



Republic of the Philippines  
NATIONAL PRIVACY COMMISSION

**PRIVACY POLICY OFFICE  
ADVISORY OPINION NO. 2020-014<sup>1</sup>**

24 February 2020

[REDACTED]

[REDACTED]

**Re: OBTAINING ADDRESS OF ACCUSED THROUGH LEARNER  
REFERENCE NUMBER (LRN)**

Dear [REDACTED]

We write in response to your inquiry received by the National Privacy Commission (NPC) seeking clarification on the disclosure of the present address of certain individuals who are the accused in an ongoing criminal case through the Learner Reference Numbers (LRNs) of their children.

We understand that your Office received an Indorsement from the Department of Education (DepEd) Office of the Assistant Secretary for Legal Affairs relative to the letter of one of the two complainants in a pending criminal case for *estafa*. In his letter, the complainant requested for the present address of the accused spouses in the criminal case currently with Branch 58 of the Regional Trial Court (RTC) in Angeles City.

We further understand that the present address is expected to be obtained through the LRN of the children of the accused, the records of which are currently in the possession of the DepEd Planning Division.

The complainant attached the following in his letter request:

1. Certification dated 20 August 2019 issued by the Branch Clerk of Court of Branch 58, RTC of Angeles City stating to the effect that “[*case title - redacted*]” docketed as [REDACTED], has been filed and raffled to this court on 15 April 2019 and a warrant of arrest has been issued for the apprehension of the accused on 16 April 2019; and
2. Copy of the Warrant of Arrest for the accused spouses issued by the Judge in Branch 58, RTC of Angeles City, endorsed for immediate service and return to the following:

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<sup>1</sup> Tags: personal information, address of accused, learners LRN, warrant of arrest, confidentiality

- a. The Chief of Police, Batangas City
- b. National Bureau of Investigation (NBI), Manila
- c. Director, PNP Criminal Investigation Command, Camp Crame, QC
- d. NBI Regional Office, San Fernando, Pampanga
- e. CIDG Office, Angeles City
- f. CIDG Pampanga
- g. Bureau of Immigration, Manila

Thus, your Office now seeks clarification on the lawfulness of disclosure of the present address of the accused in relation to the provisions of the Data Privacy Act of 2012<sup>2</sup> (DPA).

*Disclosure prohibited under DepEd Order 22, s. 2012*

The DepEd Order No. 22 dated 20 March 2012 (D.O. 22, s. 2012) mandated the issuance of the unique LRN to all public school pupils, students and Alternative Learning System (ALS) learners to facilitate their tracking and performance.<sup>3</sup> Schools are responsible in incorporating the LRN in all documents, forms, examinations, surveys and databases which refer to a pupil, student or learner.<sup>4</sup>

Under our data privacy law, the processing of personal information shall be permitted only if not otherwise prohibited by law and subject to conditions provided by the DPA.<sup>5</sup> On the other hand, item 9 of D.O. 22, s. 2012 explicitly states, "The identity or other information that may reasonably identify the pupil, student or learner shall be kept confidential."<sup>6</sup>

The present address of the pupil, student or learner may be considered as information made to be kept confidential. Hence, the DepEd may not disclose the present address of the children of the accused spouses requested through a mere letter by the complainant in the criminal case.

Nonetheless, it is worth noting that although obtaining the present address of the accused through the school files of their children through a mere letter request of the complainant is prohibited under the current DepEd regulation, the complainant and/or the proper law enforcement or investigative agency as listed in the Warrant of Arrest may still make use of all other available and proper administrative or judicial processes and/or remedies to obtain the address, for the purpose of executing said warrant.

This opinion is rendered based on the information you have provided. Additional information may change the context of the inquiry and the appreciation of the facts.

For your reference.

Very truly yours,

**(Sgd.) RAYMUND ENRIQUEZ LIBORO**  
Privacy Commissioner and Chairman

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<sup>2</sup> An Act Protecting Individual Personal Information in Information and Communications Systems in the Government and the Private Sector, Creating for this Purpose a National Privacy Commission, and for Other Purposes [Data Privacy Act of 2012], Republic Act No. 10173 (2012).

<sup>3</sup> Department of Education, Adoption of the Unique Learners Reference Number, Department Order No. 22, s. 2012 [D.O. 22, s. 2012] (March 20, 2012).

<sup>4</sup> Ibid.

<sup>5</sup> Data Privacy Act of 2012, § 12.

<sup>6</sup> Ibid, Footnote 4.