

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1099

HOUSE OF REPRESENTATIVES	
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Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

The percentage of drug-related cases, having breached the 70% mark, has effectively caused severe clogging of cases in most of our courts in the various regional areas and administrative regions of the country. This is cause for alarm and calls for no less than a viable mechanism or structure in place in order to effectively de-clog this increasing number of dangerous drugs or drugs-related cases and to mitigate certain un-intended consequences (i.e. delay or bungling of cases).

Since the effectivity of Republic Act 9165 (i.e. Comprehensive Dangerous Drugs Act), a rather unprecedented and a very huge volume of drug cases have been filed in the courts throughout the country. There has been dismal failure to properly address this problem of clogging in the court's dockets. This situation is even aggravated when such cases are pending with the courts for a much longer period of time than prescribed or required under the provisions of Article XI Section 90 of RA 9165.

Under said provisions of law, it is noteworthy to state that, "The Supreme Court shall designate special courts from among the existing Regional Trial Courts in each judicial region to exclusively try and hear cases involving violations of the Act. The number of courts designated in each judicial region shall be based on the population and the number of cases pending in their respective jurisdiction."

While it is true that the Supreme Court may just issue appropriate administrative circular to designate the various regional trial courts in the country to the role of Dangerous Drugs Courts, perhaps, it is incumbent upon the High Tribunal to submit an Executive Annual Report to Congress outlining the strict compliance of concerned courts in declogging these drug related cases in their court's dockets up to the point when it would have already reduced it from 70% to more manageable and rational level like 20% if not toward a desired zero backlog, whenever possible.

It is also proposed that there should be formed an interagency council between and amongst the five pillars of the criminal justice system in order to effectively streamline and

operationalize the provisions set forth under this Act. For instance, this provision shall always be borne in mind, namely:

"SECTION 92. Delay and Bungling in the Prosecution of Drug Cases. Any government officer or employee tasked with the prosecution of drug related cases under the Act, either as prosecutor, prosecution witness, or as law enforcement agent, who, through patent laxity, inexcusable neglect, unreasonable delay or deliberately causes the unsuccessful prosecution and/or dismissal of the said drug cases, shall suffer the penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years without prejudice to his/her prosecution under the pertinent provisions of the Revised Penal Code."

The urgent passage of this bill is therefore earnestly sought.



WINNIE CASTELO

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AN ACT

MANDATING DANGEROUS DRUGS COURTS TO STRICTLY ENFORCE THE PROVISIONS OF REPUBLIC ACT 9165 OR THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002 AND TO EFFECT A REDUCTION OF DRUG-RELATED CASES, DELOGGING OF THE SAME IN COURT'S DOCKETS, AND STREAMLINING THE FIVE PILLARS OF THE CRIMINAL JUSTICE SYSTEM

Be it enacted in the Senate and the House of Representatives of the Republic of the Philippines in Congress assembled:

SECTION 1. This Act shall be known as the 'Dangerous Drugs Courts Streamlining Program of 2016'.

SEC. 2. The Dangerous Drugs Courts mandated under appropriate provisions of Republic Act NO. 9165 also known as the 'Comprehensive Dangerous Drugs Act of 2002' shall hereby strictly enforce the provisions of said law and to effect a reduction of drug-related cases, declogging of the same in court's dockets, and a streamlining of the five pillars of the criminal justice system.

SEC. 3. Under this Act, the Supreme Court shall insure the submission of an Executive Summary Report to Congress outlining the strict compliance of Dangerous Drugs Courts in declogging these drug related cases in their court's dockets up to the point when it would have already reduced it from 70% to more manageable and rational level like 20% if not toward a desired zero backlog, whenever possible.

Provided Further That, it shall be within its authority to create an 'Inter-Agency Council' from between and amongst the five pillars of the criminal justice system in order to effectively streamline and operationalize the provisions set forth under this Act.

SEC. 4. The other provisions of RA 9165 not inconsistent with this Act shall likewise henceforth remain in force and effect.

SEC. 5. This Act shall take effect upon approval, publication in the Official Gazette and in at least three (3) newspapers of general circulation.

Approved,