

**Department of Justice
2004 Annual Report**

The Secretary's Message



Reaching Beyond Our Limits

The Department of Justice must be a pillar of strength for the weak, a beacon light for the criminally abused, a haven for the oppressed, and a tool of government in ensuring social justice to prevail throughout the land. Entrusted in our hands is the mechanism of the criminal justice system, a task of awesome magnitude.

Since September 2004, when I first took over the reins of the Department, I have launched programs aimed to improve the performances of all its agencies. I am working closely with the National Prosecution Service, requiring them to conduct an audit of all pending cases under their care and an inventory of all physical evidence submitted for their safekeeping; urging our prosecutors to improve the quality of our inputs, and raise the level of our outputs. We are a society of lawyers, backed by career-minded personnel, called upon to ensure that the mechanism of justice is well oiled and constantly going forward.

I salute the men and women of the Office of the Solicitor General, the Public Attorney's Office which continue to provide the poor with legal assistance, now in tandem with the new DOJAC (DOJ Action Center); and the Office of the Government Corporate Counsel for their readiness in legal matters.

The National Bureau of Investigation and the Bureau of Immigration are our "Dynamic Duo," excellently doing their jobs while bringing in much needed revenues for the government coffers.

While tasked with the investigation and apprehension of wrongdoers, the DOJ is likewise mandated to implement the incarceration of convicted criminals. The records of the Bureau of Corrections, the Board of Pardons and Parole, and the Parole and Probation Administration, are replete with good marks, highlighted with compassionate acts.

On legal questions involving precious acreage, the Land Registration Authority and the Commission on the Settlement of Land Problems have posted impressive tract records in the resolution of voluminous disputes.

The records of the DOJ and its attached agencies testify to the quality of our work. While we are happy with the positive results of our innovations and our labors, we continue to aim for better and greater achievements. The future will attest to this.

Let us work together to reach beyond our limits.

Raul M. Gonzalez

2004 YEAR END REPORT

January - December 2004

OFFICE OF THE SECRETARY

The Department of Justice derives its functions from Executive Order No. 292 otherwise known as the Administrative Code of 1987. Its mandate is to act as both the government's legal counsel and its prosecution arm.

The Offices involved in the disposition of these functions are the Legal Staff and the National Prosecution Service

National Prosecution Service

The National Prosecution Service (NPS) was created by Presidential Decree No. 1275 otherwise known as the National Prosecution Service Law. Primarily, it is tasked

- to investigate and prosecute all criminal offenses under the Revised Penal Code and other special penal laws
- to resolve appeals/petitions for review of the final resolutions of state prosecutors and provincial/city prosecutors and all preliminary investigations conducted by them
- to render opinions on queries from prosecutors regarding violations of the Revised Penal Code and other special penal laws.

As 2004 ended, the NPS had a total of 538,992 complaints for disposition, 63,611 were carried over from 2003 leaving 475,381 as the number received for the current year.

Below is the rate of disposition of cases investigated under their respective procedures:

Preliminary Investigation

333,543 cases were assigned for preliminary investigation. 269,175 were resolved or disposed of as follows:

Filed	191,968
Dismissed	70,186
Referred/Transferred	5,627
Suspended due to p.q.	1,394
Pending	64,368
Disposition rate	80.70%

MTC/MCTC resolutions reviewed

39,768 resolutions of MTCs/MCTCs were received for review. 32,789 were resolved or disposed of as follows:

Filed	25,592
Dismissed	6,327
Referred	652
Suspended/Others	218
Pending	6,979
Disposition Rate	82.45%

Summary Procedure

- 76,733 were received and assigned for summary procedure.
- 74,743 were resolved and disposed of as follows:

Filed	68,770
Dismissed	5,052
Referred/Transferred	921
Pending	1,990
Disposition Rate	97.41%

Inquest

- 88,948 complaints were received and assigned for inquest.
- 87,721 were resolved and disposed of but 1,227 remain pending. The disposition rate is at 98.62%.



Reinvestigation per court order

180 complaints referred by the court to the NPS for reinvestigation were carried over from the year 2003. 1,960 were received for year 2004 bringing to a total of 2,140 the cases for reinvestigation.

Of the 2,066 cases resolved, 1481 were affirmed, 435 were reversed and 150 were referred and transferred. 74 cases were left pending. Disposition rate is at 96.54%.

Trial of Cases in Court

Regional Trial Court

For cases being tried in the Regional Trial Court, the NPS is handling the trial of a total of 574,169 cases for the year 2004, 356,339 were carried over from year 2003, while 217,830 were newly received. However, only 74,520 of these cases were disposed of as follows:

Convictions	14,567
Acquittals	4,645
Dismissed	24,625
Archived	23,125
Transferred	7,558
Pending in Court	499,649
Disposition rate	12.98%

MTC/MCTC/MTCC

504,536 cases were carried over from the previous year for those on trial at the MTC/MCTC/MTCC. 168,074 were carried over from the previous period bringing to a total of 672,610 cases for the year 2004.

132,935 of these cases were disposed of as follows:

Convictions	19,466
Acquittals	5,471
Dismissed	45,186
Archived	46,839
Transferred	15,973
Pending in court	539,675
Disposition rate	19.76%

Cases for trial in RTC/MTC/MCTC referred by other offices

28,853 were carried over from the previous period. 14,003 were newly received or handled referred by the OSG, Ombudsman, COMELEC and others bringing the cases to a total of 42,856.

11,301 of these cases were disposed of as follows:

Submitted for decision	6,077
Dismissed	2,735
Archived	2,489
Pending in court	31,555
Disposition rate	26.37%

Requests for legal opinion

The NPS received 49,579 requests for legal opinion, all of which were acted upon by the receiving office. Disposition rate is 100%.

Requests for legal assistance.

209,835 requests for legal assistance were received and all were acted upon. Disposition rate is 100%.

Task Forces

Task Forces have been created to help focus efforts in the prosecution of cases. These are composed of prosecutors with specialized skills relative to the task force they handle.

The Task Force on Anti-Smuggling investigated 17 cases of violation of the Tariff & Customs Code of the Philippines or the Anti-Smuggling Law, 2 of which have already been filed in court.

The Task Force on Illegal Drugs handled 57 cases from 1999 to this period. Three cases have been dismissed upon review for probable cause. Of the cases filed in court, nine scored convictions and only 1 was dismissed. All the other cases are still pending and are being reviewed by the prosecution before the filing of information in court.

Cases involving violation of R.A. 7610 or the Child Abuse Law and other violations against women being handled by the Task Force on Women and Children numbered 258.

Also, during the period the Anti-Kidnapping Task Force scored 3 convictions for kidnapping for ransom.

The following are the celebrated cases handled by the NPS that are still pending trial with the courts:

- PP vs. Former President Joseph Estrada, Jinggoy Estrada, Jaime Dichaves, Atong Ang et al for Plunder;
- PP vs. Lt. SG Antonio Trillanes et al for Coup d'etat;
- PP vs. Shi Jian Hui, Wu Chang, Xu You Kwang, Lim Jian Feng, Zhang Xi Wang, Zhang Du, Shi Chun Qi for kidnapping for ransom and carnapping;
- PP vs. Joseph Yu, Hong Ching Chuang et al for violation of Sec. 8, Article 2 of R. A. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002";
- PP vs. Michael Favila et al for the murder of Atty. Arbet Sta. Ana Tiongco, private prosecutor in the Ecleo case;
- PP vs. Rod Strunk, Philip Medel et al for the murder of Nida Blanca; and
- PP vs. Nur Misuari et al for rebellion.

The top ten resolved cases include the following:

- Estafa
- Attempted/Frustrated Murder/Murder
- Falsification of Documents

- Qualified Theft/Robbery
- Dangerous Drugs
- Bouncing Checks Law (BP 22)
- Rape/Acts of Lasciviousness
- Homicide
- Child Abuse
- Libel

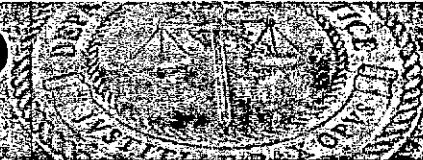
Legal Staff

The Legal Staff or the Office of the Chief State Counsel was created under R. A. No. 2705 otherwise known as "An Act Prescribing the Duties and Qualifications and Fixing the Number and Salaries of the Members of the Legal Staff in the Office of the Secretary of Justice" dated June 18, 1960 as amended. It is mandated under E. O. No. 292 otherwise known as the Administrative Code of 1987 to dispose of the following functions:

- 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
- Prepare and finally act for and in behalf of the Secretary on all queries and/or requests for legal advise or guidance coming from private parties, and other officials and employees of the government.

For the year 2004, the Legal Staff has acted on a total of 22,874 requests.

Performance Indicators	Total Requests for 2004	Total Accomplishments
No. of opinions prepared	777	602
No. of decisions/rulings/orders/resolutions received/prepared	10,107	10,953
No. of replies/legal advice prepared/issued to private parties/minor government officials and employees	370	188
No. of special services/studies conducted/prepared	382	382
No. of citizenship cases resolved		1,725
No. of special non-immigrant visas issued under Sec. 47(a)(2) of the Philippine Immigration Act of 1940		9,024
TOTAL	11,636	22,874



Other than issuing legal opinions for government agencies, the Legal staff also assists the Secretary in his functions and power to adjudicate. It has jurisdiction/appellate or revisory authority over controversies between and among government agencies. It reviews the constitutionality/legality of municipal tax ordinances, grant special non-immigrant visas and exemption from the Anti-Dummy law. It also assists and recommends to the Secretary the issuance or lifting of hold departure orders and citizenship cases transmitted by the Bureau of Immigration to the Department of Justice for review.

It has also processed applications for recognition of refugee status as well as handled requests for extradition to and/or mutual legal assistance from countries with extradition and/or mutual legal assistance treaties with the Philippines.

For 2004, the Legal Staff assisted the Secretary in negotiating the following:

- Mutual Legal Assistance Treaty (MLAT) and Extradition Treaty with Spain;
- Extradition Treaty with India;
- Association of Southeast Asian Nations (ASEAN) MLAT;
- RP-China-Vietnam Joint Marine Seismic Undertaking; and
- ASEAN Enhanced Protocol for Dispute Settlement Mechanism.

The Legal Staff, pursuant to the government's stand on the peace process with the National Democratic Front assisted the Secretary in the processing of the release on bail or recognizance, pardon or parole of alleged political offenders.

Significant legal opinions drafted by the Legal Staff include the following:

- The present status of banks vis-a-vis the provisions of the Anti-Dummy Law (C.A. No. 108, as amended) specifically the issue on whether banking activities should be deemed as having been taken out of the coverage of the said law with the subsequent passage of several amendatory laws, such that the requirement to secure a Department of Justice authorization for employment of expatriates in banks should now be dispensed with.
- The Draft Reply to the Views of the United Nations Human Rights Committee in the case of Carpo vs. the Philippines.
- On whether the mode of procurement under Section 35.1.2 of the Implementing Rules and Regulations of Executive Order No. 40, series of 2001, can be utilized with respect to the supposed undertaking with SR Telecom Inc.

of Canada for the Rural Communications and Information Project of the Department of Transportation and Communication-Autonomous Region of Muslim Mindanao amounting to US \$24,657,808.00.

- The plan of the Department of Agriculture for a "one-time, reduced tariff importation" for corn and pork to alleviate the present rising prices of meat products in the National Capital Region, particularly in the wet market.
- The request of the Department of Transportation and Communications regarding the authority of the Toll Regulatory Board to enter into Service Facility and Utility Agreements, involving Gas Stations, Pipelines and Cables along and inside the Expressway.
- On whether the proposed unsolicited Build-Gradual Transfer-Operate-Manage (BGTOM) Contract of the Universal LRT corporation and Alstom of France for the MRT Line 7 Project is consistent with the provisions of Republic Act (RA) No. 6957, as amended by RA No. 7718, and its Implementing Rules and Regulations.
- The request for confirmation of the position of the Department of Energy that the President "is authorized to increase tariffs on imported crude oil and petroleum products under Section 401 of the Tariff and Customs Code, in conjunction with Section 6 of Republic Act No. 8479, otherwise known as the "Downstream Oil Deregulation Act of 1998" subject to international commitments under the World Trade Organization and Asean Free Trade Area.
- The request for confirmatory opinion made pursuant to Section 4 of Executive Order No. 109-A, s. 2003 on behalf of the Board of Directors of the Power Sector Assets and Liabilities Management Corporation that the privatization through concession of the National Transmission Corporation can be done through negotiation after two failed open and competitive public biddings since it falls under the exceptions from public bidding as set forth in R.A. No. 9184 in relation to E.O. No. 109-A and Commission on Audit Circular No. 89-296.
- On whether or not international airfreight forwarders are subject to the nationality requirement imposed by the 1987 Constitution for the operation of a public utility.
- On whether or not the Professional Regulation Commission may, under the law or jurisprudence, conduct licensure examinations outside the Philippines.

SPECIAL PROGRAMS

Victims Compensation Program



The Board of Claims was created by virtue of RA # 7309 to compensate victims of unjust imprisonment or detention and victims of violent crimes. The Board determines whether to grant or deny claims or defer those which need further verification, investigation or submission of documentary requirements.

A total of 4,017 claims were received in the year 2004. However, only 2,887 applications were acted upon and processed.

Granted	2,490
1. Victims of violent crimes	2,488
2. Unjustly accused	2
Denied	397
Pending	1,130

It is noted that the pending claims include new applications awaiting compliance of requirement.

Department of Justice Action Center

The Department of Justice Action Center (DOJAC) acts on complaints, requests for legal assistance and queries of walk-in clients as well as over the telephone. Any caller can talk to a lawyer or paralegal officer who can render him assistance.

For the period, the DOJAC was able to assist 4,526 clients. Most clients sought legal advice and assistance. Other problems involve titles to property, financial claims and labor cases.

Witness Protection, Security and Benefits Program

The Witness Protection, Security and Benefits Program, as the most popular program of the Department of Justice measures its success in terms of conviction of the accused in cases where witnesses enrolled in the Program played a vital role in the success of the prosecution.

Since the program's inception in 1991, up to the present, the prosecution has scored 499 convictions.

For 2004, the Program covers 473 witnesses. The Program's accomplishment is shown as follows:

Application	209
Admitted	191
Carry-over (previous year)	436
Total Admission	473
Terminated	154
Total number of witnesses covered & maintained	473

Justice System Infrastructure Program

On 1 December 1988, President Corazon C. Aquino established a Committee composed of the Secretary of Justice, as Chairman, and the Secretary of Public Works and Highways and the Secretary of Interior and Local Government, as members. The Committee was tasked to provide decent office buildings for judges, prosecutors, public attorneys and parole and probation officers. The program would be called the Justice System Infrastructure Program or "JUSIP"

Since its inception in 1988 up to 31 December 2004, JUSIP completed the construction of 245 new buildings and repaired/renovated 63 existing court/prosecution buildings nationwide. It has 19 ongoing projects.



AGENCIES

BUREAU OF CORRECTIONS

The Bureau of Corrections is tasked with the effective safekeeping and rehabilitation of national prisoners.

In 2004, the bureau maintained 28,530 inmates in its seven operating institutions nationwide namely the New Bilibid Prison, Correctional Institution for Women, Iwahig Prison and Penal Farm, Davao Prison and Penal Farm, San Ramon Prison and Penal Farm, Sablayan Prison and Penal Farm and Leyte Regional Prison.

Below is a percentage distribution of inmate population among the prison facilities:

PRISON FACILITIES	Capacity	Population	% Share	Rate of Congestion
1. New Bilibid Prison	8,700	18,037	53%	107%
2. Correctional Institution for Women	1,000	1,173	4%	17%
3. Iwahig Prison and Penal Farm	3,500	2,087	7%
4. Davao Prison and Penal Farm	3,100	3,719	13%	20%
5. San Ramon Prison and Penal Farm	1,300	1,173	4%
6. Sablayan Prison and Penal Farm	1,500	1,254	5%
7. Leyte Regional Prison	1,000	1,087	4%	9%
TOTAL	20,100	28,530	100%	42%

It is noteworthy to mention that the rate of recidivism remains at 5%, one of the lowest in Asia.

Security programs of the bureau ranges from its campaign against illegal drugs and other contraband and the installation of Close Circuit Television (CCTV) cameras at the NBP resulting to numerous apprehensions and confiscations of prohibited items like cellular phones, deadly weapons, drugs, intoxicating liquor and gambling paraphernalia.

During the period, a total of 64 escape incidents occurred. This is about 45% lower compared to CY 2003 and the lowest recorded in the Bureau's history.

Rehabilitation can be effective with conducive environment. Countering the congestion problem in prison cells particularly in the main prisons, the Bureau has regularly assigned to the different prison and penal farms, inmates from the New Bilibid Prison.

Rehabilitation Efforts

The Bureau recognizes the paramount importance of rehabilitation in the correctional system. It has embarked on several educational and skills training programs for inmates.

For this year, 968 have enrolled in formal educational programs, 545 in accredited vocational programs offered and 3,328 in special education and skills training. The number of graduates increased by 17%.

Involving these inmates in sports programs has greatly helped in their emotional and social well-being and the Bureau has seen to it that sports competition and tournaments inside the prison facilities are regularly held.

With the help of religious and non-governmental organizations, the Bureau, through its Chaplaincy Office, have afforded inmates the needed spiritual nourishment. Ninety-eight (98%) of the prison population are Christians, and the rest belong to other religious groups. The strengthened efforts of the Bureau have involved nearly all prisoners in religious activities.



Justice Secretary Raul M. Gonzalez congratulates graduates of the Medium Security Compound in the New Bilibid Prison during graduation rites.

Drug testing and detoxification have been regularly conducted among the inmates. Those who submitted themselves for drug testing and were found positive were detoxified.

Another mode employed in the Bureau's drug rehabilitation is the employment of the Therapeutic Community Modality to facilitate the treatment process.

However, inmates are undergoing only routine medical services due to dilapidated and poorly equipped facilities.

Basic needs of inmates have been served with the inmate's subsistence allowance of P30 a day. Towards the third quarter of the year, the DBM increased the amount to P35.

Agro-industrial Project Operations Services

Even within the confines of the prison walls, inmates have taken advantage of employment opportunities while acquiring agricultural and industrial skills that they may find useful in their eventual release.

During the period, the employment rate bureau-wide was at 31% or about 8,860 inmates were deployed in different task environments. Industrial partnerships and joint ventures were forged to create more employment opportunities and to utilize inmate talents and skills in the livelihood programs of the different operating institutions.

Production income increased to two percent from the previous year which amounted to P29,336,248. The income derived from the joint venture with TADECO amounted to P12,915,355, accounting for the biggest source of its revenue. The income was used to augment the Bureau's insufficient budget for inmates' subsistence and for the improvement of some prison facilities.



Inmates during planting season in the Iwahig Prison and Penal Farm.

BUREAU OF IMMIGRATION

The primary mandate of the Bureau of Immigration (BI) is the monitoring and control of the migration of aliens into the country pursuant to Commonwealth Act No. 613. In the exercise of its mandate, the Bureau enforces all laws pertaining to the admission of aliens on primary inspection, and those relating to their exclusion, deportation and repatriation. It maintains administrative control over aliens and imposes penalties as the law provides.

The year 2004 ended with the tragic tsunami in Thailand, Indonesia and India which has greatly affected the movement of tourists and travelers in and around the country, posing a lot of challenges in terms of the BI's unique mandate of monitoring and regulating the entry, sojourn and exit of foreign nationals. The year closed with strings of accomplishments for the BI, attributing it to intensified efforts of strictly adhering to the enforcement of immigration laws, as well as the achievement of excellence in public service.

Immigration Regulations

Travel Assistance & Control

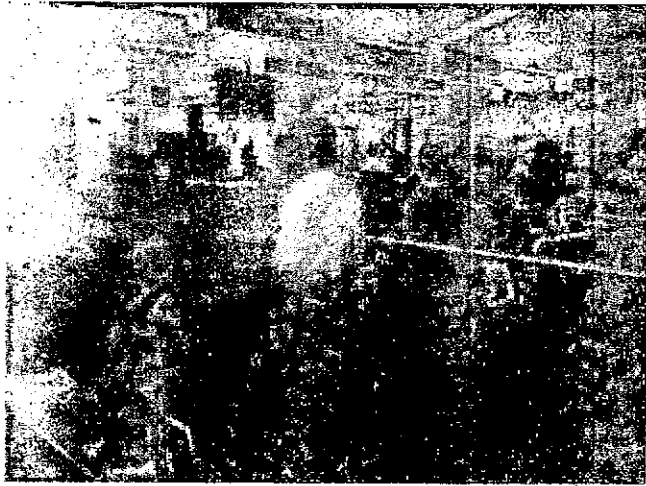
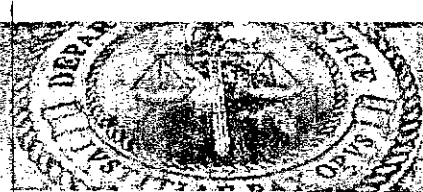
For the year 2004, the BI has processed a total of 4,393,537 foreigners and Filipino arriving passengers. It has cleared the departure of 4,602,262 passengers.

To secure the country from undesirable aliens whose presence is deemed as threats to public safety, morals and security, it has excluded 1,248 passengers and denied the boarding (off-loaded) of 1,926.

The BI also grants the extension of various immigrant and non-immigrant visas through its main and extension officers in various districts and regions. It has approved 132,700 applications for the year and granted 224,093 requests for extension.

Alien Registration and Documentation

The BI has processed a total of 8,523 transactions, 83% or 7,112 were made through the Express Lane, which manifests the efficiency in the processing of documents required by aliens to maintain a lawful presence in the country.



Busy days ... Immigration Officers at service counters of the NAIA Terminal Arrival Area of the Bureau of Immigration.

Intelligence Functions and Operations

The bureau's intelligence agents undertook case build-ups and effected the arrests of aliens for various violations of the Immigration law. A considerable number of these arrested aliens have already been summarily deported. The rest are awaiting the results of their deportation cases, which they controverted, or the termination of their criminal or civil cases before the regular courts. For the year, the bureau arrested 215 undesirable aliens, detained 216 and deported 225. Notable among those arrested is Andreas Ammon, a German who was arrested on April 1, 2004 by intelligence operatives for kidnapping his son whose case is still pending in Germany. The German Embassy has certified that the wife has the rightful custody of their son.

The Philippine Immigration Academy

The Philippine Immigration Academy has conducted a Philippine Immigration Laws, Policies and Procedures Seminar to six batches of participants from various law offices, travel agencies and firms transacting business with the BI.

It has conducted regular lectures at the Department of Tourism for those seeking license and accreditation as tour guides, two batches of Advanced Trainor's Training Course implemented in order to upgrade the skills and standards of BI trainors and implemented three batches of Refugee Determination and Asylum Procedures Workshop in coordination with the DOJ Refugee Processing Unit and the United Nations High Commissioner for Refugees.

Also notable is the coordination and partnership with the Department of Immigration and Multicultural and Indigenous Affairs of the Australian Government, for the training of personnel of the Anti-Fraud Division to deter the activities of undesirable aliens using tampered or fraudulent documents.

Financial Management

For the year 2004, the BI has collected a total amount of One Billion Eleven Million Nine Hundred Forty Three Thousand Five Hundred Fifty One (P1,011,943,551.79), which has exceeded the actual collection of P1,090,020,055.36 of 2003.

Anti-Fraud Operations

The integrity and anti-fraud functions of the BI is delegated to its newly established Anti-Fraud Division, which is still in the process of institutionalization as an organic division of the BI. This division is tasked to prevent, control, minimize and eradicate human trafficking and human smuggling in the country by strengthening the BI's operational capabilities.

During this period, the partnership between the BI and the Australian Government has been fully implemented with the objective of enhancing the Philippine's border management, by improving the BI's capacity and capability to deter irregular migration, human trafficking and smuggling through enhanced detection of fraudulent travel documents.

This project is part of the Australian government's commitment in the implementation of its Counter Terrorism Programs with the Philippine Government

Other Significant Accomplishments

Creation of a Task Force on Accreditation

To streamline operations and to harmonize systems implemented in the BI, a task force was created to evaluate and regulate its Accreditation Program. This involves the participation of various law offices, travel agencies and firms transacting with the BI. Its function is to regulate and monitor the implementation of various transactions in the BI through its accredited agencies and liaison representatives.

Creation of the Public Information and Assistance Group

In line with the Commissioner's mission and program to improve the BI's public service delivery, a new Public Information and Assistance office was created with the purpose of providing the public relevant, honest and transparent information as they transact business with the agency.

PAROLE AND PROBATION ADMINISTRATION

The Probation Administration was created by virtue of Presidential Decree No. 968 or the Probation Law of 1976 to administer the probation system. Under Executive Order No. 292, "The Administrative Code of 1987," it was renamed as the Parole and Probation Administration and given the added function of supervising prisoners who, after serving part of their sentence in jails are released on parole.

The Parole and Probation Administration in the pursuit of its objectives, has continuously upheld the principle of applying the human dimensions of correction. In this light, the performance of its programs, projects and activities has been carried out to manifest the forthright connection of rehabilitating and reforming offenders for their eventual reintegration into the society. Highlighting the performance of the PPA is the investigation of 8,840 applications for probation/parole/other forms of executive clemency and the completion and submission of 7,333 manifestations/petitions.

Records at the PPA show that 42,672 first-time offenders and 17,658 prisoners were under probation and granted parole or conditional pardon, respectively. The revocation/re-arrest stands at 2.94% and 2.57% and is among the lowest in Asia for probation and parole, respectively.

The government saved P237 million in terms of prisoners' maintenance through the grant of probation/parole/conditional pardon to 60,330 convicts who instead of being confined in prison, are required to report regularly to parole and probation officers.

The positive effects of the rehabilitation program undertaken by the PPA cannot be underrated. The participation of 12,430 probationers, parolees/pardonees in job placement, livelihood activities, and skills training contribute a small measure to the economic recovery program by helping decrease the rate of unemployment. In support of the government's thrust of continuing education, 3,230 clientele attended the adult education program. The agency also accommodated/referred around 7,628 persons in need of medical, drug testing and psychological attention. A continuing program for social, and moral activities that will provide them with wholesome atmosphere and let them feel that they are part of the society has been devised

and attended by 20,599 clients and participation in spiritual reformation of 22,409.

The involvement of probationers, parolees and pardonees in environment protection program for the government were enhanced by their actual participation in civic-oriented projects such as tree planting, clean and green project, beautification projects and others. A total of 28,432 clients were able to render community services.

Aspects of the rehabilitation programs promoted the capability of the probationers to pay cost of indemnities ordered by the court to their victims. In effect, P14.79 million was paid by probationers/parolees/pardonees to their victims or their families as indemnification for civil liabilities/damages.

Special Projects

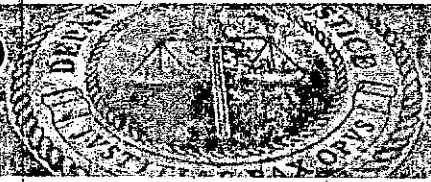
Jail Decongestion Program

The Jail Decongestion Program is one of the major projects of the Agency in coordination with other agencies in the criminal justice system. This project implements the Memorandum of Agreement entered into by the PPA with the Board of Pardons and Parole, Bureau of Jail Management and Penology and Public Attorney's Office on February 12, 1993 and further amended in December 2001. Statistically, the Administration had conducted 5,454 jail visits to assist detention prisoners in availing benefits of probation, parole or executive clemency. Around 15,859 detainees benefitted from the referral by the PPA to the Public Attorney's Office.

Therapeutic Community

The Agency has also been active in the campaign against drug abuse. The current project of the Agency in this regard is the implementation of Therapeutic Community (TC) Modality in the reformation and rehabilitation for drug-dependent prisoners and clients. The TC Modality behavioral shaping tools is being used as a rehabilitation strategy for clients with drug and/or drug related offenses.

Out of the 3,767 clients who participated, 432 participants completed the program.



Tree Planting

For the period, 11,391 clients participated in the tree planting activities.



Clients of Mandaluyong City Parole and Probation Office during a tree Planting activity

Restorative Justice and Juvenile Justice Administration.

This approach is a systematic response to wrongdoing that emphasizes healing the wounds of the victims, offenders and communities caused or revealed by the criminal behavior.

The PPA also promotes mediation, conferencing, restitution, community service and others in the transformation of relationship between communities and their government in response to crime.

Integrated Allied Social Services

The PPA has also taken into consideration the family of the offenders which is part of the primary object and subject of rehabilitation. Children and other minor dependents of clients are the main targets of this program considering their role in the lives of the clientele in relation to their on-going supervision treatment program.

Volunteerism

The Agency has revitalized the Volunteer Probation Aids to encourage and professionalize volunteerism.

Project partners in the abovementioned programs are the UNICEF, UNAFEI-JICA and the US Government.

COMMISSION ON THE SETTLEMENT OF LAND PROBLEMS

The Commission on the Settlement of Land Problems (COSLAP) is tasked to coordinate the activities, particularly the investigation work of the various government offices and agencies involved in the settlement of land problems and disputes.

The COSLAP may in certain instances assume jurisdiction and resolve land problems or disputes which are critical and explosive in nature in accordance with its quasi-judicial power.

The main thrust of the COSLAP is the speedy and inexpensive investigation, conciliation and disposition of cases. Its continued existence can be attributed largely to the resolution of disputes out of court.

COSLAP's major final output is the resolution and termination of cases.

2004 is a productive year for COSLAP. The Commission was able to resolve/terminate 1,478 cases which is 48% over its target of 1,000 cases. This is the highest accomplishment COSLAP has achieved for the past five years. The bulk of cases are filed in the Central Office due to the absence of Provincial Offices in the locality.

Of the new cases resolved, 56 new cases were amicably settled, thus a clear indication of strong support to the government's program on Alternative Dispute Resolution.

For 2004, two COSLAP decisions were appealed to the higher courts, the Court of Appeals and the Supreme Court. As of December 31, 2004, there are three on-going appealed cases in the Court of Appeals and 6 (six) ongoing cases in the Supreme Court.

A review of cases brought before the COSLAP reveals that there are 34 significant cases. The criteria for its significance is the presence of one or both of the following: the number of family beneficiaries, and the land area of the subject controversy.

PUBLIC ATTORNEY'S OFFICE

The Public Attorney's Office maintains sixteen (16) regional offices, two hundred fifty-seven (257) districts and six (6) sub-districts offices strategically located nationwide.

As of December 2004, PAO has one thousand nineteen (1,019) lawyers. Eight hundred seventy three (873) lawyers actively handle criminal and civil cases before two thousand one hundred thirty courts (2,130) nationwide and about thirty (30) lawyers devote themselves on appealed cases before the Court of Appeals and the Supreme Court, while the others are tasked with administrative concerns.

During the period, the 873 trial lawyers were able to assist a staggering five million three hundred twenty-three thousand five hundred eighty four (5,323,584) indigent clients and handled one million two hundred seventy five thousand five hundred seventy five (1,275,575) judicial and quasi-judicial cases.

On the average, a PAO trial lawyer assisted an average six thousand ninety-eight (6,098) clients and handled one thousand four hundred sixty-two (1,462) judicial and quasi-judicial cases.

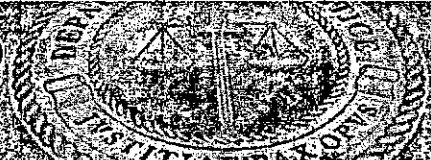
Among the significant cases and activities for the year 2004 are the following:

- Rendered legal assistance to the Moro Islamic Liberation Front (MILF) leaders and members, which culminated in the dismissal of the criminal complaints filed against them for their alleged participation in several bombing incidents in Mindanao.
- Continuing participation in the Kapit-Bisig Laban sa Kahirapan (KALAH!) program by providing adequate and immediate legal assistance to the indigent clientele of the program.
- Rendered Legal assistance to death convicts Roderick Licayan and Roberto Lara in the reopening of their case, which resulted in the stay of execution of death sentence previously imposed on them and further reception of evidence on their behalf before the Marikina Regional Trial Court.
- Provided legal assistance to teachers and poll workers during the May 2004 National and Local Elections who were harassed by groundless lawsuits in connection with their election duties.

- Developed and instituted a good feedback mechanism for employees in the 1st PAO Rank-and-File Employees National Convention at the Manila Hotel from April 21 to 23, 2004.
- Achieved a total of fifty-three (53) death penalty reduction; forty-eight (48) reduction of penalty from death to reclusion perpetua and five (5) reduction of penalty from death to reclusion temporal.
- Obtained sixty-eight (68) acquittals in the appealed cases of convicts sentenced to death penalty by lower courts nationwide.
- Effectively implemented a system of informing/advising and updating non-government organizations, PAO partners, media, government officials and institutions and private individuals of the action undertaken relative to their referrals/request for legal assistance, thereby, enhancing the image of the office in its delivery of legal assistance.
- Intensified legal aid information and dissemination through community and tri-media linkages resulting to the positive reports and comments from media, emphasizing more on the functions and accomplishments of the office, rather than unfair criticisms and baseless comments.
- Continued compliance of the MOA for Jail Decongestion
- Prompt action on pending complaints/administrative action filed against PAO lawyers and staff.
- Immediate assistance to children in conflict with the law.
- On top of these, the Chief Public Attorney received the Lingkod Bayan Award for epitomizing the ideals in public service, this accomplishment has served as a morale booster to lawyers and staff alike at the PAO.



Region VI PAO lawyers interviewing Children in Conflict with the Law (CICL) at the Iloilo City Police Office



NATIONAL BUREAU OF INVESTIGATION

The National Bureau of Investigation, with renewed vigor and steadfast resolve, performed creditably well in 2004 over the previous year in the investigation of crimes, collection of evidence, arrest of suspects and the filing of complaints against the suspects before the Prosecutors' offices and the courts.

As the year ended, total cases received by the Investigative and Intelligence Services including the Regional and District Offices of the Bureau was recorded at 51,173 or a 0.8% increase from last year's 50,757 cases.

Terminated crime cases also increased by 3.7% from 9,577 in 2003 to 9,927 cases this year. Including service and miscellaneous cases, overall output rose by 0.4%.

Of the 4,793 cases investigated, 4,552 were recommended for prosecution. Likewise, 409 subjects/persons were located by virtue of warrants/orders of arrest issued by different courts all over the country and through requests made by interested parties to locate missing persons.

The Technical Services continued to lend its expertise in the different fields of forensic medicine and chemistry, ballistics, polygraphy, dactyloscopy and investigative photography, by completing 26,474 cases, 8.8 more than the 24,339 cases terminated last year. Laboratory examinations were also conducted on 51,496 specimens this year.

Further, 3,901,836 applicants trooped to the Bureau to secure clearances for various purposes this year, surpassing last year's 3,457,837 applicants by 13.0%. This means an average of 15,926 applicants serviced a day.

The NBI Treatment and Rehabilitation Centers in Tagaytay, Cebu and Cagayan de Oro admitted 924 drug dependents for treatment and rehabilitation.

Significantly, in February 2004, the Bureau clearance facilities were relocated to the NBI Clearance Center in Carriedo and Estero Cegado Streets, Sta. Cruz, Manila. Likewise, the NBI Central Luzon Regional office in San Fernando City (Pampanga) was placed on-line, thus completing the computerization of all the 14 regional offices of the Bureau.

Another satellite office was also opened in San Pablo City (Laguna). Three district offices were also computerized last year, namely, the Bulacan District Office (BULDO) in Plaridel, Bulacan; Calapan District Office (CALDO) in Calapan, Oriental Mindoro; and the Sarangani District Office in Sarangani province.

In an effort to expand its NBI clearance renewal facilities, six (6) clearance renewal kiosks were set-up in Robinson Star Mall (San Fernando City-Pampanga); Porta Vaga (Baguio City); Robinson's Mall (Cagayan de Oro City), Robinsons Mall (Cebu City), Victoria Mall (Davao City) and Gaisano Mall (Iloilo City). These are in addition to the five (5) existing renewal kiosks in five malls in Metro Manila Park Square I (Makati City), SM Mega Mall (Mandaluyong), Ever Gotesco (Caloocan), Tutuban Mall (Manila) and NBI Clearance Center (Carriedo, Manila).

Significant cases handled were:

- Rescue of kidnapped businesswoman Dominga Chu on January 24, and the arrest of four Waray-waray gang members;
- Apprehension of Rico Z. Puerto, a key official of the Tibayan Group Investment Co., wanted for pyramiding activities in a known restaurant in Roxas Blvd. Manila;
- Seizure of several refilling machines, liquefied petroleum gas (LPG) tanks, and vehicles valued at P15 million from three big time LPG refilling stations;
- Surrender of Amrodin Makasilang, No.9 in the Most Wanted List of leaders of kidnap for ransom syndicates;
- Apprehension of Arthur M. Balatbat, section chief of the DENR Forest Management Services, who demanded and received a sum of money in exchange for the issuance of a certificate declaring a parcel of land as exempted from the coverage of Comprehensive Agrarian Reform Program in Manila;
- Arrest of several gun parts worth P4 million from warehouse and residence of a certain Crisostomo B. Aquino during simultaneous raid in San Juan, Metro Manila; and
- Arrest of Gioria De Guzman Miranda, former bank employee who allegedly swindled Brenda Lo and several other investors of US\$1 million and millions of pesos in Paranaque.

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

Mandated to safeguard the legal interests of all government-owned and/or controlled corporations, their subsidiaries and acquired assets, the Office of the Government Corporate Counsel (OGCC), in close coordination with and thru the able and tactical handling of various cases of its clients, GOCCs has saved and recovered in favor of the government the amount of PESOS: Twenty Two Million Four hundred Seventy Five Thousand Two Hundred Two and 78/100.

In the exercise of its supervisory functions over the legal department of client GOCCs, OGCC has likewise rendered miscellaneous service including, but not limited to, detail services such as acting as in-house counsel, representation of management in committees such as the PBAC and in hearing administrative cases involving personnel. Overall, OGCC has effectively and efficiently rendered a total of Sixteen Thousand Nine Hundred Fifty Nine (16, 959) units of legal services to the different client corporations.

Of the civil, criminal, and labor cases handled, seventy-one (71) were decided in favor of OGCCs and six (6) were settled through compromise agreement.

OGCC acted as guardian of the state against contractual provisions deliberately disadvantageous to the government. Total number of contracts reviewed reached Four Hundred Fifty One (451) involving the amount of PESOS: Four Billion Seven Hundred Fourteen Million Four Hundred Thirty Two Thousand Eight Hundred Seventy and 55/100 (4, 714,432,870.55), US DOLLARS: Six Hundred Forty Six Million, Eight Hundred Forty Thousand Seven Hundred Sixty Eight and 95/100 (\$646, 840,768.95) and EURO: One Hundred Million (Eur 100,000,000.00).

Of equal significance is the rendition of a total of Two Hundred Seventy Seven (277) legal opinions covering diverse issues and complexities, involving the amount of PESOS: Forty Seven Million Two Hundred Forty Nine Thousand Two Hundred (P47,249,200.00) and US DOLLARS: Eight Hundred Million Nine Hundred Seventy Six Thousand (\$800,976,000.00). Such legal opinions were used by GOCCs client as their guide in decision-making and in formulating better management policies.

Some of the 2004 accomplishment highlights are the following:

- Dismissal of the case filed by Henry F. Rodriguez et al against the National Housing Authority et al for failure to state a cause of action and for lack of legal capacity to sue;
- Recovery of the possession of a Quezon City Property by the Philippine Charity Sweepstakes Office (PCSO);
- Reversal of the decision of the Court of Appeals on the ruling of the Department of Agrarian Reform and Adjudication Board (DARAB) declaring Serafin Sarinas as a lawful tenant of the NDC's property in Dasmarinas, Cavite and has ordered NDC to pay him disturbance compensation;
- Affirmation by the Court of Appeals on the right of the Toll Regulatory Board and the Philippine National Construction Corporation to deny a request for an easement of right of way to public highways;
- Dismissal of the case against Maynilad and Metropolitan Waterworks and Sewerage System (MWSS).

BOARD OF PARDONS AND PAROLE

The Board of Pardons and Parole is tasked with reviewing records of inmates at the national penitentiary to determine whether or not they are eligible for parole and thus can be released from prison. It recommends to the President grant of executive clemency such as absolute pardon, conditional pardon or commutation of final sentence.

For this year, the Board has acted upon 5,198 requests as follows:

Parole	2,081
Commutation of Sentence	42
Conditional Pardon	14
Absolute Pardon	2
Final Release and Discharge	2,017
Order of Arrest and Recommitment	580
Transfer of Residence	462

It was noted that the Board was not able to meet its target due to the revision of its rules and regulations which proved to be more stringent.



LAND REGISTRATION AUTHORITY

The Land Registration Authority is committed to effectively implement the laws and regulations relative to the registration of land titles and deeds and to maintain and foster greater public trust and confidence in the Torrens title through honest and prompt registration. For the year 2004, there were 2,728,910 deeds registered, 608,811 titles issued, 1,761 decrees issued, 192 consultations resolved, 6,450 subdivision plans approved and 6,318 reconstituted titles.

The LRA was able to generate a total revenue of P2,462,363,074.55 from its 157 Registries of Deeds nationwide.

The following are the top 20 Registries of Deeds in terms of workload:

1. Davao del Norte
2. Quezon City
3. Davao City
4. Naga City
5. Calamba, Laguna
6. Cavite Province
7. Cagayan de Oro
8. Marikina City
9. Pampanga
10. Pangasinan
11. Tarlac
12. Iloilo Province
13. Cebu City
14. Meycauayan, Bulacan
15. Cebu Province
16. Bataan
17. North Cotabato
18. Parañaque City
19. Ilocos Sur
20. Iloilo City

The following are the top 20 Registries of Deeds in term sof collection:

1. Quezon City	237,428,954.98
2. Makati City	153,741,732.92
3. Cavite Province	110,757,740.20
4. Calamba City, Laguna	101,825,633.00
5. Misamis Oriental Province	87,852,099.58
6. Pasig City	82,491,213.07
7. Manila	66,965,303.80
8. Parañaque City	66,354,380.00
9. Meycauayan, Bulacan	53,731,136.10
10. Davao City	49,899,381.68
11. Muntinlupa City	48,749,128.66
12. Taguig City	47,478,623.00
13. Cebu City	47,161,011.91
14. San Fernando, Pampanga	46,663,474.12
15. Las Piñas City	41,982,970.23
16. Kalookan City	39,281,331.48
17. Guiguinto, Bulacan	35,396,421.00
18. Cagayan de Oro City	32,620,387.00
19. Mandaluyong City	31,501,327.59
20. Bacolod City	31,098,967.48

Action Programs of the Department of Justice and Its Attached Agencies In Motion FY 2005

OFFICE OF THE SECRETARY

EXEMPTION FROM SALARY STANDARDIZATION OF PROSECUTORS

DOJ is still working for the passage of the Bill exempting prosecutors from the Salary Standardization Program. It has made representations with Congress and Senate.

FURTHER STRENGTHENING OF LINKAGES WITH LAW ENFORCEMENT AGENCIES

Closer coordination with Task Forces (TF) of the Philippine National Police, such as: TF on Narcotics and the Dangerous Drugs; TF on Criminal Investigation and Detention Group (CIDG); TF on Law Enforcement, TF PACER (Police Anti-Crime Emergency Response) and NAKTAF particularly in evidence gathering involving high profile cases. In this connection, DOJ has formed pools of prosecutors to receive and act on complaints filed by these Task Forces.

STRENGTHENING OF ANTI-TRAFFICKING TASK FORCE

- Training of prosecutors nationwide
- Investigation and prosecution of human trafficking cases.
- Popularization/advocacy of the Anti-Trafficking Law.

INTENSIFICATION OF DOJ DRIVE AGAINST SERIOUS CRIMES

Kidnapping, Terrorism, Smuggling, Carnapping, Abuse against Women & Children, Piracy, Money Laundering and Drugs by different Task Forces on the subjects.

STRENGTHENING OF KATARUNGANG PAMBARANGAY SYSTEM

- Conduct of nationwide trainers' training (USAID and Gerry Roxas Foundation.)
- Conduct barangay official's training
- Awarding of Outstanding Lupong Tagapamayapa

ADOPTION OF ALTERNATIVE DISPUTE RESOLUTION ON PROSECUTION MATTERS

- Drafting of Implementing Rules & Regulations
- Training of mediators/conciliators nationwide.

COMPLETION OF THE DOJ ACADEMY AT CLARK AIR BASE

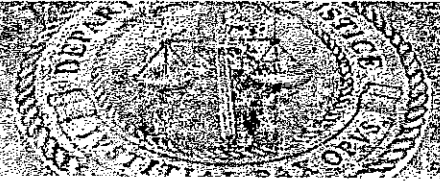
LAUNCHING OF THE SEARCH FOR OUTSTANDING PUBLIC PROSECUTORS AND PUBLIC DEFENDERS

- Information dissemination
- Creation of a screening Committee
- Formulation of criteria

CONTINUATION OF JUSTICE SYSTEM INFRASTRUCTURE PROGRAM

Implementation of the infrastructure project for 34 Halls of Justice

REGIONALIZATION OF THE DOJ ACTION CENTER



COMMISSION ON THE SETTLEMENT OF LAND PROBLEMS

Focus on alternative dispute resolution

- Information dissemination on the function of COSLAP and its adherence to the alternative dispute resolution as an effective vehicle in settling land disputes.
- Training of conciliators and mediators nationwide.

LAND REGISTRATION AUTHORIZATION

- Computerization of records in all registry of deeds offices nationwide
- Generation of more income
- Strengthening of task force Titulong Malinis

NATIONAL BUREAU OF INVESTIGATION

- Intensification of campaign against drugs
- Acceleration of probe of cyber/computer offenses.
- Enhancement of protection for women who are victims of domestic violence and abused children
- Completion of online systems for clearances in district offices
- ATM-type renewal of NBI clearance

BUREAU OF CORRECTIONS

- Strengthening security measures/programs
- Expansion of the record computerization
- Improvement of the decongestion program
- Enhancement of rehabilitation/treatment program

PAROLE AND PROBATION ADMINISTRATION

- Enhancement of Therapeutic Community program
- Launching of massive information drive
- Strengthening of restorative & juvenile justice systems

BUREAU OF IMMIGRATION

- Increase of collection of revenues, fees, charges and other fines raised from various income generated from the operations of the Bureau Of Immigration
- Full implementation of the ACR Electronic I-Card Project
- Full implementation of the Pisces system at major airports & sub-ports
- Full implementation of the revised travel control information system.
- Intensification of information campaign against illegal aliens, terrorists, drug syndicates, money launderers, human smugglers & traffickers
- Institutionalization of structures & systems to combat activities of illegal and undesirable aliens
- Institutionalization of Anti-Fraud Division, Human Resource Management Division & Computer Division
- Completion construction of additional building & immigration facilities
- Implementation of training programs in coordination with the Department of Foreign Affairs
- Establishment of resource generation projects

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

- Strengthening its representation as principal law office of all government-owned or controlled corporations & their subsidiaries.

PUBLIC ATTORNEY'S OFFICE

- Computerization of all Public Attorney's District Offices
- Enhancement of PAO website
- Intensification of tri-media information dissemination
- Implementation of barangay outreach program
- Improvement of office facilities & equipment
- Continuation of the Kalahi Program
- Intensification of the Jail Decongestion and Visitation Program.