

Title: People of the Philippines vs. Simplicio Delantar

Facts:

In Pasay City, Philippines an information for violation of Section 5, Article III of Republic Act (R.A.) No. 7610 was filed against appellant Simplicio Delantar y Redondo, which was amended to specify the engagement of a minor in sexual intercourse and lascivious conduct for profit from 1994 to August 1996 (which had been initially indicated as June 1996). A plea of not guilty was entered by Delantar, and pre-trial was waived. The prosecution presented the complainant AAA (a pseudonym), Dr. Emmanuel Aranas, and Carolina Buan, producing testimonial and documentary evidence. The defense presented Delantar himself, among others, with Delantar acknowledging bringing the child to clients for her supposed acting auditions.

The Regional Trial Court of Pasay City, Branch 109, found Delantar guilty of two counts of violation of Section 5(a), R.A. No. 7610 on 25 February 1999 and sentenced him to two terms of reclusion perpetua and ordered to pay civil liability. Delantar appealed to the Supreme Court, and following procedure, the Court transferred the case to the Court of Appeals, which on 31 May 2005, affirmed the conviction but modified the damages awarded. The appellant then filed a Notice of Appeal to the Supreme Court on 23 June 2005.

Issues:

1. Whether the prosecution successfully established Delantar's guilt beyond reasonable doubt for violation of Section 5, Article III of R.A. No. 7610.
2. Whether the trial court erred in convicting Delantar of two violations of Section 5, Article III, R.A. 7610 based on a single information.
3. Whether the penalty of reclusion perpetua was properly imposed when allegedly no aggravating circumstance was established to merit the imposition of the maximum penalty.

Court's Decision:

The Supreme Court focused on the first and third issues due to the appellate court's robust handling of the second, agreeing only one charge should stand and any contrary ruling would contravene double jeopardy principles. On the first issue, the Court recognized AAA as a child exploited for prostitution and found sufficient evidence that Delantar facilitated this exploitation. AAA's testimony demonstrated coercion and influence exerted on her by Delantar, establishing his guilt. Therefore, the Supreme Court rejected Delantar's defenses.

On the third issue, the Court determined the imposition of reclusion perpetua was

unwarranted as Delantar was not proven to be the actual parent or legal guardian of AAA, which negates the justification of applying the maximum penalty under the law. Hence, the Court imposed the penalty in its medium period as per stipulations of the Indeterminate Sentence Law. The Court modified the Court of Appeals decision, imposing a reduced sentence within the parameters of reclusion temporal (medium to the maximum period), no civil indemnity or exemplary damages, but assigned a fine to be used for the rehabilitation of AAA.

**Doctrine:**

The Supreme Court reiterated that in cases of child prostitution under Section 5, Article III of R.A. No. 7610, the consent of the child is not requisite for the crime to occur. Rather, the emphasis is on the adult's act of engaging in or promoting, facilitating, or inducing a child into prostitution. An accused can be held criminally liable for inducing a minor into prostitution even without actual coercion and regardless of whether the minor appears to "consent" to the exploitation.

**Class Notes:**

- A child exploited in prostitution is defined as participating in sexual intercourse/lascivious conduct for consideration due to adult coercion/influence.
- Moral certainty is sufficient to sustain a conviction beyond reasonable doubt in criminal cases.
- Section 5, Article III of R.A. No. 7610 penalizes those who promote, facilitate or induce child prostitution.
- Relationship to the victim (e.g., parent, guardian) once established, may increase the prescribed penalty under the law, but must be a legally recognized relationship.
- The Indeterminate Sentence Law dictates that where a crime is penalized by a law other than the Revised Penal Code, the court shall sentence the accused to an indeterminate sentence within the range specified by such law.

**Historical Background:**

R.A. No. 7610, also known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act," was approved on 17 June 1992 in the Philippines to address the increasing concerns of child abuse, including child prostitution, and introduces severe penalties for violations. This case underscores the judicial commitment to uphold the protections afforded to children under this law.