

Title:

People of the Philippines vs. The Honorable Sandiganbayan (Seventh Division) and Jaime Kison Recio

Facts:

This case centers around Jaime Kison Recio, who, as Executive Director III of the National Parks Development Committee (NPDC), was charged with violating Section 3 (e) of Republic Act (RA) 3019, known as the “Anti-Graft and Corrupt Practices Act”. The charge stemmed from Recio’s involvement in awarding multiple security service contracts to Variance Protective and Security Agency from 2002 to 2010 without the required public bidding, thereby allegedly providing undue advantage to Variance.

The original Information submitted to the Sandiganbayan (SB) claimed that during 30 January 2004 to 8 October 2004, Recio facilitated the release of payments totaling P7,843,54.33 to Variance for security services not subjected to public bidding, in violation of RA 9184’s procurement requirements. Recognizing an error in the stated amount, the prosecution sought to amend the Information to reflect the accurate amount of P7,842,941.60 as demonstrated in the disbursement vouchers during the trial and before the final prosecution witness was presented.

However, Recio contended that the amendment sought was substantial, potentially impacting his right to a fair trial. The SB, siding with Recio, ruled against the motion for amendment on the grounds that the difference wasn’t a mere typographical error and was substantial enough to potentially prejudice the accused’s defense strategy.

Issues:

1. Whether the Sandiganbayan (SB) committed grave abuse of discretion in denying the motion for leave of court to file amended information.
2. Whether the amendment of information before plea regarding the amount involved constitutes a formal or substantial amendment under Section 14, Rule 110 of the Revised Rules of Criminal Procedure.

Court’s Decision:

The Supreme Court ruled in favor of the petition, emphasizing that the SB exhibited grave abuse of discretion by denying the motion for the amendment of information. The Court clarified that the amendment sought by the prosecution was of form, not of substance, aimed merely at correcting the stated amount to match the actual disbursement vouchers. It

highlighted that the error in the original amount was obvious and mathematical, making the amendment necessary for factual accuracy without altering the nature of the charge or prejudicing the accused's defense. Thus, the court granted the prosecution leave to file the amended Information.

Doctrine:

The Court reiterated the distinction between formal and substantial amendments post-accused's plea, underscoring the principle that formal amendments aim at correcting minor errors without altering the charge's essence or prejudicing the accused's rights. The decision underscored the importance of accuracy and fairness in criminal proceedings, reaffirming the prosecution's ability to rectify factual errors in the Information so long as it does not infringe upon the accused's right to be informed of the charges against him.

Class Notes:

- **Section 3 (e) of RA 3019**: Violation occurs through actions characterized by evident bad faith, manifest partiality, or gross inexcusable negligence, providing unwarranted benefits to a party.
- **Section 14, Rule 110 of the Revised Rules of Criminal Procedure**: Distinguishes between formal and substantial amendments to the Information, emphasizing the protection of the accused's rights.
- **Amendment of Information**: Can be pursued for factual accuracy, provided it does not affect the nature of the charge or infringe on the accused's rights.
- **Grave Abuse of Discretion**: Exists when actions are undertaken in a capricious, whimsical manner or out of personal bias, significantly deviating from established legal guidelines.

Historical Background:

This case reflects the legal system's delicate balance between ensuring procedural correctness and safeguarding the accused's rights. It illustrates the judicial scrutiny applied to prosecutorial actions, particularly concerning amendments to charges during the trial phase. The Supreme Court's decision underscores an adherence to the principle that justice requires not only the observance of procedural technicalities but also the fundamental fairness to all parties involved.