 2006 were sold by the Department of Finance on February 28, 2007 in the amount of P25,238,759.05.
2. The sale of 9,200,000 Lepanto Consolidated Mining, Inc. "A" and "B" shares through the Philippine Stock Exchange has netted the amount of P2,929,002.50. The remaining shares were held in abeyance awaiting favorable stock market condition.
3. In a sealed bidding held on November 28, 2007 for the real property located in Mountainview, Tagaytay City, the Philippine Amusement and Gaming Corporation submitted the highest bid of P172,418,343, hence declared as the winning bidder in December 2007.
4. Efforts have been continuing to solicit legitimate and credible evidence on all ill-gotten wealth cases. This includes in-depth research and analysis of reports of alleged money laundering activities of the Marcoses and his nominees and associates.
5. Efforts have been continuing as well on privatization and disposition of surrendered assets such as real properties, shares of stock, TV network and radio stations, and jewelry collections. A calendar of privatization plans of surrendered and recovered assets has been prepared for 2008 to 2010 that will generate additional revenues of approximately P24.490 billion for the government.

Behest Loans Project

Loans have been classified as “behest loans” due to the presence of two or more of the eight (8) criteria mentioned under Memorandum Order No. 61, dated November 9, 1992, pursuant to Administrative Order No. 13, dated October 18, 1992 creating the now defunct Presidential Ad Hoc Fact – Finding Committee on Behest Loans, namely :

1. It is under collateralized;
2. The borrower corporation is undercapitalized;
3. Non-feasibility of the project for which financing is being sought;
4. Endorsement by high government officials (presence of marginal notes);
5. Extraordinary speed in the release of loans;
6. Stockholders or management closely associated with the Marcos cronies;
7. Corporate layering; and/or
8. Diversion of loan proceeds to other purposes.

During the Marcos era alone, there were already 419 accounts reviewed by the defunct Presidential Ad-hoc Fact Finding Committee with the total amount of P105.559 billion. It is estimated that almost similar number of accounts will have to be reviewed covering the 20-year post Marcos period. Based on latest statistics, for the Marcos period alone, there is a potential recovery of P50,290,155,000 from those accounts, which turned out to have been granted upon the behest of then President Marcos, based on the defunct Technical Working Group. This is exclusive of the possible P55,268,513,000 which may be recovered out of government-initiated projects, government-sequestered accounts, accounts which turned out to be non-behest (but will still be reviewed by the Behest Legal Team), and other accounts.

Internal Management

The PCGG has been continuously coordinating with various government agencies, including the Office of the OSG in relation to fortification of pending ill-gotten wealth and behest loan cases filed by the PCGG.

Computerization has also been continuing particularly on records management relative to pending cases filed in various courts. The PCGG website is also being maintained and updated.

MAJOR PLANS

The PCGG identified seven (7) programs/projects/activities for 2008, as follows:

1. Expansion of the search for ill-gotten wealth of the Marcoses, relatives and close associates, both here and abroad;
2. Strengthening of the information technology capability of the PCGG for a better organized records system;
3. Hiring of experienced and competent lawyers to speed up the prosecution of cases pending before the Sandiganbayan and other courts;
4. Continuation of engagement of PCGG’s foreign lawyers to take care of the Agency’s cases and petitions abroad on International Mutual Assistance on Criminal Matters;
5. Privatization of surrendered assets to augment national budgetary requirements, particularly for the CARP;
6. Continuing efforts to solicit legitimate and credible evidence and information from well-meaning persons to help PCGG in its efforts to recover ill-gotten wealth wherever located; and
7. Continued investigation, filing and prosecution of cases for the recovery of claims arising out of non-performing loans, whether behest or non-behest