



DEPARTMENT OF JUSTICE

On the Occasion of the 118th DOJ Founding Anniversary

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2015 State of the Department Address

by

LEILA M. DE LIMA

Secretary

Mapagpalang umaga sa ikalabing-walong taon ng ating minamahal na Kagawaran ng Katarungan.

Friends, colleagues and justice workers in the Department of Justice, I stand before you today, grateful of the privilege of having held the reigns of this most distinguished Department.

Almost a month ago, I celebrated my last birthday as SOJ. And today, on the occasion of 118th Founding Anniversary of our beloved Department, allow me to deliver my last State of the Department Address (SODA).

Five years ago, when I was offered to head the Department as the 51st Secretary of Justice, I must confess that I thought long and hard before accepting it. Taking over the reins of the Department of Justice at that time was indeed a daunting task...and even up to this very day. While the issues and challenges then were more on organizational strengthening and institutional integrity, our challenge today has evolved into operational improvements that sum up our agency performance.

Today, I report to you with nostalgia, my five-year journey in the DOJ, as your colleague and servant, who along with you, have fought long and hard, through the din of scepticism and distrust in the institution, and through the challenges of a fragmented and uncoordinated justice sector. Today, I can humbly say that we have weathered them all. Our numerous accomplishments are a result of our hard work and our sincere efforts to turn around an institution once perceived to be prone to pressure and influence and a justice system that does not work. We have regained the trust of the Filipino people.

“Katarungang Ramdan ni Juan at Juana” is the ultimate goal that we have worked hard for - to bring to the lowly Filipino, the meaningful and real experience of what “justice” is all about – tangible and real-time.

I buckled down to work upon the explicit marching order of our beloved President Benigno Aquino III in his Inaugural Address: “When we allow crimes to go unpunished, we give consent to their occurring over and over again... Begin the process of providing true and complete justice for all.”

It may take a whole day to present our numerous achievements these last five years, but please allow me to summarize them.

My thrust was simply summarized into a three (3) – point strategy reflective of the Department’s 2011 – 2016 Development Agenda as follows: One, Good governance in the system; two, Improving the detection, investigation and prosecution of crimes and offenders; and three, Enhancing adequate, accessible, fair, stable and predictable legal framework and services.

Good Governance

Consistent with the Administration’s battlecry on the *Daang Matuwid*, I have worked with you on organizational development and institutional reforms that will allow the Department to withstand the test of time, to effectively pursue its mandate of delivering true and complete justice for all. Institutional reforms mean capacitating the very people manning the ramparts of our Department frontline services, putting in place efficient systems and processes to help speed up quality services, instituting integrity mechanisms to promote transparency and accountability, and ensuring that internal control mechanisms are in place to check on excesses and abuse of discretion.

Our good governance reforms range from the ongoing Integrity Management Program (IMP), Government Quality Management System (GQMS), Staffing Classification and Resource Standards.

We have automated critical management and operational systems such as the Human Resource Management Information System. We are the only Department in the bureaucracy implementing online leave applications. Payroll and other personnel-related systems are also now being implemented. We have also automated systems in the Witness Protection Program, Property Management, National Government Accounting, Petition for Review, and several others.

An Internal Affairs Unit (IAU) has been rationalized and institutionalized to implement integrity development programs for the National Prosecution Service and enforce the Codes of Conduct for both Prosecutors and Support Staff.

We have stepped up efforts in the implementation of the Anti-Red Tape Act (ARTA) in our frontline offices. The DOJ is one of the first national agencies to implement the Strategic Performance Management System (SPMS) which we started this year.

Our Internal Audit Service (IAS) has started looking into cumbersome procedures and processes that have long been the cause of delays and inefficiencies in the delivery of services.

We need to put more effort in implementing our zero-backlog policy on cases and pending assignments related to our core functions. But I do observe an increase in the clearance and disposition rate of the NPS from 75% in 2010 to 80% in 2014. A job well done! But we will still need more effort to achieve a higher disposition rate - for justice needs to be served at a most expeditious manner.

We do not mind providing for more resources. And this is realized through the 2016 President's budget which includes a P54 million allocation for the increase in operating expenses, and another P48 million for additional support staff for NPS offices.

I am also happy to report that the DOJ has started releasing the retirement gratuity differentials of prosecutors who bowed from the service since 1992 to the present pursuant to Republic Act No. 10071 otherwise known as the "Prosecution Service Act of 2010". Congratulations to the technical working group that made this possible. This is a milestone achievement for the welfare of prosecutors who have dedicated their lives to the cause of justice.

Another milestone accomplishment is, that for the first time in many years, the DOJ Office of the Secretary, got a rating of Best Performing Agency

with the Presidential Commission on Good Government (PCGG) which is now on its second year, for complying with the performance level set by the Task Force implementing AO 25 or the Performance Based Incentive System of the Aquino Administration.

My Congratulations to all of you who made this happen.

On another strategic initiative that reflects our gains in the area of collaboration and coordination among justice sector institutions, I am proud to report on our significant accomplishments.

With the reactivation of the Justice Sector Coordinating Council (JSCC), sector-wide reforms are led by no less than Chief Justice Lourdes Sereno herself, then Interior and Local Government Secretary Mar Roxas, and myself as principal members. Through the JSCC, we have established a Justice Zone in Quezon City which is a scaled-down version of an efficient and effective justice system. It will be a testbed for innovation. With the different stakeholders working together, a seamless justice process will be institutionalized where coordination and cooperation is bolstered by a common understanding of each other's duties and responsibilities, and the establishment of well-coordinated procedures and systems for a justice system-wide cooperation. We hope that more of these Justice Zones will be established around the country even beyond my term.

Our DOJ team was also able to work well with our justice agency partners to make the National Justice Information System (NJIS) a reality.

Three weeks ago, we launched the first biometric-triggered Inmate Management Information System (IMIS) in the Bureau of Corrections. I was a witness to the challenges encountered by the team in mobilizing such a big-scale project. But through perseverance and strategic actions, the case management system which will cut across agencies as the Bureau of Jail Management and Penology (BJMP), Philippine National Police (PNP), Philippine Drug Enforcement Agency (PDEA), NBI, BI, Dangerous Drugs Board (DDB), NPS, Bureau of Corrections (BuCor), Board of Pardons and Parole (BPP) and Parole and Probation Administration (PPA) will soon be a reality. We will soon establish a common system to link the processes and reporting of these agencies for the effective management of cases received by the individual agencies through our very own Justice Exchange Data Center which is now functional and ready to take on data and information from the different agencies. A single carpeta system for BJMP, BPP, PPA and BuCor is currently being developed. The system for NBI, PNP, BI, PDEA and NPS will

soon be bid out. We look forward to the completion of the project by 2016. This is in keeping with the 2011 - 2016 Philippine Development Plan.

We have laid down the groundwork for the transfer of both the National Bilibid Prison (NBP) and the Correctional Institution for Women (CIW) to a modern state-of-the-art facility inside the Fort Magsaysay Military Reservation in General Tinio, Nueva Ecija. This will address the age-old problem of severe congestion and decrepit facilities which unquestionably stunt rather than promote reformation. The procurement process for said facility under PPP-BTM scheme has begun.

I am happy to note, that in the progress review of the DOJ Strategic Plan, all DOJ agencies have indeed lined up and are currently implementing reform measures in the area of good governance.

In the NBI, it took months of preparation and political will to cut away from the previous provider of the Clearance System for government to take charge of a cornerstone of our fight against criminality. We have transformed our processes. For the first time in the history of the NBI, the Clearance System now captures live biometric information of applicants. Clearance application and payment can now be done online.

In the BI, the Alien Registration Program is in full swing. This will help government beef up security measures to protect us from unwanted foreign elements in our country.

We are currently developing eCounters in the country's international airports to enhance border control measures and provide efficient immigration services for tourists and Filipino travellers alike.

Thank you for your cooperation and support in implementing creative measures of promoting good governance while effectively dispensing your respective core mandates.

Improve the detection and investigation of crimes, and prosecution of offenders

In the area of improving the detection, investigation and prosecution of crimes and offenders, the DOJ led the government through the National Bureau of Investigation and NPS, in the fearless investigation and prosecution of high profile individuals involved in the PDAF and Malampaya Fund scams, the Atimonan massacre, the Balintang Channel incident, the illegal recruitment, estafa and human trafficking cases involving the alleged recruiters of Mary Jane Veloso, business scams such as the Aman Futures and

Amalilio investment scams, environmental cases such as the illegal black sand mining, smuggling cases and other high profile cases which have all been filed in court.

And talking about illegal drugs, we have neutralized, to a significant degree, the activities of the big and notorious drug convicts in the National Bilibid Prison as we have transferred some of them in a secure and well-monitored facility, formerly the Bldg. 14 now called Security Housing Unit.

In the course of our intensified campaign against environmental offenders, the Joint DOJ-DENR-DILG-Fact Finding Committee on Illegal Mining and our Task Force on environmental cases were able to close down illegal mining operations in cooperation with civil society organizations, in our effort to prevent environmental degradation. We have shown that through our political will without regard of political or monetary influence, strict enforcement of the rule of law can be done.

We have also investigated cases of monopoly especially in the case of the basic commodity which is garlic and other prime commodities. The NBI in cooperation with our Office for Competition, has already started building up a case against the price manipulators who shall be among the first to be struck down by the sword of economic justice.

At times, we stake our lives and our person in pursuing the investigation of high-risk cases, but we must not be afraid from carrying out our tasks. A case in point involves a certain religious organization. We have been pilloried before the public as violators of their freedom of religion, simply for doing our job. In standing our ground, we were only guided by these principles: equal protection of the law and justice for all. Our Department is the first resort of those who cry for justice. We simply cannot turn our back on them. Another celebrated case, the Maguindanao Massacre, has shown the mettle of our prosecutors in pursuing the conviction of the high and mighty accused individuals who hired high-caliber defense counsels. And yet, we had humble victories principally, denial of the bail applications of some of the accused, while trial is ongoing.

We cannot effectively prosecute the accused in court without the necessary evidence that will hold in court. A well-coordinated working arrangement between the BI, NPS, police and NBI have resulted to high conviction of trafficking cases through the Interagency Council Against Trafficking (IACAT). Since the enactment of Republic Act 9208 or the Anti-Trafficking In Persons Act, we have secured 207 convictions involving 230 persons as of September 15, 2015 from the 29 convictions in 2010.

With our intensified efforts, the Philippines maintained its Tier 2 status in the US Global Trafficking in Persons Report from Tier 2 Watch List in 2010 similar to Singapore. Among our other ASEAN neighbors, Malaysia and Thailand even regressed to Tier 3.

In the face of limited resources and the scale of domestic and transnational human trafficking operations, we are working together with other agencies concerned towards improving our enforcement efforts and further raising our standing in the said global report.

Our new Office of Cybercrime is also intensively working with law enforcement agencies to net online child offenders and cybercriminals to provide for a crime-free cyberspace for all of us, especially our children.

I am also glad to report that from 68% in 2010, we have raised our successful prosecution rate to 73% in 2014. But of course, this will be a different story for the Public Attorney's Office (PAO) who is working for the acquittal of its clients. (As we always say, jokingly, NPS's gain is PAO's loss and vice versa.) But the bottomline of the story behind the conviction or acquittal, as the case may be, of an accused is that we have allowed the wheels of justice to roll without regard of money, power or influence. We have fearlessly upheld the rule of law. We have accomplished equal access to justice and provided a level playing field. That is our mandate.

In the course of doing our jobs, some of us have been politically persecuted, threatened and killed for standing by the truth and working for justice. We honor them.

Let us pause for a while and pray for our fallen comrades who have staked their lives in upholding the rule of law. They have offered themselves for the cause of justice. Their heroism will forever be etched in our memories.

Enhance adequate, accessible, fair, stable and predictable legal framework and services

In our work of enhancing adequate, accessible, fair, stable and predictable legal framework and services, the Legal Staff, Office of the Solicitor General (OSG), Land Registration Authority (LRA), Office of Government Corporate Counsel (OGCC), Office of Alternative Dispute Resolution (OADR), PAO and PCGG have all exhibited their dedication to rendering higher standards of legal services.

Our Legal Staff have steadily provided the needed legal opinions for government functionaries. Our state counsels have labored hard in working

for the interest of the state in the enforcement of Mutual Legal Assistant Treaties, Trade Agreements and other international agreements.

I am glad to note that the Office of Solicitor General and the PCGG have defended well the government position in legal controversies brought to court.

With the computerization of almost all land records in the country, the LRA has shown that we can expeditiously carry out land registration transactions without jeopardizing the accuracy and integrity of records and processes.

The Office of the Government Corporate Counsel stood pat in promoting good governance among government corporations.

Through alternative dispute resolutions, the OADR and the PAO can now settle cases not within the slow and grinding process of court litigation but within an out-of-court framework that will provide a remedy for the benefit of both the opposing parties.

Our PAO has also continued to provide for quality legal services and has ably represented its clients by expanding its services to more of the underprivileged. Our DOJ Action Center has been a stalwart of legal assistance for the oppressed through the numerous clients seeking for assistance.

Challenges

All of these accomplishments were without challenges. There were times that we were pressured, cajoled and influenced into forsaking our convictions, but we persevered and stood our ground.

We worked despite limited resources. We were able to deliver despite the opposition we encountered in implementing our initiatives.

We have worked hard amidst the difficulty of the pervading culture, the 'bata-bata' system, the lack of accountability and transparency, cumbersome rules and procedures, fragmented laws. It is a recurring theme that justice offices and agencies must continue to work together to solve long-standing problems since the founding of the Republic.

Our hopes and beliefs that we can triumph in the face of all these challenges have carried us through.

Closing

This report has not really captured all of our accomplishments. Much more need to be reported of the good things done, but with the highlights that

I have narrated to you, you have been given a glimpse of how our Department has performed in the last five (5) years under my watch.

With all humility, I must say that under my watch, too, we have accomplished many firsts and breakthrough accomplishments, which show, that with the age-old problems in the justice system, we need to address them through innovative and modern initiatives that are in keeping with the times and the emerging technologies to improve the administration of justice. Five years is a short period to allow reforms and initiatives to take root.

As I turn over the reins to a new Secretary of Justice in a not so distant time, I fervently wish that he or she will carry on with the good works of justice that we have begun and sustain the good things that we have institutionalized. I know that we have achieved much and I thank you all for working with me in carrying the Department to new heights. Wherever I will be in the coming years, I will always cherish my memories of having served such a premier Department.

As workers, employees and officials of the Department of Justice, you have been here before, listening to another Secretary of Justice's recital of accomplishments as she bids her farewell. And this is the significance of our moment now. Administrations come and go. Secretaries take rein of the Department then leave it behind. Since the final judgment on whether they do so in a far better or worse condition is not theirs to make, neither is it now mine. Those of you left behind are the sole judge of that. Which therefore brings me to the final point of my address.

In the end, what truly makes up the legacy of this Administration in the Department of Justice is the integrity of the institution that is left behind after its six-year term in government. During the past five years, there were occasions when external pressure was brought to bear upon you and the institution. In that equation, I saw my role as that of a caretaker and steward of the institution, protecting and insulating its professionalism from the inevitability of political nuances and exigencies the best way I can. In the final reckoning, it is the professionalism and integrity of the institution left behind that truly matters, devoid of all the conflicting interests that bear upon it, as it attempts to accomplish its day to day work of levelling the playing field and delivering justice for all.

Because this is how we were meant to do our job: by providing a level playing field, without fear or favor, with integrity intact and honor unblemished. This is and always has been the ideal of a professional civil service corps of dedicated public servants. In the more than five years as your

Secretary, I am proud to have served and fought for the Filipino people alongside all of you. I could not have wished for a more dedicated and professional corps of workers for justice, who will continue to do the work I will leave behind.

It is therefore with great hesitation that I will soon leave all of you as your Secretary. And as soon as I step down I will, given the occasion, surely face the President. And when I do, I will tell him this:

“Mr. President, I was not able to fulfill my mission of delivering complete justice for all. But what I did was to leave behind a Department of Justice that will, in time, accomplish that mission.”

Sigurado po ako na hindi ako mapapahiya sa Pangulo.

My best wishes to all of you, and Godspeed.