

Title: Loney, Reid, and Hernandez vs. People of the Philippines

Facts:

Petitioners John Eric Loney, Steven Paul Reid, and Pedro B. Hernandez were executives of Marcopper Mining Corporation. Marcopper stored mine tailings in a pit at Mt. Tapian, Marinduque, with a concrete plug at the end of a drainage tunnel leading to Boac and Makalupnit rivers. On March 24, 1994, tailings were released near the tunnel's end, discharging them into the rivers.

In August 1996, the Department of Justice charged the petitioners with multiple violations before the Municipal Trial Court (MTC) of Boac, Marinduque: Presidential Decree No. 1067 (Water Code), Presidential Decree No. 984 (Pollution Control Law), Republic Act No. 7942 (Philippine Mining Act), and Reckless Imprudence under Article 365 of the Revised Penal Code (RPC).

The petitioners moved to quash the Informations on grounds of duplicity, non-application of charges due to tenure, and presence of legal excuse/justification. The MTC issued the Joint Order deferring the motion and setting the arraignment. Subsequently, the MTC's Consolidated Order partially granted the motion, maintaining only the charges for the violation of RA 7942 and Article 365 of the RPC.

Both parties sought redress from the Regional Trial Court (RTC). Petitioners challenged the retention of the charges under RA 7942, while the Public Respondent appealed the dismissal of the charges under PD 1067 and PD 984. Subsequently, the RTC Branch 94 ruled to reinstate all charges.

Petitioners proceeded to the Court of Appeals via a petition for certiorari, asserting that the charges stemmed from a single incident. The Court of Appeals affirmed RTC's decision, and denied petitioners' motion for reconsideration, leading to the filing of this petition for review with the Supreme Court.

Issues:

1. Whether the charges filed against the petitioners should be quashed based on the principle of non-duplicity of charges and convicted for only Reckless Imprudence Resulting in Damage to Property.
2. Whether the ruling of RTC Branch 94 violates the doctrine laid down in *People v. Relova*.

Court's Decision:

The Supreme Court dismissed the petition, affirming the decision of the Court of Appeals and ruled that there was no duplicity of charges as each charge pertained to a distinct offense based on different laws, and each requiring proof of an element that the others did not. The Court stated that a single act could give rise to multiple charges provided that each charge requires an element that the other does not, barring instances of jeopardy for the same offense. The Court further emphasized that *People v. Relova* does not apply to the case, as petitioners are being prosecuted under multiple national statutes, not an ordinance and a national statute.

Doctrine:

- Duplicity of offenses occurs when more than one offense is charged in a single complaint or information, and is prohibited to avoid confusing the defense of an accused.
- “A single act may offend against two or more entirely distinct and unrelated provisions of law [...] if one provision requires proof of an additional fact or element which the other does not, an acquittal or conviction or a dismissal of the information under one does not bar prosecution under the other.”

Class Notes:

- Duplicity of charges is a ground to quash the Information if it charges more than one offense.
- Mala in se vs. Mala prohibita: A mala in se felony cannot absorb mala prohibita crimes.
- Legal elements of the crimes charged:
- PD 1067 (Water Code): Unpermitted dumping of mine tailings into rivers.
- PD 984 (Pollution Control Law): Actual pollution caused by waste disposal.
- RA 7942 (Mining Act): Violation or gross neglect to abide by Environmental Compliance Certificate terms.
- Article 365 RPC: Reckless imprudence resulting in damage to property by negligence or imprudence.

Historical Background:

The case reflects a significant environmental disaster in the Philippines caused by a notable mining corporation, Marcopper, and the government’s legal pursuit to address environmental degradation and corporate negligence. It illustrates the intersection of criminal liability and environmental protection, challenging the extent to which corporate executives may be held liable for corporate actions leading to environmental damage. It also exemplifies the interaction between different laws in the adjudication of complex, multi-faceted scenarios.