

Title: Jacinto v. Fouts

Facts:

The case originates from an altercation between Sandra Jane Gagui Jacinto (petitioner) and her former live-in partner, Maria Eloisa Sarmiento Fouts (respondent), which led to the prosecution of the petitioner under the Anti-Violence Against Women and Their Children Act (Republic Act No. 9262). The couple was in a same-sex relationship for 16 years, but tensions arose after they broke up during the 2017 Christmas season in Hong Kong. The petitioner would occasionally visit their shared home to retrieve her belongings. Subsequently, disagreements over financial matters and property possession emerged, which allegedly escalated to the petitioner attacking the respondent, leading to physical injuries that required medical attention.

The petitioner moved to quash the Information on the ground that RA 9262 does not apply to lesbian relationships, considering her position that the law was designed to protect victims of heterosexual relationships from violence. The Regional Trial Court (RTC) in Antipolo City denied this motion, prompting the petitioner to take her case to the Supreme Court.

Issues:

The legal issue before the Supreme Court was whether the RTC erred in denying the motion to quash filed by the petitioner on the ground that RA 9262 applies to lesbian relationships.

Court's Decision:

The Supreme Court denied the petition, stating the remedy taken by the petitioner was improper since a denial of a motion to quash is an interlocutory order and not appealable. Additionally, it lacked merit because the issue of whether RA 9262 applied to lesbian relationships was already resolved affirmatively in the case of Garcia v. Drilon.

Doctrine:

This case reiterated the doctrine that RA 9262 is applicable in the context of lesbian relationships. The Anti-VAWC law's application is determined not by the sex or gender expression of the abuser but by the nature of the relationship and the acts committed.

Class Notes:

1. Anti-Violence Against Women and Their Children Act - RA 9262:
 - Applies to "any person" against a woman with whom he/she has/had a sexual or dating relationship.

- The interpretation of “any person” is gender-neutral and includes lesbian relationships (Garcia v. Drilon).

2. Appealability of Interlocutory Orders:

- Denials of motions to quash are interlocutory and not subject to appeal.
- The proper remedy is to proceed to trial and assert the denial of motion to quash on appeal from a final judgment if necessary.

3. Judicial Hierarchy of Courts:

- Direct petitions to the Supreme Court should not be done if other lower courts could have jurisdiction, to preserve the hierarchy of courts.

Historical Background:

Prior to the enactment of RA 9262, cases of violence against women, particularly within domestic settings, fell under the general provisions of the laws on physical injuries or under Republic Act No. 8353 (The Anti-Rape Law of 1997). However, these laws did not provide specific provisions for violence arising from intimate relationships. The passage of RA 9262 in 2004 was a legislative acknowledgment of the complex dynamics of abuse within personal relationships and the need for special legal measures to protect victims, reflecting advances in the socio-legal perspectives on gender-based violence. The application of this law to same-sex relationships is consistent with the evolving recognition of various types of intimate partnerships and the state’s responsibility to ensure their protection under the law.