

## FIVE MAJOR FUNCTIONS

### 1. PUBLIC ASSISTANCE

The Office of the Ombudsman extends assistance to citizens in obtaining basic public services from government.

### 2. GRAFT PREVENTION

The Office of the Ombudsman may prevent or stop a public officer or a government agency from performing an act which might cause injury to the government or to the people. Corruption prevention also embraces the study and adoption of ways and means to minimize, if not to eliminate, the opportunities of committing corruption, to awaken the people's awareness of its evils and solicit their cooperation in its eradication, as well as to maintain efficiency in government operations.

### 3. INVESTIGATION

The Ombudsman exercises unique prerogative. It conducts preliminary investigation on criminal cases which may be filed with the Office. It also has the authority to conduct the fact-finding investigation to validate anonymous complaints with sufficient leads or gather evidence for case build-up like the police and National Bureau of Investigation (NBI). This has resulted in the prosecution of cases which otherwise would have been set aside for insufficiency of evidence.

### 4. PROSECUTION

The Ombudsman, through the Office of the Special Prosecutor, prosecute cases filed against high ranking officials in the Sandiganbayan while those low ranking officials in the regular courts are handled by some Ombudsman Graft Investigation and Prosecution Officers and deputized prosecutors in the Department of Justice.

### 5. ADMINISTRATIVE ADJUDICATION

The Ombudsman may suspend or dismiss erring public officers and employees, including Cabinet Secretaries and all other high-ranking officials, except the president, members of the judiciary and congress. In all other criminal cases, however, all public officials and employees, without any exception, are under the Ombudsman's investigative jurisdiction.

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## PRIMER



# HOW WAS THE OFFICE OF THE OMBUDSMAN CREATED

**THE 1987 CONSTITUTION**, in its declaration of Principles and State Policies, mandated that the State shall maintain honesty and integrity in public service and take positive and effective measures against graft and corruption. It has likewise reiterated that public office is a public trust and that public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice and lead modest lives. The same Constitution gave birth to the Office of the Ombudsman which it has expressly described as an "independent body" and "Protector of the People". It has vested the Office with broad and comprehensive powers in order to institute reforms in the bureaucracy and prosecute erring public officials.

Given the nature of the Office of the Ombudsman under the fundamental law, then President Corazon C. Aquino issued Executive Orders No. 243 and 244 on July 24, 1987 decreeing the formal organization of the Office of the Ombudsman, and transforming the former Tanodbayan into the Office of the Special Prosecutor and making it an organic part of the Office of the Ombudsman.

The Executive Orders were superseded by Republic Act No. 6770, otherwise known as the Ombudsman Act of 1989, which was approved by then President Aquino on November 17, 1989. R.A. 6770 further put flesh into the organization by providing its structure and functions. The same law reiterated the integration of the Office of the Special Prosecutor as the prosecutorial arm of the Office of the Ombudsman.

Under both the Constitution and R.A. 6770, the Ombudsman is principally tasked to investigate on its own or upon complaint by any person, in any form or manner, any act or omission of any public officer or employee, including those in government-owned or controlled corporations, which appears to be illegal, unjust, improper or inefficient. The Ombudsman is further mandated to render public assistance, mobilize front line service

providers in various government agencies through the Ombudsman coordinators to ensure swift, responsive and quality service to the citizens, and to conduct graft prevention programs with the objective of proactively preventing the occurrence of corruption and attain a graft-intolerant society.

On May 12, 1988, the Office of the Ombudsman became operational upon the appointment of the Ombudsman and his Overall Deputy by the President. Shortly thereafter, Deputy Ombudsmen for Luzon, Visayas, Mindanao and the Military were likewise appointed by the same authority.

## WHO MAY BE APPOINTED OMBUDSMAN AND DEPUTIES

The Ombudsman and his deputies shall be natural-born citizens of the Philippines, and at the time of their appointment, at least forty years old, of recognized probity and independence, and members of the Philippine Bar, and must not have been candidates for any elective office in the immediately preceding election. The Ombudsman must have for ten years or more been a judge or engaged in the practice of law in the Philippines. (Art. XI, Sec. 8, 1987 Constitution). The Ombudsman and his Deputies shall be appointed by the President from a list of at least six nominees prepared by the Judicial and Bar Council, and from a list of three nominees for every vacancy thereafter. Such appointments shall require no confirmation. They shall serve for a term of seven years without reappointment. (Art. XI, Secs. 9 & 11, 1987 Constitution).

## MISSION STATEMENT

As protectors of the people, we shall endeavor, in cooperation with all sectors of the Filipino society, to promote integrity and efficiency and high ethical standards in public service through proactive approaches in graft prevention and public assistance, prompt investigation of

complaints and aggressive prosecution of cases filed against erring public officials and employees.

## VISION STATEMENT

A truly independent office run by God-fearing men and women with highest degree of competence, honesty and integrity, and effectively serving as watchdog, mobilizer, official critic and dispenser of justice for the people it is constitutionally mandated to protect.

## ROLES OF THE OFFICE OF THE OMBUDSMAN

### Watchdog

It exercises oversight role by monitoring at the general and specific performance of government officials and employees in order that the law may be administered and executed justly, fairly and equally for all. It also ensures that prompt, efficient and steady flow of service is accorded to the citizens.

### Mobilizer

It effectively enlists broad support of multisectoral stakeholders by establishing a continuing partnership with other government agencies, the civil society, non-government organizations, business, academe, youth, and other major sectors of society for a nationwide campaign for integrity in public service, the propagation of sound Filipino values of honesty, discipline, respect for elders and authority, as well as promotion of a transparent, accountable and effective governance.

### Official Critic

It initiates the conduct of review of the policies, systems, procedures and practices in the performance of the critical functions of specific government agencies and makes recommendations for a systematic operation of the government machinery free from bureaucratic inconveniences and for adoption of strategies to address corruption vulnerabilities in their organization.

### Dispenser of Justice

It administratively sanctions erring government officials and employees and criminally charges and prosecutes them including private persons found to have conspired with them.