

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 1537

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The protection of victims and witnesses is an essential part of the fight against crime. The increased risk of witnesses and victims being subjected to intimidation results in the failure of the criminal justice system to bring offenders to trial and obtain judgments because witnesses are effectively discouraged from testifying freely and truthfully.

The protection of victims and witnesses giving evidence in criminal cases, is crucial in order to achieve successful results in the fight against crime.

It is of utmost importance for the state to protect witnesses against such interference by providing them with specific measures of protection that effectively ensure their safety. Hence, a Law protecting the confidentiality of victim's and witness' address and telephone number during a trial or hearing related to a criminal prosecution is necessary in fostering the safety of witnesses and victims.¹

ccv

MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed in the Fourteenth Congress, Second Regular Session

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 1537

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 PROTECTING THE CONFIDENTIALITY OF VICTIM'S AND WITNESS' ADDRESS
3 AND TELEPHONE NUMBER DURING A TRIAL OR HEARING RELATED TO A
4 CRIMINAL PROSECUTION.
5

6 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
7 *Congress assembled:*
8

9 SECTION 1. *Short Title.* This Act may be known as the "*The Witness Confidentiality*
10 *Act*".

11 SECTION. 2. *Confidentiality of Information in Open Court.* - During a trial or hearing
12 related to a criminal prosecution, the court shall require that the residence address and
13 telephone number and the place of business name, address and telephone number of any victim
14 of or witness to the crime shall not be disclosed in open court, and that such victim or witness
15 shall not be required to provide the residence or place of business name, address or
16 telephone number and the place of business name, address and telephone number of any victim
17 or witness to the crime in response to defense or prosecution questioning, unless the court
18 determines that there is a clear need for such disclosure because the information is necessary and
19 relevant to the facts of the case or to the credibility of the witness.

20 The burden to establish the need and relevance for disclosure shall be on the defense or
21 the party seeking disclosure.

22 SECTION 3. *Separability Clause.* - If any provision or part thereof, is held invalid or
23 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
24 valid and subsisting.

25 SECTION 4. *Repealing Clause.* – Any law, presidential decree or issuance, executive
26 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
27 with the provisions of this Act is hereby repealed, modified or amended accordingly.

28 SECTION 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
29 publication in at least two (2) newspapers of general circulation.

30

31 Approved.