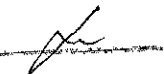


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

8 AUG 12 2008

SENATE
P. S. R. No. 562

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE ALLEGED INADEQUATE NUMBER OF
LAWYERS AND OFFICE SPACE IN THE OFFICE OF THE OMBUDSMAN

WHEREAS, Article 2, Section 10 of the Constitution states that “The State shall promote social justice in all phases of national development”;

WHEREAS, Article 2, Section 27 of the same provides, “The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption”;

WHEREAS, *the Philippine Daily Inquirer* in its 30 July 2008 issue reported that the Office of the Ombudsman (Ombudsman) lacked lawyers to go after erring military executives, resulting in the disillusionment of young military officers;

WHEREAS, according to the report, some officials who spoke on the condition of anonymity after stern rules against speaking to reporters were reemphasized under the current environment, say that the Ombudsman needs some internal fixing before it can address the ills tearing at the military establishment;

WHEREAS, it was reported that the Sandiganbayan records as of June 2007 showed some 290 cases implicating around 80 high-ranking military officials are being heard in the five divisions of the anti-graft court;

WHEREAS, during the Feliciano Commission’s inquiry conducted in 2003 following the Oakwood mutiny in July of that year, the Ombudsman cited the lack of resources in “discharging its constitutional and statutory role” to bring corrupt public officials to justice. The commission, which was created to investigate the short-lived Oakwood rebellion, came up with several recommendations to address the grievances aired by disgruntled officers. One of the recommendations was that “the Office of the Ombudsman must be given the budgetary and other support that it needs, with all possible dispatch”;

WHEREAS, an Ombudsman insider, who requested anonymity, also allegedly said that as long as the Office of the Special Prosecutor (OSP) remained a subordinate of the anti-graft body, erring officials would not be properly prosecuted. The source allegedly said that the OSP should be restored as a quasi-independent body since “the current set-up is not in accordance with the Constitution”

WHEREAS, Special prosecutor Dennis Villa-Ignacio also allegedly said that the anti-graft body needed more support from the government, specifically more prosecutors and office space;

WHEREAS, currently, the OSP only has allegedly 80 lawyers handling about 2,500 cases involving big fish in the government and AFP, that it becomes impossible to solve a case a day;

WHEREAS, according to Villa-Ignacio, the ideal ration of prosecutors to cases assigned to them is allegedly 1:6, meaning there is a need for 340 more lawyers;

WHEREAS, with an increase in the number of lawyers, each lawyer in the OSP could focus on a smaller number of cases and bring the conviction rate to an auspicious figure, preventing erring officials from simply walking away from their charges. In 2003, the Office of the Ombudsman's conviction rate was merely six percent;

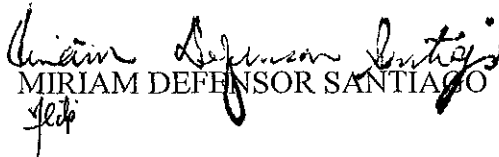
WHEREAS, if the OSP will add more lawyers, then expanding the office space will also be necessary. Villa-Ignacio alleges that due to his team's limited office space on the fifth floor, certain nooks of its corridors have been converted into mini offices and receiving areas;

WHEREAS, a government serious about prosecuting erring public officials should value more the Office of the Ombudsman and provide it with adequate personnel, office space and equipment for it to function effectively;

WHEREAS, an effective OSP could provide a boost in morale in other government departments where graft and corruption is rampant, and prevent other instances of corruption by setting an example through successfully convicting erring officials;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate committee to conduct an inquiry in aid of legislation, on the alleged inadequate number of lawyers and office space in the Office of the Ombudsman.

Adopted,


MIRIAM DEFENSOR SANTIAGO
Sect

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