

### Title: Dr. Emmanuel Jarcia, Jr. and Dr. Marilou Bastan vs. People of the Philippines

#### Facts:

The case traces its origins to when Roy Alfonso Santiago Jr. was struck by a taxi and subsequently brought to Manila Doctors Hospital for emergency medical treatment. Upon arrival, an X-ray was conducted on Roy Jr.'s ankle, which Dr. Emmanuel Jarcia, Jr. interpreted as showing no fracture. Dr. Marilou Bastan then examined Roy Jr. and decided not to further examine his upper leg. Eleven days later, Roy Jr. developed serious symptoms leading to the discovery of a right mid-tibial fracture. Criminal charges for reckless imprudence resulting in serious physical injuries were filed against Drs. Jarcia and Bastan. They were found guilty by the RTC, a decision later affirmed by the Court of Appeals (CA).

#### Issues:

1. Whether the doctrine of "res ipsa loquitur" was appropriately applied.
2. The determination of criminal negligence on the part of Drs. Jarcia and Bastan.

#### Court's Decision:

The Supreme Court reversed the CA's ruling, acquitting Drs. Jarcia and Bastan of criminal charges but found them civilly liable. It clarified that while the doctrine of "res ipsa loquitur" could suggest negligence, it cannot, on its own, establish criminal negligence without direct evidence. The Court also noted that while there was negligence in not conducting further examinations, it did not reach the level of criminal negligence. However, the physicians were held civilly liable for their lapses, leading to damages to Roy Jr.

#### Doctrine:

The decision reiterates the principle that the doctrine of "res ipsa loquitur" can facilitate the process of establishing negligence but cannot substitute for the need to prove every element of criminal negligence.

#### Class Notes:

1. **Definition of Negligence**: Failure to observe that degree of care, precaution, and vigilance that the circumstances justly demand.
2. **Reckless Imprudence** involves doing or failing to do an act, without malice, resulting in material damage due to inexcusable lack of precaution.
3. **Res Ipsa Loquitur** ("the thing speaks for itself") is applied when the injury would not have occurred in the absence of negligence, and the instrumentality causing the injury was under the control of the defendant.

4. **Principle of Causation for Criminal Liability**: The negligence must be the proximate cause of the injury, meaning it directly and naturally results in the injury.
5. **Civil vs. Criminal Liability**: A respondent can be found not criminally responsible yet still held civilly liable for damages resulting from their actions.

#### Historical Background:

This case highlights the stringent requirements for establishing criminal negligence in the medical profession within Philippine jurisprudence. It emphasizes the necessity of direct evidence linking the medical professional's action or inaction to the injury, beyond establishing mere negligence, reflecting the high standard required to convict medical professionals of criminal negligence.