

# 2005 HLA REPORT

## A. Legal Work

For the year 2005 we have facilitated the release of One hundred twelve (112) persons in detention.

total No. of Released Persons					
2005					
Modes of Release	MYRC	MOLAVE	Cebu City	Malabon	Total
Served Sentence	8	7	59		74
Suspended Sentence	0	4		3	7
Release on Recognizance	1		1	1	3
Dismissed		1	5	1	7
Prov. Dismissal	5	2	7	3	17
Bail/Hearing Assistance			2	2	4
<b>total Released per area</b>	<b>14</b>	<b>14</b>	<b>74</b>	<b>10</b>	<b>112</b>

## ***B. Updates on Identified Priority Strategies***

**1 Simplified Inmates Record System** - The Simplified Inmate Records System (SIRS) is an easy-to-use records management tool for the Records Section of the BJMP jails. It makes use of the existing records system that is now in operation in different jails. By simply transferring the stored data to the SIRS program, it will result in an improved and more efficient records system. Its main features are uniformity, sustainability, and ease in generating inmate information.

As of December 2005 the Humanitarian Legal Assistance Foundation, Inc., and the BJMP Information Technology Unit have already conducted trainings on SIRS program to all NCR jails records and paralegal officers and other regions like: RBJMP-4A, 4B, 6, 7, 9, and 11. Free SIRS software was already distributed to the jails of these regions for installation. A User's manual for SIRS Version 1 was also distributed.

The SIRS Version 2 is now being developed to address some problems encountered while using the Version I, as well as to integrate the suggestions of some records officers to enhance the system. (Attached is the SIRS compliance update/status.)

**1 Detainee's Notebook Project** - The notebook is a reference material for the inmates that guides him, and anyone willing to help his case, as he goes through the court process. Its objective is to help facilitate the

speedy disposition of cases. It informs the inmates and his defenders the development of his case, contains the basic laws and rules relevant to him being in detention and practical guide on how he can make his stay in the detention facility a worthwhile one.

Except for the newly committed inmates, training on and distribution of the notebook had been completed in Quezon City Jail last December 2005. (3,500 inmates). Evaluation of the project is set on the first week of February to assess its effectiveness

**1 Pre-Trial Release Act** - This study was undertaken by the Foundation in cooperation with the Project Management Office of the Supreme Court pursuant to its Action Program for Judicial Reform in particular to decongest our jails who are now experiencing almost 400% over capacity. The project is consistent with Foundation's mandate to address the continuing unjust and inhuman detention.

Release on Recognizance which is an obligation of record, is an opportunity for unsentenced inmates who cannot afford to post bail to be released while the trial for their cases are on going. An expansion of the coverage of release on recognizance would have a tremendous impact on the jail situation because many of those who languish in jails are charged with bailable offenses but many of them cannot post bail.

Two main proposals emerged from the study: First, to expand the coverage to the period covered by the probation law ( not more than six years) and second, an expansion not based on length of imprisonment but on factors such as background of the accused, circumstances surrounding the commission of the alleged offense, as long as the offense is bailable.

### **1 MANAVA Jail Decongestion Project -**

#### **C. ADVOCACY WORK**

**1 Juvenile Justice Bill** - HLAf consistent with its mandate to advocate for change in the legal system sits as part of the technical working group on the Juvenile Justice Bill.

Last December 6, 2005 after two months of plenary discussions/deliberations the Senate approved Senate Bill 1402 by a unanimous vote (21 yes and 2 were absent).

In the lower House, the House Committee on Appropriations approved the consolidated bill with amendments, last December 5, but the Joint

Committee Report was not filed before the adjournment in December 16.

Efforts of the network will now be focused on having the bill calendared for second reading and for its approval.

**1 Training of Brgy. Tanods** - it has been observed that the Brgy. Tanods are the recipients of the least training on children's rights, if training is given at all. Yet they are among the most important component of the five pillars of the criminal justice system as they have the most direct contact with the community members, including children. To address this gap HLAf together with the Save the Children - UK conducted trainings for Brgy. Tanods in Cebu on the proper handling children who come into their custody. 30 barangays benefited from the project.

Modules on various topics such as Diversion, Role of Barangay Tanod, Proper Handling of Children and Rights of the Child were also developed that was used in the trainings conducted and may be used by other organization who may conduct subsequent trainings.