

# Criminal justice system of the philippines assignment

Law



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It is composed of the Prosecution Staff in the Office of the Secretary of Justice headed by the Chief State Prosecutor, the Regional State Prosecution Offices headed by Regional State Prosecutors, and the Provincial and City Prosecution Offices headed by the Provincial Prosecutor and City Prosecutor, respectively. The prosecution Staff or State Prosecutors perform the following functions: a. Investigate administrative charges against prosecutors and other prosecution officers; b. Conduct the investigation and prosecution of all crimes; 274 c. Prepare legal opinions on queries involving violations of the Revised Penal Code and special penal laws; and d. Review appeals from the resolutions of prosecutors and other prosecuting officers in connection with criminal cases handled by them.

Regional State Prosecutors have the following functions: (1) Implement policies, plans, programs, memoranda, orders, circulars and rules and regulations of the DOJ relative to the investigation and resection of criminal cases in his region; (2) Exercise immediate administrative supervision over all Provincial and City Prosecutors and other prosecuting officers of provinces and cities comprised within his region; (3) Prosecute any case arising within the region. Provincial and City Prosecutors have the a. Be the law officer of the province or city, as the case may be. He shall have charge of the prosecution of all crimes, misdemeanors and violations of city or municipal ordinances in the courts of such province or city and shall therein discharge all the duties incident to the institution of criminal prosecutions; .

Investigate and/or cause to be investigated all charges of crimes, misdemeanors and violations of all penal laws and ordinances within their respective jurisdictions and have the necessary information or complaint  
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prepared or made against the persons accused. In the conduct of such investigations, he or his assistants shall receive the sworn statements or take oral evidence of witnesses summoned by subpoena for the purpose; c. Investigate commissions of criminal acts and take an active part in the gathering of relevant evidence. For this purpose, the National Bureau of Investigation, Philippine National police ND other offices and agencies of the government shall extend to him the necessary assistance; d.

Act as legal adviser of the municipality, and municipal district of the provinces or the provincial or city government and its officers or of the city. As such, he shall, when so requested, submit his opinion in writing upon any legal question submitted to him by any such officer or body pertinent to the duties thereof; and e. Assist the Solicitor General, when so deputies in the public interest, in the performance of any function or in the discharge of any duty incumbent upon the latter, within the territorial jurisdiction of he former, in which cases, he shall be under the control and supervision of the Solicitor General with regard to the conduct of the proceedings assigned to him and render reports thereon.

The members of the NAPS are selected from among qualified and professional trained members of the legal profession who are of proven integrity and competence and have been in the actual practice of the legal profession for at least five years prior to their appointment or have held during like period, any position requiring the qualifications of a lawyer. They shall be appointed by the President of the Philippines upon recommendation f the Secretary of Justice. Once appointed, prosecutors are required to attend

seminars, lectures, convention and continuing legal education to enhance their skills in investigation and trial works. They enjoy a security of tenure because they can be removed from office only for a cause. Their appointments are not coterminous with the appointing authority, which means that even if the President who appointed them is no longer in power, they shall still remain in office.

In the discharge of their duties, prosecutors are guided by their “ Credo” and the constitutional mandate that “ a public office is a public trust and public officers and employees must at all times accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice and lead modest lives. ” The prosecution process starts the moment the law enforcer, the complainant or public officer in charge of the enforcement of the law alleged to have been violated files a case against a suspected criminal. With such filing. Preliminary investigation will set in and the second stage in the life off criminal action is now in progress.