



**SENATE**  
P.S. Res. No. 809

'18 JUL 30 P 4 :45

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Introduced by Senator Grace Poe

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**RESOLUTION**

**DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS, RECOGNIZING THE PRINCIPLE OF SEPARATION OF POWERS BETWEEN AND AMONG AGENCIES, TO REVIEW THE IMPLEMENTATION OF REPUBLIC ACT NO. 8493, OTHERWISE KNOWN AS THE "SPEEDY TRIAL ACT OF 1998", IN LIGHT OF THE SURFEIT OF JUSTICE IN THE COUNTRY DUE TO THE SLOW DISPOSITION OF CASES AND CLOGGED DOCKETS, TO HELP POOR LITIGANTS, AND TO RECOMMEND REMEDIAL LEGISLATION TO ADDRESS THESE ISSUES**

1           WHEREAS, in the landmark case of *Calalang v Williams* (G.R. No. 47800,  
2 1940), the Supreme Court noted that Social Justice is "...neither communism, nor  
3 despotism, nor atomism, nor anarchy," but the humanization of laws and the  
4 equalization of social and economic forces by the State so that justice in its rational  
5 and objectively secular conception may at least be approximated x x x"

6           WHEREAS, this conception of social justice is enshrined in the 1987 Philippine  
7 Constitution, particularly in the following provisions:

8           a.) Article II, Section 9- "The State shall promote a just and dynamic social  
9 order that will ensure the prosperity and independence of the nation and  
10 free the people from poverty through policies that provide adequate social  
11 services, promote full employment, a rising standard of living, and an  
12 improved quality of life for all";

13           b.) Article II, Section 10- "The State shall promote social justice in all phases  
14 of national development";

15           c.) Article XIII, Section 1- "The Congress shall give highest priority to the  
16 enactment of measures that protect and enhance the right of all the  
17 people to human dignity, reduce social, economic, and political

1           inequalities, and remove cultural inequities by equitably diffusing wealth  
2           and political power for the common good x x x"

3           WHEREAS, consider also the following provisions of the Bill of Rights (Article  
4 III) which emphasize that all Filipinos, regardless of economic class, are guaranteed  
5 recourse to justice:

6           a.) Section 1- : "No person shall be deprived of life, liberty, or property  
7           without due process of law, nor shall any person be denied the equal  
8           protection of the laws";

9           b.) Section 11- "Free access to the courts and quasi-judicial bodies and  
10          adequate legal assistance shall not be denied to any person by reason of  
11          poverty";

12          c.) Section 16- "All persons shall have the right to a speedy disposition of  
13          their cases before all judicial, quasi-judicial, or administrative bodies".

14          WHEREAS, these provisions when read in concert reveal the core ambition of  
15 our Fundamental Law: to establish a society which benefits all Filipinos, particularly  
16 the poor and the marginalized, particularly with regard to the guarantee of recourse  
17 to justice;

18          WHEREAS, numerous laws have been enacted to implement the above  
19 Constitutional provisions, particularly with to access to justice;

20          WHEREAS, despite these efforts, there remains a surfeit of justice in the  
21 country, and many victims of injustice are left helpless;

22          WHEREAS, of particular importance is Republic Act No. 8493, otherwise  
23 known as the "*Speedy Trial Act of 1998*", which defines the deadlines to ensure the  
24 speedy disposition of cases;

25          WHEREAS, it is a known fact that many cases languish in the court system  
26 without resolution, to the detriment of many Filipinos;

27          WHEREAS, it has been noted that lower courts are clogged with more than  
28 one million cases every year, and that the same courts dispose of cases at a rate of  
29 less than one case a year<sup>1</sup>;

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<sup>1</sup> Albert, J.R.G. "The Philippine Criminal Justice System: Do we have enough judges to act on filed cases?"  
Retrieved from [http://nap.psa.gov.ph/beyondthenumbers/2013/06132013\\_jrga\\_courts.asp](http://nap.psa.gov.ph/beyondthenumbers/2013/06132013_jrga_courts.asp)

1           WHEREAS, the sluggish disposition of cases is equivalent to lengthening the  
2 lifespan of injustice in the country;

3           WHEREAS, the members of Congress, as the elected representatives of the  
4 people, must address their needs and concerns;

5           WHEREAS, in the words of former President Ramon Magsaysay: "Those who  
6 have less in life must have more in law"

7           **NOW THEREFORE BE IT RESOLVED**, as it is hereby resolved by the  
8 Senate of the Philippines, to direct the Senate Committee on Justice and Human  
9 Rights, recognizing the principle of separation of powers between and among  
10 agencies, to review the implementation of Republic Act No. 8493, otherwise known  
11 as the "*Speedy Trial Act of 1998*", in light of the surfeit of justice in the country due  
12 to the slow disposition of cases and clogged dockets, to help poor litigants, and to  
13 recommend remedial legislation to address these issues

14           *Adopted,*

  
**GRACE POE**