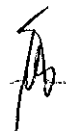


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

8 OCT -6 1974

SENATE
S. B. No. **2650**

RECEIVED BY: 


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.


MIRIAM DEFENSOR SANTIAGO

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
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8 OCT -6 1976

SENATE
S. B. NO. **2650**

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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*
10 *Confidentiality Act*".

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

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

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

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28 or inconsistent with the provisions of this Act is hereby repealed, modified or amended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

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

32

33 Approved.