



Department of Justice

2005 ANNUAL REPORT

2005 Year-End Report
2006 Major Plans and Programs

Department of Justice 2005 YEAR-END REPORT

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 prosecution arm.

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

National Prosecution Service / Office of the Chief State Prosecutor

The National Prosecution Service (NPS) was created by Presidential Decree No. 1275, the National Prosecution Service Law. The NPS is tasked as follows:

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

The core of the frontline services of the NPS are the 207 City, Provincial and Regional Prosecution Offices nationwide. For 2005, said offices had a carryover of 72,580 pending cases for preliminary investigation from the year 2004. For the year 2005, 353,744 cases were received giving a total of 426,324 cases for disposition. Total disposed/resolved cases were 326,021, or an overall disposition rate of 76.47%. Said figures are further broken down as follows:

Normal Preliminary Investigation

276,416 cases were assigned for preliminary investigation. 187,274 cases were resolved/disposed of as follows:

Filed	131,181
Dismissed	50,542
Referred/Transferred	4,819
Suspended due to p.q.	733
Pending	89,141
Disposition Rate	67.75%

MTC/MCTC Resolutions Reviewed

34,942 cases were received for review. 27,874 cases were resolved/disposed of as follows:

Filed	21,299
Dismissed	5,833
Referred/Transferred	665
Suspended due to p.q.	77
Pending	7,068
Disposition Rate	79.77%

Summary procedure

50,524 cases were received under the summary procedure 47,342 cases were resolved/disposed of as follows:

Filed	41,326
Dismissed	5,264
Referred/Transferred	752
Pending	3,182
Disposition Rate	93.70%

Inquest

66,442 cases were received and 63,531 cases resolved/disposed, leaving a balance of 912 of pending cases. Disposition rate was 98.59%.

Reinvestigation per court order

1,001 pending cases were carried over from the year 2004 while 2,608 cases were newly received in the year 2005 giving a total of 3,609 cases for reinvestigation. 2,392 cases were resolved/ disposed as follows:

Filed	1,818
Dismissed	491
Referred/Transferred	83
Pending	1,217
Disposition Rate	66.28%

After investigation and filing cases in court, the NPS actively prosecutes said cases. In 2005, 231,093 cases were carried over from the year 2004 while 93,207 cases were newly received in the year 2005 or a total of 324,300 cases filed in Regional Trial Courts resulting in the following court actions:

Prosecution rested	18,616
Dismissed	24,768
Archived	23,171
Transferred/others	3,585
Trial cases resolved	17,074
Pending in Court	237,086
Disposition rate	26.89%

Prosecution caseload in Municipal Trial Courts, Municipal Circuit Trial Courts and Metropolitan Trial Courts is not presented due to lack of available data.

Besides the city, provincial and regional offices, the Prosecution Staff at the DOJ-OSEC Proper discharges the functions of the service through handling of special cases and petitions for review, and task forces internally created or as directed by the President. Task forces are created for specific types of cases such as smuggling, terrorism, dangerous drugs, money laundering, kidnapping, environmental crime, women and child protection, and intellectual property. They are composed of prosecutors with specialized skills relative to their task force. By the end of 2005, the Prosecution staff had a caseload of 6,599 while task forces had a total of 1,248.

Some of the significant cases handled and convictions obtained by the NPS are the following:

Investigation and Prosecution

- Tax evasion and estafa cases involving hundreds of millions of pesos, celebrities, large companies and prominent businessmen;
- Filing of kidnapping cases against several syndicated groups, former Congressman Dennis Roldan and former NBI Agent Martin Soriano;
- Active prosecution of terrorist suspects in the Valentines Day Bombing in Makati for multiple murder and multiple frustrated murder;
- Prosecution of illegal drug cases such as the one filed against alleged drug lord Calvin de Jesus Tan and 11 others who are facing charges in connection with 675 kilos of illegal drugs worth P1.3 billion
- Investigation and filing of cases against suspects in the killing of journalists Marlene Esparat in Sultan Kudarat, Edgar Damalerio in Pagadian City, Philip Agustin of Dingalan, Aurora, RMN broadcaster Rolando Morales of South Cotabato
- Filing of robbery with homicide charges against the suspects for the brutal killing of Assistant Secretary Alicia Ramos

Convictions

- Various large scale drug related cases
- Killing of Former Antique Governor Evello Javier
- Kidnapping for ransom cases
- Large scale illegal recruitment cases

Legal Staff / Office of the Chief State Counsel

The Legal Staff was created under RA No. 2705, "An Act Prescribing the Duties and Qualifications and Fixing the Number and Salaries of the Member of the Legal Staff in the Office of the Secretary of Justice" dated June 18, 1960 as amended. It is mandated under EO no. 292, the Administrative Code of 1987, with the following functions:

- assist the Secretary of Justice in his duties as Attorney General of the Philippines and *ex-officio* legal adviser of government-owned or controlled or enterprises and their subsidiaries
- 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.

In 2005, the Legal Staff acted on a total of 13,107 requests, detailed as follows:

	Requests	Accomplishment
Opinions prepared	493	252
Decisions/rulings/orders/resolutions received/prepared	12,262	12,262
Replies/legal advice prepared/ issued to private parties/minor government officials and employees	225	89
Special services/studies conducted/ prepared	504	504

The Legal Staff assisted various national government functionaries in resolving difficult questions of law attending the performance of their respective functions through the preparation of opinions which have great economic, social and political implications, relating to the interpretation of different laws.

Significantly, the Legal Staff is also involved in the drafting and implementation of legislation, regulations, rules and agreements as well as in the negotiation of extradition and mutual legal assistance treaties. It is the Legal Staff that represents the Department of Justice, which is the Central authority of the Republic of the Philippines in mutual legal assistance and extradition treaties, in handling requests for extradition and/or mutual legal assistance to or from countries with extradition and/or mutual legal assistance treaties with the Philippines and represent treaty partners in Philippine courts.

Moreover, the members of the Legal Staff are involved in the negotiations of various investment and trade agreements, like: Japan-Philippines Economic Partnership Agreement, ASEAN-China, ASEAN-Korea, ASEAN-Australia, New Zealand and ASEAN-India. This Department, through the Legal Staff, acts as the lead negotiator for dispute settlement mechanism chapter of the said agreements.

In the furtherance of the criminal justice system, the Legal Staff, aside from assisting the Secretary in the processing of the release on bail or recognizance, pardon or parole and in resolving matters involving the prosecution of certain criminal cases of alleged political offenders, and in the handling of requests for extradition. It likewise assists the Secretary of Justice in difficult legal issues such as those in defense of the legitimacy of the Arroyo Administration.

Board of Pardons and Parole

The Board of Pardons and Parole is tasked with the duty of choosing those who should be released on parole and serves as the recommendatory arm of the President in the grant of pardon and other forms of executive clemency. It performed its duties with the meager complement of 48. It submitted 4,034 prisoners' carpetas for the Board's deliberation resulting to the issuance of 3,741 resolutions for Parole/Executive Clemency cases. Of this number, one (1) was recommended for grant of Conditional Pardon, 2,640 were granted of parole, and 1,100 deferred/denied/other action cases (Parole and Executive Clemency) for compliance with the additional requirements as prescribed under the 2003 Rules on Parole and General Guidelines for Recommending Executive Clemency.

For the whole year, the Board handled 15,106 petitions, of which 12,404 were processed. It also acted on 10,606 communications and reports incidents to the supervision of parolees/pardonees whom the Board reaches thru its service arm, the Technical Service under the Parole and Probation Administration. Out of this total, 3,345 are summary reports, to which the Board issued resolutions to 2,281 cases for Final Release and Discharge and 858 were either filed/acknowledged or verified.

Likewise the Board acted on 841 infraction reports of which 583 cases were issued resolutions, 206 were either filed/acknowledged or verified and on the case of transfer of residence reports, 537 were issued resolutions both for confirmation/approval and on deferred/denied/other action cases, 462 were either filed/acknowledged/verified.

Comparative Performance

Performance Indicator	2004	2005
No. of petitions for parole reviewed	3,079	3,741
No. of prisoners granted parole	2,081	2,640
No. of petitions for conditional pardon reviewed	22	5
No. of petitioners recommended for conditional pardon	14	1
No. of petitions for absolute pardon reviewed	15	5
No. of petitioners recommended for absolute pardon	2	0
No. of petitions for commutation of sentence reviewed	184	46
No. of prisoners recommended for commutation of sentence	42	0
No. of cases for violation of parole reviewed	627	583
No. of orders of arrest and recommitment issued	580	538

Special Programs

Witness Protection, Security and Benefit Program

Over the years, 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 successful prosecution of crimes. From the stand point of the prosecutors and law enforcers, witness protection and care has become an indispensable tool in the effective prosecution of criminal cases. With the proactive stance taken by the 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.

From only six (6) admissions in its inception in 1991, the Program has remarkably expanded its operation through the years. For the period covering January 1, 2005 to December 31, 2005, a record of 245 applications were filed with the Program. Out of this number, 240 applicant witnesses were admitted. At the end of FY 2005, the Program had under its coverage 547 witnesses nationwide. An average family size of 5 translates to 150 warm bodies to feed, secure, transport, educate and care for in NCR alone. As a general rule, dependents of the covered witnesses extend up to the second civil degree. In 2005, 53 convictions were obtained in 39 criminal cases utilizing 45 covered witnesses.

Program Special Concerns

Media Murder Cases

Because of the unabated rise in media murder cases in recent years, the Philippines was labeled by the international media organizations as the most murderous country for journalists.

To dispel the impression that in our country, many killers and masterminds of journalists who expose corruption in government get off the hook owing to the weakness of our criminal justice system, Secretary Raul M. Gonzalez directed the Program to be directly involved in case-buildup, identification of potential witnesses, filing of charges, securing of warrants and relocation of witnesses in a number of media murder cases. Only recently, the convictions of the accused in the murder of Ely Binoya and Edgar Damalerio have been secured through the testimony of witnesses under the Program.

Consequently, Program resources have to be applied above the customary level to these national interest cases in support of law enforcement, intelligence and investigation agencies' drive to help foster the rule of law in the country.

Support for Anti - Terrorism Cases

Support for PGMA's action program against anti-terrorism efforts continue to take up a large part of Program's MOOE. Although the number and intensity of actual combat operations against the Abu Sayaff Group, Jemaah Islamia and MILF may have declined, the extremist groups appear to have taken a different tack by leaving their mountain lairs in Mindanao and shifting operations to the country's urban centers. Thus, the spate of terror bombing attacks in Davao, Gen. Santos and Koronadal in December 2004 and Valentine's day bombings in Makati, Davao and Gen. Santos City have required extensive Program intervention in identifying and securing material witnesses.

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 operation.

Again, through the cooperation and testimony of witnesses under the Program, the prosecution succeeded in securing convictions in cases against MILF Commander Tahir Alonto and other accused.

Thus, like in other Program special concerns, in anti-terrorism cases, materials and human resources above the customary level for regional cases have to be provided directly to witnesses in support of government's goal to decisively stomp out terrorism and criminality. This trend is likely to continue with the merging of the Rajah Solaiman Movement and other "Balik Islam" groups with mainstream Islamic extremist groups in their plan to establish a pan Islamic state in South Asia including southern Philippines.

Plunder Trial Witnesses

Security risk level on plunder trial witnesses against deposed President Joseph Estrada has been assessed to remain high with the current destabilization efforts against government by certain interest groups. Thus, the anticipated downgrading of security services on the witnesses after they testify can not be undertaken without jeopardizing their security and safety.

Victims Compensation Program

Republic Act No. 7309 created the Board of Claims under the Department of Justice to compensate victims of unjust imprisonment or detention and victims of violent crimes.

Since the program commenced in 1992, its funding has been sourced from (1) General Appropriations Act; (2) One percent of net income of PAGCOR, and (3) five pesos (P5.00) for every civil case filed in court.

The Board, composed of a Chairman and two (2) Members, holds meetings four (4) times a month where State Prosecutors designated as evaluators present their evaluation reports on applications initially assigned to them and those from the National Capital Region. In 14 regions in the country, Regional State Prosecutors and their assistant evaluators receive and evaluate claims in their respective regions, forward the same together with their reports and recommendations to the Board. These are then assigned to State Prosecutors-Evaluators who submit their own evaluation/recommendation thereon for the final disposition/action of the Board which grants or denies the same.

The Board grants compensation of P10,000.00 for each victim of violent crimes, i.e. murder, rape or resulting in serious physical or psychological injuries and P1,000.00 for each month of incarceration up to a maximum of P60,000.00 or the equivalent to 5 years of detention for each victim of unjust accusation or detention.

In 2005, a total of 3,216 applications were received by the Board, to wit:

Acted upon/processed (either granted, denied or deferred)	2,892
Granted	
Victims of violent crimes	2,630
unjustly accused	3
Denied	259
Pending	324

Child Protection Program

This is a program created under E.O 275 in relation to R.A. 7610 (the Anti-Child Abuse Law). It engages in campaigns against child trafficking, exploitation and all kinds of child abuse. It includes monitoring incidences of child abuse and child exploitation in the labor setting, such as in factories, in the entertainment and hospitality industries.

- Advocacy efforts on the rights of the child were also undertaken such as:
 - Implementing Media Guidelines in Covering and Reporting Children's Cases;
 - Coordinating and monitoring the implementation of the Comprehensive Program on Child Protection;
 - Continuous monitoring of child abuse, exploitation and child labor cases;
 - Conducting trainings/workshops on RA 7610 or the Anti-Child Abuse Law for community and other related laws, for the community, law enforcers, prosecutors and other stakeholders;
 - Conducting seminar/workshops on child sexual abuse and commercial exploitation of children for purposes of putting up a central information system (database) on said crimes; and
 - Attended as member of Philippine delegation on the implementation of the UN Convention on the Rights of the Child
- Establishment of the Child Protection Database on sexual abuse and commercial exploitation of children.
- Conducted trainings/seminar workshop of police, prosecutors, immigration officials and NBI on handling cases of sexual abuse and commercial exploitation of children.

DOJ Action Center

The Department of Justice Action Center 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.

On its regionalization, the DOJ Action Center (DOJAC) was established and launched in every region nationwide. Members of the National Prosecution Service and the Public Attorney's Office were tasked to man the regional DOJACs.

For the period January to December 2005, DOJAC in the DOJ-OSEC Proper alone has served a total of 6,286 clients for various legal assistance and other services broken down as follows:

Expedition resolution of pending cases, appeals and motions	1,839
Legal counseling	1,743
Claims on financial matters	173
Legal advice, answers to queries and clarifications	1,770
Assistance in the issuance of HDO or inclusion in the watchlist	164
Complaints received against PAO lawyers/prosecutors, judges and other government officials	225
Claims for SSS/GSIS/ECC/PVAO benefits	140
Requests for grant of parole/pardon and other forms of executive clemency	232

Justice System Infrastructure Program

In December 1, 1988, then President Corazon C. Aquino – cognizant of the acute shortage and the poor quality of the buildings, offices and other facilities assigned to those who man the justice system – directed, through Administrative Order No. 99, that a program be undertaken for the construction and/or rehabilitation of the court buildings and offices of the Prosecutors, Public Attorneys and Parole Probation Officers. On September 1992, President Fidel V. Ramos authorized, through Administrative Order No. 11, inclusion of the offices of the Registries of Deeds in Justice System Infrastructure Program (JUSIP). This program is designed to provide decent buildings for courts and judges' quarters.

Since its inception up to the end of 2005, the Program already completed construction of 250 new buildings and repaired/renovated 66 existing Hall of Justice buildings nationwide. It has 34 ongoing projects and 10 other projects that have been lined up for implementation.

BUREAU OF CORRECTIONS

The Bureau of Corrections (BUCOR), as part of the fourth pillar of the criminal justice system, is tasked with the effective safekeeping and rehabilitation of national prisoners.

By the end of 2005, the Bureau maintained 29,818 inmates in its 7 operating institutions nationwide, detailed as follows:

PRISON FACILITY	Capacity	Population	% Share	Congestion Rate
1. New Bilibid Prison	8,700	18,638	63%	114%
2. Correctional Institution for Women	1,000	1,306	4%	31%
3. Iwahig Prison and penal Farm	3,500	2,301	8%	-
4. Davao Prison and Penal Farm	3,100	3,945	13%	27%
5. San Ramon Prison and Penal Farm	1,300	1,110	4%	-
6. Sablayan Prison and Penal Farm	1,300	1,420	5%	9%
7. Leyte Regional Prison	1,000	1,098	4%	10%
TOTAL	19,900	29,818	100%	191%

The Reception and Diagnostic Center (RDC) in all prisons and penal farms admitted and classified 5,175 inmates. Recidivism was at 7%, the lowest recorded so far in Asia.

Building 14 was renovated to ease congestion and address the problem of inmates of special concern. Confiscations were conducted on prohibited items e.g. cellular phones, ammunitions/deadly weapons, drugs and intoxicating beverages. Anti-drug and contraband control programs is in coordination with the Philippine Drug Enforcement Agency (PDEA) and the Philippine National Police (PNP).

A total of 53 escape incidents occurred. This is 21% lower compared to last year's 64 and lowest so far in the Bureau's recorded history. Escapees were mostly minimum security inmates. A total of 54 escapees from the previous and current years were recovered.

The regular upgrading of the computer system at the Bureau's Documents Section sped up the processing of inmates' records. Inmates' papers were submitted to the Board of Pardons and Parole (BPP) upon compliance with requirements. For 2005, a total of 3,613 inmate carpetas and requests were forwarded to the BPP. Total releases by parole, pardon, expiration of sentence and other reasons were at 3,831 inmates, comprising 13% of the entire inmate population.

To address the congestion problem at New Bilibid Prison (NBP), and to complement the inadequate manpower needed to attain the target of self-sufficiency especially in Iwahig and Sablayan where large tracts of land are arable, a total of 992 inmates from NBP were transferred to the different prison facilities.

Rehabilitation Efforts

Formal, non-formal and vocational courses are offered in all the prison facilities. The enrollees numbering 4,862 was 16% of the inmate population under the guidance of 21 teaching personnel and 65 teaching aides. 626 or 13% successfully graduated.

In addition, sports and religious activities have been part of the day-to-day rehabilitation efforts for inmates, with the assistance of various NGOs.

The Muntinlupa Juvenile Training Center (MJTC), a joint project of the JICA and DOJ which provides a separate facility for the juvenile and youth offenders, offers training to children who ran in conflict with the law to help them acquire vocational skills. It has 23 juvenile clients for the period. Programs therein complement that of the Therapeutic Community Center at the Reception and Diagnostic Center.

Inmates found positive with usage of illegal drugs, they are being subjected to detoxification and rehabilitation. The rehabilitation program includes vocational and on-the-job training at MJTC and Samsung Philippines, Inc, and social/spiritual activities. Out of 2,014 drug offenders confined in national prison facilities, 283 or 14% underwent the program.

The total provision for inmates' basic needs for 2005 amounted to P402,306,158.93, which includes the P35 per day food ration for each inmate. Medical and dental care services are provided to inmates, however, due to dilapidated facilities and lack of modern medical equipment, inmates needing sophisticated equipment and special medical attention has to be referred to outside hospitals. Usually, inmates needing expensive services have to pay for their own treatment.

Agro-Industrial Operations

The institution encourages prison-based factories for more employment opportunities for the inmates to utilize their talents and skills as part of the livelihood programs of the institution. For 2005, about 8,343 were deployed in various areas of work, or an employment rate of 28%.

The bureau was able to raise the production income by 78 % from P29,336,248.00 in 2004 to P52,291,856.88 in 2005. This income augmented the Bureau's budget in terms of improving prison facilities and acquiring modern equipment for production. The income derived from a joint venture with TADECO amounted to P35,212,968.88 which accounted for the largest portion of revenue. Income derived from agro-industries (excluding TADECO income) amounted to P17,078,888 which is about 4% higher than from the previous year.

BUREAU OF IMMIGRATION

The Bureau of Immigration is primarily mandated to control and regulate the immigration of aliens in the country pursuant to Commonwealth Act No. 613. Its mandate was further defined by Executive Order No. 292, Book IV, Title III, Chapter X, Section 31 specifically delineates the mandate of the Bureau as "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 (as amended), the Alien Registration Act of 1950, including other pertinent laws related thereto."

Immigration Regulation (Controlling and Regulating Entry of Aliens)

Through the country's international airports and 37 sub-ports, the BI processed and admitted 4,894,522 alien and Filipino arrivals to the country, which is 11.66% more than the 4,383,586 admissions made in the previous year. This excludes 1,459 aliens upon primary inspection and profiling showing that they are either in the Bureau's blacklist, appeared to be security risk, or likely to be publicly charged.

The BI cleared 5,250,939 Filipinos and foreign nationals for departure, while it intercepted and denied boarding to 2,194 others due to defects in their travel documentation or existence of hold departure orders against them.

BI personnel boarded 10,635 maritime vessel arrivals and cleared 10,624 vessel departures. These are activities related to world trade.

The Bureau granted visa extensions to 5,520 foreign students studying in various schools in the Philippines. This is an increase of 35.66% from the previous year's student visa extensions of 4,069. On the other hand, the BI granted 276,642 extensions of stay to temporary visitors in the country, 21.57% more than the 227,563 the year before.

The Bureau's Immigration Regulation Division, further, rendered the following services to a number of non-immigrants, to wit: Downgrading of Immigration Status (9a) – 2,366; Change of Status to foreign government officials (9e) – 42; Stamping of arrival of those who failed to check – 324; Transfer of Admission and Status to New passport – 3,867; and Correction of Admission Status – 1,962

Alien Registration/Documentation (Documenting Alien Residents)

Pursuant to the Alien Regulation Act (RA 526), the ARD processed applications for and issued ACRs, ICRs, IDs and various documents in a total of 105,104 transactions:

Intelligence

Enforcing Immigration Laws

The Bureau of Immigration arrested or received the turnover by the police or NBI of a total of 310 aliens suspected of violating of the Philippine Immigration Act of 1940 (CA 613, as amended). At yearend, 23 of them were deported to their respective countries of origin.

Among those deported were 6 fugitives wanted by their respective states for various high crimes. They were arrested by BI agents, by themselves or together with elements of the PNP or NBI, upon request of their governments, which cancelled their respective passports thus making the fugitives undocumented aliens and deportable under Philippine law.

Anti-Terrorism Operations

As a first level member of the Anti-Terrorism Task Force under the Office of the National Security Adviser, the Bureau of Immigration provided the travel information on aliens suspected to be, or associated with, terrorists who have at one time or another been in the Philippines. It has also placed on its watch-list all foreign personalities under the sanction of the United Nations to help interdict their movement around the world or at least in this country.

In the present lack of an anti-terrorism law, the country's police and military authorities are legally handicapped in apprehending suspected foreign terrorists' overt act contrary to existing penal laws, like possession of firearms or explosives. Under such circumstance, only BI can undertake preemptive action by the issuance of a Mission Order directing to verify the immigration status, documents, and activities of the foreigner and to take him into custody for further disposition as warranted. The issuance of a Mission Order against an alien in the country is authorized under EO No. 287, s. 2000. Thus, most enforcement operations that resulted in the apprehension of suspected international terrorists in the country were joint efforts by BI, PNP, AFP and NICA.

Financial Management (Generating Revenue for the Government)

Primarily, the Bureau acts as a regulatory agency. However, with its intensified effort in the enforcement of immigration laws, it has collected a total of ₱1,307,491,270.30 for the year 2005, which is ₱197,592,577.56 higher than the year 2004 of ₱1,109,898,692.74.

Anti-Fraud Operations

The BI Anti-Fraud Division facilitated the signing of the Memorandum of Understanding between the Commissioner of the Bureau of Immigration and His Excellency, Ambassador Tony Hely of the Australian government in November 2005. The agreement mainly involved future anti-terrorism projects and intelligence information-sharing between both parties.

COMMISSION ON THE SETTLEMENT OF LAND PROBLEMS

The primary mandate of the Commission on the Settlement of Land Problems (COSLAP) is, in certain instances, to assume jurisdiction and resolve land problems or disputes which are critical and explosive in nature considering, for instance, the large number of the parties involved or other similar critical situations requiring immediate action. This includes settlement of land problems involving small landowners and members of cultural minorities.

The main thrust of COSLAP is the speedy and inexpensive resolution of land problems or settlement of disputes in an out of court setting. COSLAP focuses its effort towards enhancing the mediation process and other alternative methods in such resolution. The functions of COSLAP is particularly significant to the Administration's 10-Point Agenda which includes land for the landless, poverty alleviation, and decongestion of Metro Manila vis-à-vis squatting problems.

For 2005, COSLAP resolved 1,760 cases, exceeding its target of 1,500 by 17% at the end of the year. Of the cases resolved, 19.49% or 343 are classified as old cases (1966 to 1996) while 80.52% or 1,417 are new cases. Of the new cases resolved, 21 were amicably settled, which shows the significance of COSLAP on the alternative dispute resolution policy of the government.

As having quasi-judicial powers, COSLAP renders decisions, orders or resolutions, but may be appealed to the Court of Appeals and subsequently to the Supreme Court. Two (2) significant appealed cases were resolved with finality. One decided by the Court of Appeals and the other by the Supreme Court. There are 14 appealed cases still pending in higher courts. Eight, of which were filed to the CA and the rest, to the SC.

There are still 2,268 pending cases in COSLAP, 18 of which are classified as significant. The criterion in determining significance is the number of individuals/families involved and land area covered by the dispute. The said 18 cases affect approximately 17 to 1,386 families and the rest affect homeowners associations. The land areas involved ranges from 300 square meters to 238 hectares.

LAND REGISTRATION AUTHORITY

The Land Registration Authority (LRA) is mandated 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. The LRA 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.

Actual physical outputs and revenues in 2005 are detailed as follows:

Physical Outputs	Number
Deeds registered	2,426,330
Titles issued	577,934
Decrees issued	975
Consultas resolved	205
Subdivision plans approved	4,746
Titles reconstituted	2,746
Emancipation Patents / Certificate of Land Ownership Awards registered	19,780

Revenues	Amount
Registration Fees	P 2,434,443,228.15
Legal Research Fund	12,409,442.82
Assurance Fund	29,234,300.71
TOTAL	2,476,086,971.68

The Task Force Titulong Malinis (TFTM) is a program designed to combat land fraud cases. Ninety nine (99) cases were resolved, with eighty six (86) pending cases. One (1) was elevated to the OSG, four (4) to the NBI, with eight (8) being terminated. The inventory of land titles had also been extended to Binangonan in the North and Cavite to the near South.

The LRA had started the institutionalization of the Integrity Development Action Plan with the establishment of an Internal Audit Unit.

NATIONAL BUREAU OF INVESTIGATION

The NBI 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.

For 2005, the agency pursued its campaign against criminality which posted positive results, particularly on crimes such as kidnap-for-ransom, bank robberies, pyramiding, illegal drug trafficking, violation of intellectual property rights, and illegal recruitment.

NBI agents seized pirated discs and tapes valued at more than P300 million, and more than a ton of shabu worth more than 1 Billion, neutralized gangs of bank robbers and pyramiding syndicates who have defrauded more than 5,000 Filipino investors of more than P1.3 Billion plus US\$1.5 Million.

On the overall, the Bureau's Manila investigation services as well as its the regional and district offices nationwide, received 11,730 crime cases, including service and miscellaneous concerns, the over-all cases received from 51,173 in 2004 to 51,878 or an increase of 1.4%.

There were 8,871 crime cases and 39,149 service and miscellaneous cases or a total output of 1,921 recommended for prosecution. Some 326 subjects/persons were located by virtue of warrants/orders of arrest issued by the different courts all over the country, and through requests made by interested parties to locate missing persons.

In addition to eight (8) existing simple Woman and Child-Friendly Investigation rooms, three (3) more such facilities were inaugurated in NBI offices in Cebu, Vigan and Sta. Rosa Cities.

The Technical Services continued to render specialized services such as forensic medicine and chemistry, deoxyribonucleic acid (DNA), questioned documents, ballistics, polygraphy, dactyloscopy and investigative photography. Terminated were 23,885 cases.

Laboratory examinations were conducted on 35,210 specimens. Significantly, two (2) teams of forensic experts assisted in the identification of corpses belonging to victims of tsunami in Phuket, Thailand.

4,128,485 clearance applications were received at an average of 16,920 a day nationwide. This figure is 5.8% more than the 3,901,836 applicants who trooped to the NBI clearance center, renewal kiosks, and in the regional, district and satellite offices nationwide in 2004. In this regard, automated teller machine-type equipment were setup for the speedy processing of clearance applications. The total income from clearance operations in 2005 amounted to more than P408 million, which recovered about 65% of the cost of the entire NBI operations for the said year.

On May 17, 2005 the NBI Clearance-on-Wheels was launched in Antipolo City as the pilot site, with the Bureau's main purpose to bring its frontline services closer to the people.

Among the most significant cases handled are the following:

1. Arrest of Pangalian Pacalundo, a leader of a kidnap-for-ransom group, and believed responsible for kidnapping and carjacking in Lanao del Sur, Iligan and nearby areas, during a raid at the Islamic Center in Quiapo, Manila;
2. Busting of an international mail-order bride syndicate following the arrest of An Hak Sun, four(4) other Koreans, five (5) Filipino cohorts and rescue of 32 would-be Filipina bride/victims during a raid of Shin Sung Consulting and General Services in Panañaque City;
3. Arrest of Mark Anthony Cemanes and three (3) other suspects in the slaying of Atty. Teresita G. Vidamo, head of Las Piñas City;
4. Seizure of huge quantities of fake medicines intended for distribution to clinics in the provinces of worth P5 million from Pedro A. Guevarra during a buy-bust operation in San Fernando, Pampanga;
5. Confiscation of fake items and articles amounting to P33.1 million during a series of operations in the first quarter of 2005, and recommended the prosecution of several establishments violating the Intellectual Property Code to the damage and prejudice of complainants, namely, Nestle, Nescafe, Lee T-shirts, Louis Vuitton, K-Swiss, Microsoft, HP toner, Warner Bros., DC Comics & Cartoon Network, Shell, Total LPG, and others.
6. Rescue of Armin, 5year-old boy abducted by three (3) Muslim kidnapers Sainoding Barazar, Alano Basher, and Gumac Basher, all arrested, during a pay-off rescue operation in Trece Martirez City in August 23, 2005;
7. Seizure of 47 computer sets, accessories, and reproduced copies of unlicensed AutoDesk software with a combined worth of P8 million during separate raids of Pyramid Detailing Services, DATEM Construction, PC-11 Sales and Service, Technology Computer Center, and Hikotec or Tayo Homes Appliances in Quezon City; Caloocan and Manila;
8. Arrest of Rodol R. Alcon, a top-ranking NPA Commander of the Southern Tagalog Regional Party Committee responsible for raiding the PNP station in Lopez, Quezon resulting to the killing of two police officers and wounding of other policemen and civilians three years ago, by a joint team of NBI and AFP at a flea market in Lopez, Quezon;
9. Seizure of P10 million worth of fake Adidas shoes, bags and other products, and arrest of stall owner Liza Ong during separate raids in Metro Manila, and fake Louis Vuitton products worth P3 million during simultaneous raids of four (4) establishments in Manila; and
10. Arrest of Ignacio M. Tabangcura, operator of an escort service business, for violation of Anti-Trafficking of Persons Act of 2003, in Quezon City.

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

The Office of the Government Corporate Counsel (OGCC) is statutorily the legal counsel of government-owned or controlled corporations and its subsidiaries. It received its mandate through RA 2327, RA 3838, PD 1415, EO 878 and other legislations and executive orders to protect the interest of the government in GOCCs.

At present, the OGCC services 130 government-owned and/or controlled corporations (GOCCs), their subsidiaries and acquired assets. For 2005, it has rendered a total of 20,177 units of legal services to its client GOCCs.

OGCC's case dockets totaled at 7,991 which entails attendance of hearings and submission of pleadings before courts and other quasi-judicial bodies for and in behalf of client government-owned and controlled corporations.

Likewise, in the exercise of its supervisory functions over the legal department of client GOCCs, it has provided miscellaneous services including, but not limited to, detail services such as acting as in-house counsel, rendering necessary legal advices and representations of management in committees/meetings and in conducting hearings in administrative cases involving personnel of client GOCCs.

In the last quarter of 2005, OGCC has implemented a "Zero Backlog Policy" for pending requests for contract review and legal opinion covering the year 2004. As a result thereof, there are no more pending requests for opinion and contract review for the said year. The total number of contracts of the different GOCCs reviewed by the OGCC reached 368 involving an estimated amount of P1,097,920,888.00 and US\$30,803,842.50.

Of equal significance is the rendition of a total of 280 legal opinions on varying issues and complexities, which client GOCCs used for formulating better management policies and for decision-making.

OFFICE OF THE SOLICITOR GENERAL

The Office of the Solicitor General (OSG), an independent and autonomous office attached to the Department of Justice, is the principal law officer and legal defender of the Government. It represents the Government of the Philippines, its agencies and instrumentalities and its officials and agents in any litigation, proceeding, investigation or matter requiring the services of lawyers.

When authorized by the President or head of the office concerned, the OSG also represents government-owned or controlled corporations. The Office of the Solicitor General constitutes the law office of the Government and, as such, discharges duties requiring the services of lawyers.

In 2005, the OSG rendered a total of 21,983 judicial legal services and a total of 45,002 other legal services.

Judicial legal services rendered by the OSG are as follows:

Criminal Cases	1,893
Civil Cases	3,853
Special Proceedings Cases	12,701
Land Registration & Cadastral Cases	3,415
Court of Tax Appeals Cases	17
Public Utility Cases	76
Naturalization Cases	28

Other legal services rendered are as follows:

Briefs, comments, petitions, complaints, reports and other pleadings filed	14,904
Instructions to Provincial/City Prosecutors sent	16,270
Communications sent	13,828

PAROLE AND PROBATION ADMINISTRATION

The Probation Administration was created by virtue of Presidential Decree 968, The Probation Law of 1976, to administer the probation system. Under Executive Order 292, The Administrative Code of 1987, it 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.

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

In 2005, a total of 9,331 probation investigation cases were handled, 8,946 of which were completed/submitted to courts and 7,700 were recommended for grant of probation; 510 for denial, and 697 were manifestations. Pre-parole/Executive Clemency investigation cases numbered 1,398, of which 1,241 were completed and submitted to the Board of Pardons and Parole.

A target of 90% disposition rate for investigation cases completed within 60 days was set for the year. The national average disposition rate for probation investigation was 95.98%, while for pre-parole/executive clemency investigation, it was 88.77%.

A total of 38,798 probation supervision cases and 17,663 parolees/conditional pardonees were handled, out of which, 27,780 and 14,080, respectively, remained under active supervision by yearend. The revocation/recommitment rate was 2.33% and 2.97%, respectively.

The 56,461 probationers, parolees and pardonees saved for government, in terms of prisoner sustenance alone, an estimated P354.18 million in 2005, and an estimated total of P4.85 billion since 1978. Said savings are even understated since the same do not include costs of congestion and prison/jail facility requirements.

Rehabilitation Programs and Other Services

Therapeutic Community Program

The program is a self-help social learning treatment model used in the rehabilitation of drug offenders and other clients with behavioral problems. It operates in a functional family with a hierarchical structure and sets of rules and community norms that members commit to live by and uphold. In 2005, a total of 5,357 probationers, parolees and pardonees participated in 163 sessions conducted by 163 field offices nationwide. It had been noted the program proved effective in rehabilitation of drug related clients with their active responsiveness to the treatment process.

Restorative Justice

It is a victim-centered response to crime that provides opportunity for those directly affected by the crime—the victim, the offender, their families and the community. The ultimate objective is to restore the broken relationships among stakeholders caused by crime. The outcome of restorative process includes payment of civil liability (1,353 clients paid a total amount of P12.77 million to victims), community service (35,760 participated), and tree planting (10,009 participated).

Volunteer Probation Aide (VPA)

Utilization of VPA is a strategy by which the Agency may be able to generate maximum citizen participation or community involvement. Citizens of good standing in the community may volunteer to assist the field officers in the supervision of probationers, parolees and pardonees in their respective communities. In 2005, 468 underwent the required training programs out of 1,686 appointed VPAs. The VPAs were utilized for the supervision and monitoring of clients and for such services as counseling, facilitating group activism acting as resource persons, and other related tasks.

Integrated Allied Social Services (IASS)

IASS is a special project that is ancillary to the above discussed programs as harmonized. The client's family is considered a major support and object in the rehabilitation process. Children and other minor dependents of clients were the main targets. Effective interventions in relation to their growth and development were done to help them become productive, law abiding and effective individuals. 520 children and other minor dependents were involved in the various rehabilitation activities.

Jail Decongestion

Pursuant to the Memorandum of Agreement entered into by the PPA, Board of Pardons and Parole (BPP), Bureau of Jail Management and Penology (BJMP), Public Attorney's Office (PAO) and National Prosecution Service (NPS), PPA conducted 5,248 jail visits with the end in view of assisting detention prisoners to avail the benefits of probation, parole and any form of executive clemency. The services include intake interviews, referrals to PAO for assistance in the preparation of filing of petitions for probation and for release on recognizance. A total of 19,225 detention prisoners were served for this purpose.

PUBLIC ATTORNEY'S OFFICE

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

By the end of 2005, PAO has 1,016 lawyers handling various cases before 2,255 courts nationwide, and has assisted 4,379,850 indigent clients and handled 588,442 judicial and quasi-judicial cases. Thus, a PAO trial lawyer assisted an average of 4,310 clients. Out of said lawyers, 30 devote themselves on appealed cases before the Court of Appeals and the Supreme Court.

Among the landmark accomplishments are as follows:

1. In the Aquino-Galman murder case, an Alias warrant of arrest and a hold departure order was issued against Capt. Felipe Valerio.
2. Through the financial support/assistance from the UNICEF, PAO conducted (3) nationwide seminar/workshop for its lawyers, social workers and PNP officers on Child Diversion.
3. PAO secured a total of 75 acquittals from death penalty/reclusion perpetua, 49 modification of penalty from death to reclusion perpetua, and 77 reduction of penalty.
4. For labor cases, PAO continued to maintain the PAO-NLRC substation. A total of 13,814 labor cases were handled and out of which, 4,474 were terminated.
5. 12 researches in law and cognate subjects were conducted.
6. To enhance positive perception of the PAO, linkages were made with the tri-media (radio, television and print media). PAO lawyers provide on-the-air legal information dissemination in various radio and television stations. The same is undertaken by selected PAO lawyers in the different regions.
7. The Chief Public Attorney made representations on various forums as participant, discussant, moderator and reactor, and received various awards which earned honor for the PAO and the DOJ.

2006 MAJOR PLANS AND PROGRAMS

OFFICE OF THE SECRETARY

EXPEDITIOUS RESOLUTION OF CRIMINAL CASES

- Conduct of a comprehensive review of the organization and staffing of the National Prosecution Service
 - Intensified recruitment of Prosecutors
 - Improvement of case reporting and monitoring system
 - Continue training/legal education of prosecutors
 - Maximize and enhance operations of the Witness Protection Program
-

CONTINUED INTENSIFICATION OF DRIVE AGAINST SERIOUS CRIME

- Task forces on crimes such as kidnapping, terrorism, smuggling, carjacking, abuse against women and children, piracy, money laundering and dangerous drugs
-

STRENGTHENING OF LEGAL SERVICES FOR THE GOVERNMENT

- Enhancement of technical/legal skills of the Legal Staff in handling international/foreign requests for extradition/legal assistance, and negotiation in free trade agreements
-

ENHANCEMENT OF FREE LEGAL SERVICES

- Continued institutionalization of the DOJ Action Center
-

IMPROVEMENT OF PERFORMANCE MONITORING

- Review of existing performance reporting/monitoring systems and procedures
 - Establishment of unified performance reporting systems
-

DEVELOPMENT OF INFORMATION TECHNOLOGY SYSTEMS

- Updating and implementation of the DOJ-OSEC Information Systems Strategic Plan
-

STRENGTHENING OVERSIGHT AND INTERNAL MANAGEMENT CAPABILITY

- Improvement of management planning and oversight.
 - Enhancement of support services
-

CONTINUATION OF THE JUSTICE SYSTEM INFRASTRUCTURE SYSTEM

- Continued implementation of 34 ongoing projects

BUREAU OF CORRECTIONS

- Strengthening of security measures
 - Upgrading of rehabilitation procedures
 - Improvement of correctional facilities
 - Promotion of personnel welfare and efficiency
-

BUREAU OF IMMIGRATION

- Campaign against terrorism
 - Continued nationwide campaign against illegal and undesirable aliens, particularly drug traffickers, human traffickers, economic saboteurs, and criminals
 - Completion of the documentation of the Indonesians in southern Mindanao and Malaysians in Tawi-Tawi
 - Acquisition of state-of-the-art surveillance equipment for intelligence operatives
 - Construction of a new building
 - Efforts for the passage of a new Immigration Act
-

COMMISSION ON THE SETTLEMENT OF LAND PROBLEMS

- Zero backlog on handled cases
 - Comprehensive research and study on informal settlers
 - Charging of minimal fees from clients
 - Study on fraudulent/fake titles involving public lands
 - Close coordination with other agencies on socialized housing sites and the Community Mortgage Program
-

LAND REGISTRATION AUTHORITY

- Computerization of records in all Registry of Deeds offices nationwide
 - Generation of more income
 - Strengthening of Task Force "Titulong Malinis", which deals with land fraud syndicates and unscrupulous individuals
 - Handog Titulo Program which distributes Certificate of Land Ownership Awards (CLOAs) to farmer beneficiaries
-

**NATIONAL BUREAU OF
INVESTIGATION**

- Setting up of a cyber forensic laboratory to deal with computer/electronic crimes
- On-line filing of complaints and requests for investigation
- Strengthening of the NBI's intelligence capability
- Setting up of more women and child-friendly investigation rooms
- Expansion of "NBI Clearance on Wheels" Program

**OFFICE OF THE GOVERNMENT
CORPORATE COUNSEL**

- Protection of the government's interest in Government Service Insurance System (GSIS)
- Capability building for OGCC lawyers
- Establishment of information technology systems
- Promotion of the use of arbitration and other modes of dispute resolution

**OFFICE OF THE SOLICITOR
GENERAL**

- Computerization and development of information technology system
- Increase of manpower to ensure effective delivery of services in view of heavy workload
- Improvement of facilities

**PAROLE AND PROBATION
ADMINISTRATION**

- Enhancement of information dissemination on the Agency's programs and services
- Development of information technology systems
- Rationalization of structure and systems
- Benchmark best practices in the agency

PUBLIC ATTORNEY'S OFFICE

- Active participation in on-going pro-poor programs of government
 - Vigorous rendition of prompt, effective and adequate legal services to the indigent sector
 - Enhance outreach activities and information dissemination
 - Opening of district offices in all municipalities nationwide
 - Strengthen manpower capability and welfare
-