

CREATING A PROVINCIAL/CITY COMMITTEE ON JUSTICE IN OTHER REGIONAL AREAS

EXECUTIVE ORDER NO. 856, December 12, 1982

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WHEREAS, the sub-standard living condition in Metro Manila jails caused by congestion/overcrowding of inmates in prison cells also exists in provincial/city jails of other regional areas;

WHEREAS, such congestion/overcrowding in local jails can be attributed to slow disposition of cases and in certain instances, the inability of those apprehended to post bail to secure their provisional liberty; and

WHEREAS, the Metro Manila experience on the creation of a Local Committee on Justice has shown the need to constitute a similar Committee on Justice in every province/ensure the speedy disposition of cases of detainees, particularly those involving the poor and indigent ones, thus alleviating jail congestion and improving local jail conditions;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the creation of a Provincial/City Committee on Justice in every province/city in other regions of the country.

SECTION 1. Composition of Provincial/City Committee on Justice. The Provincial/City Committee on Justice shall be constituted, as follows:

1.1.

Provincial Governor/City Mayor

– Chairman

1.2.

Provincial PC/INP Commander

– Member

1.3.

Provincial/City Fiscal

– Member

1.4.

Provincial/City Warden

– Member

1.5.

Executive Judge

– Member

SEC. 2. Objectives of the Committee. The Committee shall see to it that:

2.1 Arrests are conducted in accordance with law;

2.2 Preliminary investigation is speedily terminated, and cases are judiciously resolved;

2.3 Trials are expedited particularly in cases involving detention prisoners;

2.4 Jail conditions are livable and conducive to total human rehabilitation; and

2.5 Equal and humanized dispensation of justice is made available to all, especially to the poor and the helpless.

SEC. 3. Functions. The Committee shall:

3.1 Bring to the attention to the proper body/official any problem or delay in the release of detainees, prosecution and/or resolution of cases filed or pending with the office of the Provincial/City Fiscals/Courts;

3.2 Require jail wardens to submit periodic status/progress reports of cases of prisoners under their custody, containing such information as the name of accused, nature of charge(s), date of arrest, period of detention, date of last trial or promulgation of judgment, and court where case is pending;

3.3 Receive complaints against any apprehending officer, jail warden, fiscal or judge who may be found to have committed abuses in the discharge of his duties and refer the same to proper authority for appropriate action;

3.4 Review present local jail system and take remedial steps so as to afford livable and humane living conditions for inmates of provincial/city jails; and

3.5. Recommend revision of any law or regulation which is believed prejudicial to the proper administration of criminal justice.

SEC. 4. Implementing Guidelines; Assignment of Inquest Fiscals/Judges. –

4.1.1 The Executive Judges/Provincial/City Fiscals shall see to it that Inquest Fiscals/Judges are assigned to act immediately on detention cases filed/applications for bail at night and during Saturdays, Sundays and holidays;

4.1.2 Arrested persons for minor offenses where the penalty is not more than one month or fine not exceeding P200.00 or both may be released under the Recognizance Law;

4.1.3 Provincial/City Jail Wardens shall submit to the Committee records/names of inmates whose periods of confinement already equal/exceed the maximum penalty for the offense charged. The Committee shall then recommend to the court the release of the accused.

SEC. 5. Payment of Honoraria. The members of the Committee shall be entitled to receive honoraria not exceeding P500.00 a month chargeable against the local government units concerned.

SEC. 6. Supervision. The Provincial/City Committee on Justice shall be under the supervision of the Prime Minister. Quarterly accomplishment reports should be submitted to the Office of the Prime Minister.

SEC. 7. Effectivity. This Order shall take effect immediately.

Done in the City of Manila, this 12th day of December, in the year of Our Lord nineteen hundred and eighty-two.

(SGD.) FERDINAND E. MARCOS

President of the Philippines

By the President:

(SGD.) JOAQUIN T. VENUS, JR.

Deputy Presidential Executive Assistant

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