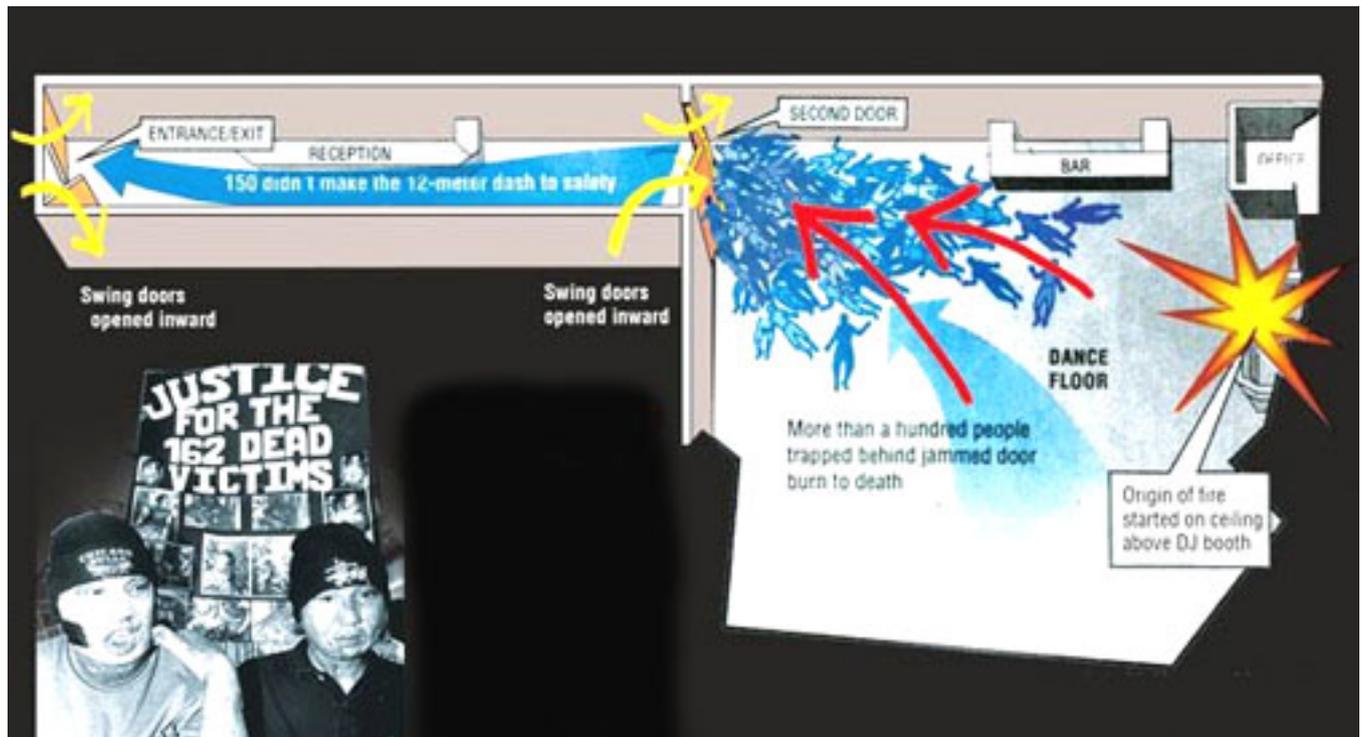


Convictions meted in Ozone Disco Club tragedy 18 years ago

Written by Administrator

Thursday, 04 December 2014 14:18



DANCE OF DEATH: Artist's rendition of how 162 people died in the Ozone Disco fire 18 years ago on Timog Avenue in Quezon City. (Inset) Two survivors — Renan Galang and Ryan Floresca — in a hearing at the Quezon City Regional Trial Court. (Photos by Joan Bondoc)

MANILA — For Eva Celestino, who lost her brother Rufino in the Ozone Disco Club fire in 1996 that claimed the lives of 161 others, the battle has not yet been won.

She found out that those who were found guilty by the Sandiganbayan last Thursday for failing to detect the structural deficiencies of the club could still go to the Supreme Court and appeal the Sandiganbayan ruling, after all.

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“It’s not yet over. So that’s another 10 years of waiting for us. Wait for the next chapter,” said Celestino, who appeared surprised when told about the verdict meted out by the anti-graft court to seven Quezon City personnel and two stockholders of the club over the phone.

It was only last Thursday, or 18 years and eight months after the tragedy, that the Sandiganbayan sentenced the city personnel and businessmen to up to 10 years in prison for the fire on Timog Avenue that also left 93 others injured.

Found guilty beyond reasonable doubt by the Sandiganbayan Fifth Division for violation of Republic Act No. 3019, or the Anti-Graft and Corrupt Practices Act, were former Quezon City engineer Alfredo Macapugay and six members of his staff — Donato Rivera Jr., Edgardo Reyes, Francisco Itliong, Feliciano Sagana, Petronillo de Llamas and Rolando Mamaid.

“The engineers gave unwarranted and preferential advantage to the Ozone disco owners. They failed to detect structural and fire safety deficiencies,” court administrator Teresa Pabulayan said, summarizing the anti-graft court’s ruling.

The same penalty was meted out to businessmen Hermilo Ocampo and Ramon Ng, stockholders of Westwood Entertainment Co. Inc., the operator of the dance club.

15 days to appeal

Pabulayan said the nine would not be immediately arrested as they have 15 days to appeal the ruling.

“After 18 years, finally justice is served,” Stephen Santos, president of a group that represents the survivors, told local television channel ANC.

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However, Santos voiced concerns about the time it took for the verdict to be delivered, saying he feared those convicted had left the country.

Some survivors gone

Dante Jimenez, founder of an anti-crime advocacy group that helped the survivors with court cases, said some of the survivors had died before justice was served.

“This reflects how rotten the justice system is,” Jimenez said.

Acquitted, 2 still with LGU

Four other Westwood stockholders and directors — Racquel Ocampo, Rosita Ku, Sunny Ku and Alfredo Chua — were acquitted due to the failure of the prosecution to present enough evidence to convict them.

Of the seven Quezon City personnel found guilty of graft, only two are still connected with the local government.

Former building inspector Mamaid is still with the city engineering office, but is now the chief of road constructions.

Engineer de Llamas is now with the legal division of the city Building Official.

Both were out of the office when the *Philippine Daily Inquirer* sought them out last Thursday afternoon.

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Mamaid was on field work the entire day, according to his secretary, while the staff of the engineering office legal division said de Llamas had left early.

City engineer Joselito Cabungcal declined to comment on the Sandiganbayan decision.

His secretary, however, told the media what the office knew of the fate of the others.

Former city engineer Alfredo Macapugay, former processing division chief Sagana and former enforcement and inspection division chief Itliong have retired.

Former city engineer Rivera has gone into private practice, while former building inspector Reyes has been reassigned to another area.

These former and current city personnel were represented by a private counsel and not by the city legal office, according to City Administrator Aldrin Cuña.

“We have yet to see the order of the Sandiganbayan and we will see if there are instructions to the city from the court,” Cuña said.

He said he expected the two respondents, who are still with the local government, to appeal the decision.

Irregularities

In handing out the guilty verdict, the court took into consideration several irregularities in the application and approval of building and occupancy permits that the building officials had granted to Westwood.

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“Notably, the pile of dead bodies found at the point of entrance/exit of the main dance floor remains a standing testament to the violation [by] Ozone Disco Club [of] the safety requirements on the provision of an exit door,” the court said in a 76-page resolution.

Slapdash approval

“The slapdash approval of the building permits and certificate of occupancy issued in favor of Westwood...marked by a lackadaisical screening of the paper requirements...marks the building officials’ evident bad faith and manifest partiality to the applicant,” it added.

Associate Justices Roland Jurado and Alexander Gesmundo concurred with the decision penned by Associate Justice Ma. Theresa Dolores Gomez-Estoesta, the youngest member of the three-member division.

Building code violations

The court said the fire showed that the building officials in conspiracy with the others accused ignored the provisions of the National Building Code.

It said the violations of laws pertaining to the construction of buildings “aggravated the death toll.”

During the trial, the court said it was found that the disco had a swing-in entrance door, a violation of the building code.

It also noted that the entrance door “also served as the exit door.”

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“The supposed alternative exit, which was located at the VIP lounge, was actually obstructed by a sofa and an LPG (liquefied petroleum gas) tank, which only led to a fire wall,” the court said.

Citing the testimonies of prosecution witnesses, the court said Ocampo and Ng worked together to secure “unwarranted benefits, advantage or preference” from the former building officials.

“The audacity of Westwood...in the construction of Ozone Disco Club by evading compliance with important provisions of the National Building Code to suit its own business purposes is simply overwhelming,” the court said.

“There can never be a slapdash approval of a building permit and certificate of occupancy. To [shirk] from this duty will certainly run at risk all safety standards contemplated by the National Building Code,” it added.

The court said the former building officials acted “to condone, if not overlook, obvious violations of the National Building Code.”

(Philippine Daily Inquirer)