



UNIVERSITY OF THE PHILIPPINES COLLEGE OF LAW

27 September 2022

**THE HONORABLE CHIEF JUSTICE,
THE HONORABLE SENIOR ASSOCIATE JUSTICE,
AND THE HONORABLE ASSOCIATE JUSTICES
SUPREME COURT
Padre Faura, Manila**

WE, undersigned members of the faculty of the University of the Philippines College of Law, condemn the threats made by Ms. Lorraine Badoy against Judge Marlo Magdoza-Malagar and the red tagging of Judge Magdoza-Malagar and her husband, UP Cebu Chancellor Leo Malagar. Both Judge Magdoza-Malagar and Chancellor Leo Malagar have been members of the UP Law faculty as lecturers.

Ms. Badoy's statements should not be allowed to remain unaddressed. The threat to kill another is a felony punished under our criminal laws. Red tagging violates the Basic Principles on the Role of Lawyers.¹ Both undermine the rule of law and represent the continuing impunity which is key to the *modus operandi* of Ms. Badoy and her ilk.

On March 15, 2021, we, as concerned members of the UP Law faculty, wrote to this Court asking that action be taken to protect the members of the legal profession. On March 23, 2021, the Court took unprecedented action by issuing a Statement and announcing specific initiatives to protect lawyers, prosecutors, and judges. We thank the Court for taking action *motu proprio* today by issuing a stern warning against those who would incite violence against members of the judiciary.

Today, we write again not just on behalf of two from our ranks but also for all those lawyers, prosecutors, and judges who may fall prey to similar actions by Ms. Badoy and her cohorts. We ask the Court to respectfully consider going beyond its *motu proprio* action and just providing measures to protect Judge Magdoza-Malagar but to also consider initiating actions to hold accountable Ms. Badoy and those who may, in the future, consider lawyers, prosecutors, and judges fair game for similar attacks. We further ask the Court to consider issuing the appropriate rules to ensure that lawyers, prosecutors, and judges who may find themselves similarly attacked may have a meaningful remedy under law. The issuance of such rules would be the best way to end what the Court today started.

Mr. Chief Justice and esteemed Members of the Supreme Court, may it please the Court, we ask once again for your timely and *motu proprio* intervention to protect your own officers.

Signed,

¹ Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.

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