

COMMITTEE REPORT NO. 384

Submitted by the Committee on Justice and Human Rights on MAY - 7 2009

Re: Senate Bill No. 3222

Recommending its approval in substitution of Senate Bill No. 2650.

Sponsor: Senator Escudero

MR. PRESIDENT:

The Committee on Justice and Human Rights to which was referred Senate Bill No. 2650 introduced by Senator Miriam Defensor-Santiago entitled:

**"AN ACT  
PROTECTING THE CONFIDENTIALITY OF VICTIM'S AND WITNESS'  
ADDRESS AND TELEPHONE NUMBER DURING A TRIAL OR HEARING  
RELATED TO A CRIMINAL PROSECUTION"**

has considered the same and has the honor to report it back to the Senate with the recommendation that the attached Senate Bill No. 3222 prepared by the Committee entitled:

**"AN ACT  
PROTECTING THE CONFIDENTIALITY OF VICTIMS' AND WITNESSES'  
ADDRESS AND TELEPHONE NUMBERS DURING A TRIAL OR HEARING  
RELATED TO A CRIMINAL PROSECUTION"**

be approved in substitution of Senate Bill No. 2650 with Senators Defensor-Santiago and Escudero as authors thereof.

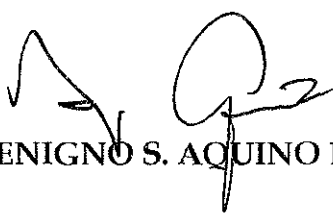
Respectfully Submitted:

*Chairman:*



FRANCIS G. ESCUDERO

*Vice-Chairman:*



BENIGNO S. AQUINO III

*Members:*



GREGORIO B. HONASAN II



MAR ROXAS



M.A. MADRIGAL




RAMON BUNG REVILLA, JR.



RODOLFO G. BIAZON



ALAN PETER "COMPAÑERO"  
S. CAYETANO



Francis N. Pangilinan  
Francis N. Pangilinan


*Ex-Officio Members:*



JINGGOY EJERCITO ESTRADA  
President Pro-Tempore




JUAN MIGUEL F. ZUBIRI  
Majority Floor Leader

*May amend:*  
  
AQUILINO Q. PIMENTEL JR.  
Minority Floor Leader

Hon. JUAN PONCE ENRILE  
Senate President  
Senate of the Philippines  
Pasay City

9 MAY -7 P3:07

SENATE

RECEIVED 

Senate Bill No. 3222

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Prepared by the Committee on Justice and Human Rights with Senators Defensor-Santiago and Escudero as authors

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AN ACT  
PROTECTING THE CONFIDENTIALITY OF VICTIMS' AND WITNESSES'  
ADDRESS AND TELEPHONE NUMBERS DURING A TRIAL OR HEARING  
RELATED TO A CRIMINAL PROSECUTION.

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

1 SECTION 1. *Short Title.* This Act shall be known as the *Witness Confidentiality*  
2 *Act of 2009.*

3  
4 SECTION 2. *Confidentiality of Information in Open Court.* - During a trial or  
5 hearing related to a criminal prosecution, [the court shall require that the] any victim or  
6 any witness testifying in such proceedings shall be excused from disclosing in open  
7 court his or her residential address, place of business, business name and relevant  
8 telephone numbers, or the address, place of business, business name and relevant  
9 telephone numbers of any victim and/or witness to the crime subject of such  
10 proceedings in response to defense or prosecution questioning, unless the court  
11 determines that there is a clear need for such disclosure because the information is  
12 necessary and relevant to the facts of the case or to the credibility of the witness.

13 The burden to establish the need of relevance for disclosure shall be on the  
14 defense or the party seeking the disclosure

15  
16 SECTION 3. The Court hearing the criminal proceeding mentioned in the  
17 immediately preceding paragraph shall ensure compliance with the provisions of this  
18 law through a judicious use of their contempt powers provided for in Rule 71 of the  
19 Revised Rules of Court.

20  
21 SECTION 4. *Separability Clause.* - If any part hereof, is held invalid or  
22 unconstitutional, the remainder of the provision not otherwise affected shall remain  
23 valid and subsisting.

24  
25  
26 SECTION 5. *Repealing Clause.* - Any law, presidential decree or issuance,  
27 executive order, letter of instruction, administrative order, rule or regulation contrary

28 to or inconsistent with, the provisions of this Act is hereby repealed, modified or  
29 amended accordingly.

30  
31 **SECTION 6. Effectivity Clause.** – This Act shall take effect fifteen (15) days after  
32 publication in the Official Gazette or at least two (2) newspapers of general circulation.

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35 Approved,  
36

14th Congress  
Senate Bill No. 2650

## WITNESS CONFIDENTIALITY ACT

Filed on October 6, 2008 by Defensor Santiago, Miriam

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[Overview](#) | [Committee Referral](#) | [Leg. History](#) | [All Information](#)

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### Legislative History

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Entitled:

AN ACT PROTECTING THE CONFIDENTIALITY OF VICTIM'S AND WITNESS' ADDRESS AND TELEPHONE NUMBER DURING A TRIAL OR HEARING RELATED TO A CRIMINAL PROSECUTION

[ SECOND REGULAR SESSION, 14TH CONGRESS ]

[ 2008 ]

10/6/2008

Introduced by Senator MIRIAM DEFENSOR SANTIAGO;

10/7/2008

Read on First Reading and Referred to the Committee on JUSTICE AND HUMAN RIGHTS;

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