

Title: Bangayan vs. People of the Philippines

Facts:

The case revolves around Rodan A. Bangayan, accused of sexually abusing AAA, a 12-year-old minor in January 2012 in Nagtipunan, Quirino, Philippines. During the trial, testimonies from PO2 Rosalita Manilao, BBB (AAA's brother), and Dr. Luis Villar supported the prosecution's claim. Bangayan was found naked with the victim by BBB, who also testified that Bangayan threatened him with death. Dr. Villar's examination revealed AAA's pregnancy and previous sexual activities, suggesting sexual intercourse with Bangayan.

Bangayan, at his arraignment, presented an Affidavit of Desistance from AAA, indicating their living together as husband and wife with a child, which led the court to order a case study on AAA. The couple later had a second child. The Regional Trial Court (RTC) found Bangayan guilty, considering the age difference and moral ascendancy as factors, emphasizing that consent of a minor under adult influence is not a defense.

Bangayan's appeal was based on their consensual relationship, which he argued should be considered as an absolatory cause. However, the Court of Appeals affirmed the conviction with modifications in damages awarded. Bangayan filed a petition for review, insisting on a relationship-based defense.

Issues:

1. Whether the sexual intercourse between Bangayan and AAA, considering their ongoing relationship and subsequent birth of two children, constitutes consent absolving Bangayan from legal liability under Section 5(b), Article III of R.A. 7610.

Court's Decision:

The Supreme Court granted Bangayan's appeal, reversing the decisions of the lower courts, on the grounds of insufficient evidence to establish all elements of sexual abuse under Section 5(b), Article III of R.A. 7610. It declared that not all elements required for conviction were present, particularly focusing on the aspect of the child being subjected to coercion or influence of an adult. The Court emphasized the relevance of consent in cases involving victims between 12 and 18 years old and acquitted Bangayan due to a lack of evidence proving coercion or influence.

Doctrine:

The doctrine established or reiterated in this case is the significance of consent in sexual abuse cases under R.A. 7610 involving victims who are 12 to 18 years old. It highlights that

consent can serve as a defense when the prosecution fails to establish that the victim engaged in sexual intercourse due to coercion, influence, or other considerations mandated by the law.

Class Notes:

- Consent is a critical factor in determining criminal liability in sexual abuse cases under R.A. 7610 when the victim is between 12 and 18 years old.
- The prosecution must prove that the act was a result of coercion, influence by an adult, or for consideration, especially when the victim is within this age group.
- An Affidavit of Desistance, while a factor for consideration, is not automatically sufficient to overturn a charge of sexual abuse under R.A. 7610.
- Age difference and perceived moral ascendancy can influence the assessment of coercion or influence but are not sole determinants of guilt.
- R.A. 7610 aims to protect minors from all forms of abuse, with the child's best interest being the paramount consideration.

Historical Background:

The Bangayan case reflects the evolving understanding and interpretation of laws protecting children's rights in the Philippines, especially concerning consent and the influence of adult relationships on minors. It underscores the complexity of applying R.A. 7610, highlighting the need to balance the protection of minors with considerations of consensual relationships involving young individuals nearing the age of majority.