

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

HOUSE OF REPRESENTATIVES
H. No. 1460



Introduced by Representative Herminio Harry L. Roque Jr.

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 victims' and witnesses' addresses and telephone numbers during a trial or hearing related to a criminal prosecution is necessary in fostering the safety of witnesses and victims.¹

HERMINIO HARRY L. ROQUE JR.

¹ This bill was originally filed by Senator Miriam Defensor-Santiago in the Fourteenth Congress, Second Regular Session.

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1 AN ACT
2 PROTECTING THE CONFIDENTIALITY OF VICTIMS' AND WITNESSES' ADDRESSES
3 AND TELEPHONE NUMBERS DURING TRIALS OR HEARINGS RELATED TO
4 CRIMINAL PROSECUTIONS

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “The Witness Confidentiality
6 Act”.

7 SECTION. 2. *Confidentiality of Information in Open Court.* – During a trial or hearing
8 related to a criminal prosecution, the court shall require that the residence addresses and
9 telephone numbers and the place of businesses, addresses, and telephone numbers of any victim
10 or witness to the crime shall not be disclosed in open court, and that such victim or witness shall
11 not be required to provide such information in response to defense or prosecution questioning,
12 unless the court determines that there is a clear need for such disclosure because the information
13 is necessary and relevant to the facts of the case or to the credibility of the witness.

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

16 SECTION 3. *Separability Clause.* – If any provision or part thereof is held invalid or
17 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
18 valid and subsisting.

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21 with the provisions of this Act is hereby repealed, modified or amended accordingly.

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

Approved,

A handwritten signature in black ink, appearing to be a stylized representation of the letters 'AM' followed by a vertical stroke.