

Comments on House Bills 7305 and 7635 proposing the Joint Congressional Commission on Justice System Reforms

by Adoracion M. Navarro, PhD¹

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We support the proposed creation of the Joint Congressional Commission on Justice System Reforms (JUSTCOM), the subject of House Bills (HB) 7305 and 7635, and we recommend that the two HBs be consolidated and harmonized into a substitute bill. The creation of the JUSTCOM is laudable because, if enacted into law and effectively implemented, it could contribute to socioeconomic development by improving the rule of law and the investment climate. The causal chain is well supported in institutional economics. When justice systems become more credible and predictable, thereby boosting rule-of-law credibility, transaction costs decrease. Contract enforcement risk declines, property rights become more secure, informal risk premia fall, and firms become more willing to enter into long-term contracts. The expected macroeconomic effects are higher investments, improved credit markets, and more responsive contracting in complex supply chains.

We note that failures in public accountability and high-level corruption are core problems and urgent concerns, especially given the recent flood control scandals. In relation to this, we deem it important that the HBs frame the need for reforms using these five pillars of justice—law enforcement, prosecution, judiciary, corrections, and community (Supreme Court of the Philippines n.d.).² This five-pillar framework is important because anti-corruption efforts can fail not only at the court stage but also during the early stages due to weak police investigation, prosecutorial screening failures, and law enforcement bottlenecks. Sustaining anti-corruption and integrity activities can also fail after the court stage due to correctional system failures and community distrust or apathy, thereby

¹ Senior Research Fellow, Philippine Institute for Development Studies (PIDS).

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² Supreme Court of the Philippines. (n.d.). *Ano ang Criminal Justice System at ang 5 Pillars nito? (#SCPh Explainers: Five Pillars of the Criminal Justice System)*, [video].

<https://www.youtube.com/watch?v=MBJLXJv6w74> (accessed on February 22, 2026).

affecting criminal deterrence. The five-pillar approach can therefore be a guiding framework in refining the substitute bill.

We also have the following specific comments:

1. The bills must clarify if the intention is to cover criminal justice system only and exclude civil justice system. HB 7305 is silent about the distinction but HB 7635 explicitly mentions “criminal justice system” (Section 5.a in HB 7305, Section 5.d in HB 7635). Note that certain civil cases sometimes cross over to criminal cases (e.g., fraudulent insolvency or hiding assets from the court to prevent the sheriff from seizing them to pay creditors).
2. We suggest that the bills recognize multiple structures, methodologies, procedures and technological infrastructure because this is entailed by a whole-of-justice-system approach and the five pillar-framework. Thus, we propose that Section 5.a of HB 7305 be reformulated as (our additions are in bold highlights):
 - a. Conduct a comprehensive and independent assessment of the entire justice system's current organizational structures, methodologies, procedures, and technological infrastructureand Section 5.d of HB 7635 be reformulated as:
 - d. Conduct a comprehensive and independent assessment of the entire criminal justice system's current organizational structures, methodologies, procedures, and technological infrastructure

We leave it to the House Committee on Justice to decide whether to cover criminal justice system only or the entire justice system.

3. We also propose the following revisions to Section 5.b of HB 7305 and Section 5.e of HB 7635 (our additions are in bold highlights and redactions in strikethrough):

Identify and evaluate systemic bottlenecks and weaknesses **in the pillars of justice** ~~enforcement of laws~~, particularly concerning the expeditious investigation and resolution of cases involving public officials

This proposal is again in recognition of the five pillars of justice and known bottlenecks. It is not only law enforcement that faces bottlenecks. Even courts face “high volume of pending cases and severe delays in case disposition” and unresolved cases in lower courts

reached nearly 900,000 before 2017 (Orbeta et al. 2021).³ There are issues that cut across pillars, such as weak case management and digitalization gaps and siloed operations or lack of formal systems for inter-pillar coordination (UNDP and SC 2006).⁴

4. In particular to HB 7635, especially if this will be adopted in the substitute bill, we also propose the following revisions to Section 5.f (our additions are in bold highlights):

- f. Assess the effectiveness of current **rules in the justice system, including** judicial and quasi-judicial rules of procedure in ensuring the prompt disposition of cases, fairness in legal processes, and preventing abuse of process and delay;

This is again to emphasize a whole-of-justice-system approach rather than focus on the judiciary only. Note that a case can fail if any of the five pillars underperforms. Typical failures can look like the following: weak police investigation (enforcement pillar), dismissive prosecutor (prosecution pillar), growing court backlogs (judiciary pillar), overcrowded jails (corrections pillar), and rise in community distrust (community pillar).

5. We also propose that geographic inequities be covered by the substitute bill. Specifically, this can be done in Section 5.d of HB 7305 and Section 5.g of HB 7635 by adding the phrase “as well as the factors affecting geographic inequities in access to justice” after “vulnerable sectors”. Covering geographic inequities is important because equity gaps persist not only across the population but also across geographic areas. The possible implications of this additional coverage are: having case-weighted distribution of justices across regional and municipal trial courts; uncovering issues in the justice system in the Mindanao regions such as the Bangsamoro Autonomous Region of Muslim Mindanao; and advancing the harmonization of Sharia law with existing Philippine laws.
6. On the proposed designation of the Philippine Institute for Development Studies (PIDS) as the research arm of the Commission (Section 8 of HB 7635), we interpret this as a policy

³ Orbeta, A., V. Paqueo, and B. Siddiqi. 2021. Impacts of judicial reform in criminal case procedures on court congestion in the Philippines. https://3ieimpact.org/sites/default/files/2021-02/IE131-PWP.03.SC_.IE_C TG.pdf (accessed on February 22, 2026).

⁴ United Nations Development Programme (UNDP) and Supreme Court (SC) of the Philippines. 2006. Conduct of Further Study on Operations and Linkages of the 5 Pillars of Justice-Chapter 3: Synthesis of Diagnostic Studies. https://www.ombudsman.gov.ph/UNDP4/wp-content/uploads/2013/01/3_Assessment_SC.pdf (accessed on February 22, 2026).

research credibility signal. This institutional choice sends a credibility signal to stakeholders that policy studies will be data-driven, rigorous, forward-looking, transformative, and actionable. But additional research mandate should be given additional mandated budget.

Based on the PIDS' experience implementing studies for the Second Congressional Commission on Education, or EDCOM II (under Republic Act 11899, passed in 2022), the lesson is that even if the PIDS is given an additional research mandate by law, funding for research is not guaranteed. For the EDCOM II research in 2022, there was no budget for the PIDS because inter-branch fund transfers (i.e., between the legislative, judiciary, and executive branches of government) are not legal. For 2023, defending the proposed PIDS budget for EDCOM II studies, which was considered Tier 2 or new spending at the time, was very challenging, as the Department of Budget and Management sought to impose the old budget ceiling despite PIDS's expanded mandate. We thus strongly support the creation of a Technical Secretariat headed by an Executive Director who has specific qualifications. Having a Technical Secretariat at the outset means research can be conducted immediately while awaiting GAA funds for PIDS, as the Executive Director can hire consultants and research support, possibly with PIDS' guidance. We also propose that any section on PIDS' involvement be reformulated to ensure that PIDS' new research mandate will be adequately funded and defended by members of Congress during GAA deliberations. A provision in the substitute bill could be added directly stating “**This additional function of the PIDS shall be considered in mandating, through the General Appropriations Act, the direct transfer of research funds to and extending the budget ceiling of the Institute**”. The House Committee on Justice Secretariat may also be asked for the applicable legalese or the appropriate version of this statement, in line with the principle that additional research mandate should be given additional mandated budget.