

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1476

Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO

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

EXPLANATORY NOTE

To be able to carry out an effective campaign against crime, it is vital to protect victims and witnesses from grave threats and intimidation. If not properly addressed, this often 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. Simply put, without the cooperation of important victims and witnesses giving evidence in criminal cases, the fight against crime will be deemed inutile.

It is of utmost importance, therefore, for the State to protect witnesses from 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 enabling the wheels of justice to spin more freely and judiciously.

For these reasons, the passage of this bill is earnestly recommended.


DIOSDADO MACAPAGAL ARROYO
Second District, Camarines Sur


GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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

SECTION 1. *Short Title.* – This Act shall be known as the "Witness
Confidentiality Act of 2010."

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

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

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

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

SECTION 5. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

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

Approved,