

Title:

Ma. Rosario Santos-Concio, et al. vs. Department of Justice, et al.: The Ultra Stampede Case

Facts:

The case originates from a tragic event on February 4, 2006, involving a deadly stampede at the Philsports Arena (formerly Ultra) in Pasig City during the first-anniversary episode of the "Wowowee" show. The incident resulted in 71 deaths and hundreds injured. In response, the Department of Interior and Local Government (DILG) initiated an investigation and submitted its findings to the Department of Justice (DOJ). The DOJ then formed an Evaluating Panel to assess the DILG's report, which concluded insufficient grounds for a preliminary investigation due to lack of formal complaints and specific accusations.

Nevertheless, upon acquiring additional evidences and complaints, the DOJ decided to form an Investigating Panel to conduct a preliminary investigation against the petitioners (Ma. Rosario Santos-Concio and others involved in the event organization) for Reckless Imprudence resulting in Multiple Homicide and Physical Injuries.

The petitioners, disputing the DOJ's decision to conduct an investigation, filed a petition for certiorari and prohibition with the Court of Appeals, claiming the DOJ had unfairly prejudged the case and expressing concern over procedural inconsistencies. After the Court of Appeals dismissed their petition, petitioners elevated the matter to the Supreme Court.

Issues:

1. Whether the DOJ overstepped its investigatory authority by forming investigative panels.
2. Whether the complaints and attachments were sufficient to justify a preliminary investigation.
3. Whether public statements by the DOJ Secretary and others constituted prejudgment of the case, thereby denying the petitioners' right to a fair investigation.

Court's Decision:

The Supreme Court upheld the Court of Appeals' decision dismissing the petition, thereby endorsing the legitimacy of the DOJ's actions in proceeding with the preliminary investigation.

- **On Investigatory Power of the DOJ**: The Court ruled that the formation of the panels was within DOJ's mandate as per the Administrative Code. It dismissed the argument that the DOJ could not conduct both criminal investigation and preliminary investigation in the

same case.

- ****On Alleged Defects of the Complaint****: The Court clarified that a preliminary investigation can proceed on the basis of complaints and evidence gathered, even if the formal complaint itself is not sworn to, as the purpose of such an investigation is to ascertain facts.

- ****On the Claim of Bias and Prejudgment****: The Court found no substantial evidence that the DOJ Secretary's public statements resulted in bias that could affect the procedural integrity of the preliminary investigation. The Court held that speedy proceedings do not equate to prejudgment.

Doctrine:

- The Department of Justice, through consolidated efforts and formed panels, retains the authority to conduct investigations within legal bounds even in high-profile cases.
- Preliminary investigations can proceed based on valid complaints and supporting documents, even if the initiating document itself is not a formal sworn complaint.
- Public statements made by officials do not inherently indicate bias or prejudgment capable of undermining the legitimacy of an investigation, without concrete proof of influence over the investigatory process.

Class Notes:

- ****Investigatory Power****: DOJ's authority to form committees or panels for investigating potential criminal activities is backed by the law, as is the flexibility in approaching preliminary investigations.
- ****Complaint Procedure in Preliminary Investigations****: The necessity for a formal sworn complaint is not strict; investigations can mount based on substantial evidence and affidavits supporting probable cause.
- ****Impact of Public Statements****: Officials' public remarks on ongoing cases should be critically evaluated for their potential influence on judicial processes, with a presumption of regularity unless proven otherwise.

Historical Background:

The case reflects the complex intersections of media, public sentiment, and legal procedure in the Philippines, particularly in cases of national tragedy and public interest. It underscores the critical role of the DOJ in balancing the pursuit of justice with respecting the due process rights of all involved parties.