

Title: People of the Philippines v. Bernabe Pareja y Cruz - 724 Phil. 759 (2016)

Facts:

Bernabe Pareja y Cruz was charged with two counts of Rape and one count of Attempted Rape against the minor AAA, the daughter of his common-law spouse. He was found guilty of Rape and Acts of Lasciviousness by Branch 113, Regional Trial Court (RTC) of Pasay City. The Court of Appeals affirmed this decision, prompting Pareja to appeal to the Supreme Court.

The incidents date back to December 2003 and February 2004. AAA alleged that Pareja, while her mother was away, sexually assaulted her on two different occasions, including an instance of anal penetration. In a third instance in March 2004, AAA's mother caught Pareja lifting AAA's skirt while she was asleep, but no rape occurred due to her mother's intervention. However, the mother was unable to testify, resulting in Pareja's acquittal for Attempted Rape related to that incident.

Pareja, during his trial, denied committing the crimes and suggested instead that AAA's accusations were motivated by revenge as he was the reason for her parents' separation. The Regional Trial Court convicted Pareja for Acts of Lasciviousness for the February 2004 incident (for massaging AAA's breast and inserting his finger into her vagina) and for Rape for the December 2003 incident (for inserting his penis into AAA's anus). Pareja was acquitted for Attempted Rape due to lack of evidence regarding the March 2004 incident.

Issues:

1. Whether the guilt of Pareja for the crimes charged was proven beyond reasonable doubt.
2. Whether the trial court erred in basing the conviction solely on the testimony of the prosecution witness.
3. Whether the private complainant's actions post incident negate the possibility that she was raped.
4. Whether the reliance on AAA's lone testimony in convicting Pareja is justified.
5. Whether the inconsistencies in AAA's testimony affect her credibility as a rape victim.

Court's Decision:

The Supreme Court found no reason to reverse Pareja's conviction, ruling that AAA's testimony is credible despite minor inconsistencies. They emphasize the established guideline that appellate courts generally respect the trial court's assessment of witness credibility, and this is even more stringently applied when the Court of Appeals concurs.

The Court reiterated that singular eyewitness testimony can be sufficient for conviction if it is trustworthy. Concerning the supposed improbability of the sexual abuse due to the living conditions, the Court noted that rape may happen despite the presence of other people in close proximity.

Moreover, AAA's delayed reporting of the incidents and her demeanor were not seen as indicators that the rapes did not occur, especially considering she was threatened by Pareja.

While the RTC and Court of Appeals had convicted Pareja for Rape through carnal knowledge, the Supreme Court clarified that he should be convicted for Acts of Lasciviousness instead, following the variance doctrine, as the Information charged did not accurately reflect the crime of rape by sexual assault as proven during the trial.

Doctrine:

1. A single, credible testimony can suffice to support a conviction for rape.
2. The credibility of witness testimony is principally a matter for the trial court's assessment and is accorded the utmost respect by appellate courts.
3. Rape victims may delay reporting abuse due to various factors, including intimidation or threats, and such delay does not necessarily indicate a testimonial fabrication.
4. In applying the variance doctrine, an accused can be convicted of the offense proved when the charged offense includes or is necessarily included in the offense proved.

Class Notes:

- Essential elements of rape (Art. 266-A, RPC): (1) sexual congress, (2) with a woman, (3) by force or without consent.
- Acts of Lasciviousness elements (Art. 336, RPC): (1) act of lewdness, (2) under circumstances akin to those under which rape is committed.
- Importance of crafting precise Informations reflecting the criminal charge: adherence to the constitutional right to be informed of the nature and cause of the accusation.
- Variance doctrine application: where a crime charged includes or is included in the offense proven, conviction may be for the offense proved included in the charged offense.

Historical Background:

This case illuminates the Philippine approach to rape as not just limited to penile-vaginal penetration but also acknowledging other acts of sexual assault. It reflects the broader recognition of gender-based violence within the legal framework post the Anti-Rape Law of 1997. Importantly, it demonstrates the judiciary's sensitivity to the context behind a victim's

behavior post-assault, especially considering cultural expectations and power dynamics in familial settings.