



Republika ng Pilipinas
Kagawaran ng Katarungan
Tanggapan ng ManananggolPambayan
(PUBLIC ATTORNEY'S OFFICE)

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ACCOMPLISHMENT REPORT OF THE PUBLIC ATTORNEY'S OFFICE FOR THE YEAR 2018

Executive Summary

❖ **Clients Assisted and Cases Handled**

• Total No. of Clients Assisted	13,344,003
• Total No. of Cases Handled	975,610
• Average No. of Clients Assisted by Each Lawyer	6,366
• Average No. of Cases Handled by Each Lawyer	465

❖ **Organizational Outcome:** Accessible, efficient, and effective legal service to indigents and other qualified persons assured.

PUBLIC LEGAL ASSISTANCE PROGRAM	TARGETS	ACCOMPLISHMENTS
A. Outcome Indicators:		
1. Number of available lawyer's time spent for each service	24 hours	24 hours
2. Percentage of cases, including the appealed cases, that were favorably disposed	76.24% (232,600/305,088)	81.34% (369,455/454,232)
3. Public attorney to court ratio	1:1	1:2
B. Output Indicators:		
• Percentage of hearings for which no postponement is sought by the PAO legal representative	100% (488,868/488,868)	100% (696,676/696,676)
• Alternative Dispute Resolution (ADR) rate	92.50% (279,604/302,276)	92.58% (281,548/304,113)

<ul style="list-style-type: none"> Percentage of request for non-judicial assistance acted upon within two (2) hours 	<p>100%</p> <p>(2,348,484/2,348,484)</p>	<p>100%</p> <p>(3,424,508/3,424,508)</p>
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<ul style="list-style-type: none"> ❖ Total No. of Winning Appealed Criminal Cases 369 <i>(For Court of Appeals and Supreme Court only)</i> <ul style="list-style-type: none"> • Acquittals from Reclusion Temporal 114 • Acquittals from Reclusion Perpetua 255

<ul style="list-style-type: none"> ❖ Total No. of Winning Appealed Civil and Special Cases 1,261 <i>(For Court of Appeals and Supreme Court only)</i>
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<ul style="list-style-type: none"> ❖ Acquittals and Other Favorable Dispositions 294,524 <i>(RTC & MCTC/MeTC)</i>
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Accused Benefited from:

A. Acquittal	26,932
B. Dismissal with Prejudice	48,841
C. Granted Motion to Quash	1,397
D. Granted Demurrer to Evidence	4,697
E. Provisional Dismissal	61,367
F. Conviction to Lesser Offense	128,975
G. Granted Probation	13,994
H. Won	73
I. Granted Lesser Award	57
J. Dismissal based on Compromise Agreement	167
K. Criminal Cases for Preliminary Investigation:	
K.1. Case filed in court (Complainant)	3,558
K.2. Dismissed (Respondent)	373
L. Pre-trial Releases and Other Favorable Dispositions:	
L.1. Released on Bail (Non-bailable offense)	597
L.2. Released on Recognizance	745
L.3. Diversion Proceedings/Intervention	707
L.4. Suspended Sentence	951
L.5. Maximum Imposable Penalty Served	1,093

<ul style="list-style-type: none"> ❖ Limited Services 910,799
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Arrestment	123,904
Pre-trial	91,615
Promulgation of judgment	33,346
Others	661,934

(as Counsel de Oficio, Direct or Cross Examination during trial in the absence of private counsel, Motion for Bail, etc.)

❖ Special Legal Services	26,210
<i>(Pursuant to Sec. 14-A of R.A. 9406 and MOAs)</i>	
❖ Rendition of Quasi-Judicial Services	304,145
Mediation and Conciliation	304,113
Investigation (R.A. 9745 or Anti-Torture Law)	32
❖ Instant Services	9,962,248
Legal Documentation	2,273,721
Oaths Administered	3,600,919
Clients Counseled	4,087,608
❖ Outreach Activities	343,454
1. Inquest Investigation & Custodial Interrogation	
• Total No. of Clients Assisted	199,709
2. Barangay Legal Outreach Activities	
• Total No. of Beneficiaries	143,745
❖ Nationwide Monthly Jail Visitation of District Offices	873,556

No. of Detainees/Inmates who were:

A. Interviewed and Assisted	349,960
B. Provided Legal Representation in Court	457,195
C. Acquitted:	
C.1. After trial	14,725
C.2. On appeal	882
D. Released on:	
D.1. Pardon/Executive Clemency/Probation	5,826
D.2. Motion to Dismiss/Motion to Quash	7,989
D.3. Inquest Assistance/Representation	2,473
D.4. Bail/Recognizance	17,894
D.5. After serving the possible maximum prison term	5,113
D.5. Released on other grounds (i.e. Motion for judicial determination of probable cause, and others)	11,499

❖ **PAO-Central Office Legal & Medical Jail Visitation and Decongestion Program**

• Total No. of Program Beneficiaries	5,981
• No. of Beneficiaries of Legal Assistance	490
• No. of Beneficiaries of Medical Assistance	1,108
• No. of Beneficiaries of Dental Assistance	354
• No. of Beneficiaries of Optical Assistance	743
• Total No. of Inmates Released (from various jails in Metro Manila and nearby provinces visited by the PAO-Central Office and followed up by the field offices)	3,286

❖ **Legal/Inquest Proceedings Assistance**

On their scheduled duties, the public attorneys and staff of the PAO-Central Office have alternately been providing legal and inquest proceedings assistance even during night time, weekends and holidays since October 2009. For this purpose, the PAO hotlines, 929-9436, 426-2801, 426-2450, 426-2987, and 426-2683 (*local 106 or 107 during office hours and local 159 after office hours*) are open to the public 24/7.

In September 2010, the coverage of this program was expanded to serve the people covered by the regional and district offices of the PAO, nationwide. Since then, the said offices have been rendering *legal assistance* (e.g. legal advice, attending to the legal needs of suspects in the police stations within the territorial jurisdiction of the concerned PAO regional/district offices) up to 10:00 P.M. everyday (including weekends and holidays). Further, most of the assigned PAO inquest public attorneys and staff therein *remain on call*, even beyond 10:00 P.M., to attend to inquest calls in police stations nationwide.

• Clients Served	49,732
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❖ Training Sessions and Seminars Attended	160
• Training Participants	Lawyers 1,931
	Support Personnel 255

❖ Case Load

Out of **351,227 terminated criminal cases**, there were **294,524** or about **83.86% favorable dispositions** obtained by the Public Attorneys from representing indigent clients.

- Total No. of Criminal Cases Handled 735,430
- Total No. of Cases Terminated 351,227
- Terminated Cases Favorable to Clients 294,524
- Total Percentage of Winning Criminal Cases **83.86%**

Out of **15,447 terminated civil cases**, there were **11,317** or about **73.26% favorable dispositions** obtained by the Public Attorneys from representing indigent clients.

- Total No. of Civil Cases Handled 45,243
- Total No. of Cases Terminated 15,447
- Terminated Cases Favorable to Clients 11,317
- Total Percentage of Winning Civil Cases **73.26%**

Out of **7,656 terminated administrative cases proper**, there were **5,534** or about **72.28% favorable dispositions** obtained by the Public Attorneys from representing indigent clients.

- Total No. of Administrative Cases Proper Handled 12,043
- Total No. of Cases Terminated 7,656
- Terminated Cases Favorable to Clients 5,534
- Total Percentage of Winning Administrative Cases **72.28%**

Out of **58,447 terminated prosecutor's office cases handled**, **35,126** were terminated.

- Total No. of Administrative Cases Proper Handled 58,447
- Total No. of Cases Terminated 35,126

Out of **21,283 terminated labor cases**, there were **18,093** or about **85.01% favorable dispositions** obtained by the Public Attorneys from representing indigent clients.

• Total No. of Labor Cases Handled	34,727
• Total No. of Cases Terminated	21,283
• Terminated Cases Favorable to Clients	18,093
• Total Percentage of Winning Labor Cases	<u>85.01%</u>

With respect to cases involving violation of **Republic Act 9262 (Anti-Violence Against Women and their Children Act)**, **20,635 cases were handled by PAO**, among which **13,540 cases were duly terminated.**

• Total No. of Cases Involving Women Victims of Violation of R.A. 9262	20,635
• Total No. of Cases Terminated	13,540

On the other hand, with respect to cases involving **Children in Conflict with the Law** pursuant to R.A. 9344, **23,377 cases were handled by the PAO**, among which **10,362 were duly terminated.**

• Total No. of Cases Involving Children in Conflict with the Law (CICL)	23,377
• Total No. of Cases Terminated	10,362

❖ Comparative of Actual vs. Target

The largest difference of the actual favorable dispositions of cases versus targets was observed for Criminal Cases garnering a disparity of 8.33%. Followed by Labor Cases (4.46%), Administrative Cases Proper (2.55%), Special Legal Services (2.18%), Appealed Cases (1.10%), Civil Cases (0.58%). The least difference was observed on Prosecutor's Office Cases exceeding the target by only 0.12%. Overall, the actual favorable dispositions of cases (81.34%) surpassed the target set at 76.24% by **5.10%**.

As for the Alternative Dispute Resolutions, the percentage values of the actual output and the target were relatively close with a marginal difference of 0.08%.

❖ Total No. of Clients Assisted by the

PAO-National Labor Relations Commission (NLRC) Sub-Station Located in Banawe, Quezon City	22,227
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❖ Total No. of Research Work and Legal Opinions for Queries from the Public that were Directly Addressed or otherwise referred to the PAO	4,827
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❖ **Library Services**

• No. of News Releases from various Broadsheets and Tabloids concerning the Office, its cases, and various programs and projects	1,785
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❖ **PAO Equipment**

For the period covering January to December 2018, the following office equipment and semi-expendable properties were procured and distributed to various PAO regional and district offices as well as the Central Office, to wit:

• Airconditioner	52 units
• Biometric Time Recorder	24 units
• Chairs	243 units
• Collapsible Tent	1 unit
• Compact Camcorder	1 unit
• Computer Machine	578 units
• Computer Table	31 units
• DSLR Camera	2 units
• Electric Typewriter	1 unit
• Exhaust Fan	1 unit
• Fax Machine	1 unit
• Filing Cabinet	203 units
• Handycam	1 unit
• Photocopier Machine	239 units
• Printers	24 units
• Projector	1 unit
• Scanner	1 unit
• Solar Panel	2 units
• Table	116 units
• Television Set	1 unit
• Vertical Blinds	2 units

- Visitor's Chair 217 units
- Wall Fan 1 unit
- Water Dispenser 3 units

The Office of the Chief Public Attorney

- ❖ The Office of the Chief Public Attorney **received/answered 64,793 communications** from January to December, 2018;
- ❖ The Office of the Chief Public Attorney actually served **32,427 clients** during this period;
- ❖ The Chief Public Attorney served as the **Keynote Speaker** during the **1st National Congress of the Citizen National Guard** on July 14, 2018, at the Amoranto Multipurpose Hall, Gate 4, Scout Chuatoco, Quezon City;
- ❖ The Chief Public Attorney, together with PAO Special Panel of Senior Lawyers, **personally handled and/or led** the following cases, **and/or rendered legal assistance** to the following individuals, *inter alia*, to wit:

a. Criminal and civil cases filed for Dengvaxia related cases

In connection with **Department Order No. 792, s. 2017** directing the PAO "to extend **free legal assistance** in civil, criminal, and administrative cases to all possible victims of **Dengvaxia related injuries, illnesses and deaths,**" and as a response to the request of the families of the said victims, the Chief Public Attorney and her legal team were able to file thirty **(30) criminal cases** at the Department of Justice, and seventeen **(17) civil cases** in various branches of Regional Trial Court in Quezon City, as of December 31, 2018.

b. Policemen involved in Kian Delos Santos's case charged with Murder

The policemen who were indicted in the case of Kian Loyd Delos Santos (Kian) were **found guilty of Murder** by RTC Judge Rodolfo P. Azucena, Jr. on November 29, 2018.

Kian was the 17-year-old minor who died on August 16, 2017 while certain members of the Caloocan Police were conducting an anti-illegal drug operation in Caloocan City. The police contended that a shoot-out led to Kian's death. However, this was contrary to the CCTV footage which showed that Kian was dragged by the police to the place where he was killed. The evidence on the videotape bolstered the veracity of the findings of the forensic examination conducted by the PAO Forensic Laboratory led by its Director, Atty. Erwin P. Erfe, M.D. The said forensic examination showed that Kian sustained three (3) gunshot wounds – two (2) in the head which may have been inflicted while he was on the ground on a prone position and one (1) in the back – contrary to the Philippine National Police (PNP) report that Kian only sustained two (2) gunshot wounds in the head.

On August 25, 2017, with the assistance of the Chief Public Attorney and her legal team, Kian's parents lodged a complaint for *Murder* against members of the Caloocan Police involved in the said anti-illegal drug operation before the National Prosecution Service of the Department of Justice. Preliminary investigation was conducted. Then, the DOJ State Prosecutors, headed by State Prosecutor Tofel Austria filed the cases at the Regional Trial Court of Caloocan. The DOJ State Prosecutors actively presented their evidence and witnesses, while the Chief Public Attorney and her legal team assisted Kian's parents. Judge Azucena, Jr. promulgated the guilty verdict in the Murder case on November 29, 2018.

- ❖ The Chief Public Attorney received the following prestigious **awards**, among others, to wit:

a. Certificate of Appreciation conferred by the Legal Aid Foundation of Taiwan, conveying its gratitude for Dr. Acosta's "steadfast support at the 2005, 2009, 2014, and 2018 International Forum on Legal Aid" of the said international organization, since her "participation and contributions have been invaluable to the success of the events," given on November 3, 2018, Taiwan;

b. 2018 Lifetime Achievement Award conferred by the Gawad Amerika Foundation on August 18, 2018 at The Center, Burbank Blvd., North Hollywood, California, USA;

c. Most Outstanding Filipino Patriot Award conferred by the Citizen National Guard during its 1st National Congress on July 14, 2018 at the Amoranto Multipurpose Hall, Gate 4, Scout Chuatoco, Quezon City; and,

d. Certificate of Appreciation (In recognition of her invaluable assistance and untiring support to the Australian Embassy in the Philippines), given by the said embassy on May 10, 2018 at the Public Attorney's Office-Central Office, Diliman, Quezon City.

- ❖ **Other Significant Accomplishments**

a. Public Attorneys assisted 2,119 Persons Deprived of Liberty (PDL) in consonance with Republic Act No. 10951

As of 31 December 2018 and in total, public attorneys nationwide already assisted **2,119 PDLs** by pursuing the necessary legal remedy/ies, **189** of which have been released, **196** have benefited through reduction of their

sentences, **528** petitions were already filed, and **1,206** motions/ other remedies were filed/ undertaken.

b. PAO Forensic Team's re-autopsy on the remains of an aide of a former congressman, Richard Santillan

In consonance with Republic Act No. 9745 (Anti-Torture Act of 2009), in her letter to the Chief Public Attorney, dated December 14, 2018, Ms. Jeanette Santillan (Jeanette) requested for the re-autopsy of the lifeless body of her husband, Richard "Red" Santillan (Richard). Her husband was killed on December 10, 2018 during an alleged operation of the TDPO HPG PHPT, Rizal.

In connection with the said request, the PAO-Forensic Team proceeded to the Cosmopolitan Funeral Homes in Pasig City, where the re-autopsy was conducted. It was unveiled on re-autopsy that more than sixty (60) wounds were sustained by Richard, which indicated wounds resulting to torture such as: puncture wounds in the abdomen and back portion of his body; contusion, blunt trauma to the head; incised and lacerated wounds at the back of the victim; gunshot wounds sustained while he was still alive and those which were inflicted when he was already dead as there was no tissue reaction seen on his body.

c. Special Public Attorneys to PNP: Release important documents, Autopsy Report, Santillan's personal belongings, and let NBI conduct forensic examination and crime scene reconstruction

On December 18, 2018, the Special Public Attorneys who were assigned to Richard "Red" Santillan's (Richard) case sent a letter to PNP Director General Oscar David Albayalde, requesting for the release of

pertinent documents, which include the autopsy report, regarding the claimed legitimate operation which allegedly occurred at Block 17, Road 34 Planters, Westbank Floodway, Barangay San Andres, Cainta, Rizal by the TDPO HPG PHPT, Rizal, despite repeated demands of Richard's employer, former Congressman Glenn Chong and the return of Richard's personal belongings, such as cellphone, clothing (t-shirt and pants) and the other pair of his slipper. To date, the PAO has yet to receive a reply from the Office of Dir. Gen. Albayalde.

The subject vehicle, where Richard was riding at the time of the alleged police operation, was riddled with multiple bullets is still in the possession of the police operatives who conducted the alleged operation. The PAO recommended for the National Bureau of Investigation (NBI) to conduct a forensic examination on the said vehicle and also a crime scene reconstruction.

d. PAO, an ISO Certified Office

In November 2018, the PAO became an ISO Certified Office. It was issued a **Quality Management System (QMS) (ISO 9001:2015)** Certification by *TUV Nord Philippines, Inc.*, an accredited certification body.

e. Former "kasambahay" was acquitted from a counter-charge of her employer for violation of Republic Act No. 7610

Lirio Jestre was acquitted on Nov. 23, 2018 from the charges of Physical Injuries in relation to Republic Act No. 7610 by the Regional Trial Court of Mandaluyong, Branch 214, presided by Judge Imelda Portes-Saulog.

The case stemmed from a counter-charge filed by Jestre's employer-accused, Shiela Gomez, who was charged of a separate murder case of victim, Rochelle Lopez, whom she complained of maltreatment with the City Prosecutor's Office of Mandaluyong.

Jestre, a former kasambahay who was allegedly maltreated by her employer has been a client of the PAO since 2013.

f. Forensic examination and legal assistance rendered to the parents/relatives of the dead 106 Dengvaxia victims

The families of one hundred six (106) persons (as of December 31, 2018) who have all been inoculated with Dengvaxia vaccine and have died after mass indiscriminate inoculation without screening and blood test, sought the assistance of the Public Attorney's Office for forensic examinations and legal assistance. Their requests were acted accordingly by the Public Attorney's Office (PAO) and the PAO Forensic Team, pursuant to DOJ Order, dated December 12, 2017, issued by then Secretary of Justice Vitaliano N. Aguirre II.

g. Legal assistance rendered to 2,108 surviving Dengvaxia vaccinees

The families of two thousand one hundred eight (2,108) surviving Dengvaxia vaccinees (as of December 31, 2018) have also sought the PAO's legal assistance, and were provided with the same.