

BREAKING WALLS, BUILDING ZONES

Message on the Launch of Cebu City as a Justice Zone

The Honorable Teresita J. Leonardo-De Castro, Chief Justice of our Supreme Court; Honorable Bernardo Florece, Undersecretary of the Department of the Interior and Local Government (DILG); His Excellency Franz Jessen, Ambassador of the European Union to the Philippines; Honorable Margot R. Osmeña, Councilor, Cebu City; Mr. Christian Eldon, Team Leader of the Governance in Justice (GOJUST) Programme; Judge Gilbert P. Moises, the Overall Coordinator of the Cebu City Justice Zone Committee; Prosecutors and Public Attorneys, ladies and gentlemen –

We know what a zone is. It is a region or area set off and differentiated from its surrounding or neighboring parts.

We are familiar with zones.

We have all sorts of zones: public spaces are supposed to be smoke-free zones. Local governments designate commercial and residential zones, among others. The 1987 Constitution declares the Philippines a nuclear weapons-free zone. The entire ASEAN region is a zone of peace, neutrality and freedom.

When a zone is constituted, a need to set a definite space apart from the rest is affirmed. The constitution of a zone is a critique against the *status quo*, against the conditions that prevail outside the zone. More pointedly, a zone is created that it may be set apart as an exemplar from everything else.

Today, we are declaring the City of Cebu as a justice zone. In so doing, we admit to ourselves that there are real and nagging problems which bedevil our administration and dispensation of justice in the rest of our country.

In certain cases, the attainment of justice has been slow. This fact we do not deny.

For a time, the strict guarantees of due process have been used – or abused – to justify those instances when justice has been served at a snail's pace, or when it has not been served at all.

But when the entire proceedings to hold accountable those who offend the laws of the Republic become longer than the remainder of an offender's life, the Republic and its people are themselves denied their due. When criminals evade prosecution and punishment because the evidence, or its handling, creates reasonable doubt, then the capacity of our entire criminal justice system to keep our communities safe must itself be reasonably doubted.

In declaring this City as a justice zone, we are in essence denouncing the ills that make difficult the attainment of justice by our people. In so doing, we force ourselves out of complacency and reject the normalization of the flaws that ail our current justice system. In so doing, we set out a new standard by which the administration and delivery of justice in the rest of the country will hereafter be gauged.

The importance of this occasion cannot therefore be lost on us.

It is here and now that we are establishing a new ground zero in our march towards a better justice system. In that march, we need our police and law enforcement officers, prosecutors and defense attorneys, and our honorable judges, to foremost embrace a culture of collaboration.

This, undoubtedly, poses a grave psychological challenge.

Each of us has been accustomed to working in isolation. In this prevailing environment, a virtual wall neatly marks the territory of each agency or office integral to our criminal justice system. That wall has not only denied our law enforcement agencies the guidance of our prosecutors in their collection and custody of evidence; it has likewise denied our prosecutors and judges important insight into the experiences of those on the ground and the real challenges which they confront in the build-up of cases.

That wall has fragmented the criminal justice system in our country. It has resulted in the wastage of precious time and scarce resources, and has oftentimes been instrumental in the miscarriage of justice.

Needless to state, that wall has failed us. That is why it has to be torn down.

In this emergent zone without walls, all of us must begin anew.

We must begin to accept the reality that collaboration does not require compromising our institutional independence. We must warm up to the thought that justice can be served better when our criminal justice system ceases to be fragmented, and when those who are tasked to administer it become genuinely interdependent.

After all, whenever there is miscarriage of justice, the public we serve care less which agency is at fault. When the administration of justice fails, all the pillars of our justice system become party to its failure.

It is for this reason that today, we – the Chief Justice of our Supreme Court, the Secretary of our Department of the Interior and Local Government and myself as Secretary of Justice – are here together. Our presence here should establish beyond any iota of doubt our collective endorsement of a new paradigm that we hope will animate our entire criminal justice system.

That paradigm is one that is founded on the twin values of collaboration and inter-dependence. With this paradigm, we are confident that we can resolve even the most tricky differences amongst us – be it the variance in our current plea bargaining rules, the logistical kinks in the enforcement of warrants, or the birthing pains attendant to the implementation of precautionary hold departure orders, to name a few.

We therefore hope that henceforth, each of you will embrace, imbibe, and give flesh to this paradigm as you perform your respective tasks and, in the process, build and fortify this zone of justice.

To our law enforcers, prosecutors and defense lawyers, and judges here in Cebu: this zone is your space.

In the months ahead, may you discard the old prejudices and practices that impede collaboration;

Through your successes borne out of collaborative interdependence, may you confirm the soundness of our collective vision;

And may you showcase how a true justice zone should look like, that the rest of the nation may follow your lead.

Thank you and a pleasant afternoon to us all.