

**\*\*Title:\*\*** Vivencio Roallos y Trillanes vs. People of the Philippines

**\*\*Facts:\*\***

Vivencio Roallos, a retired officer of the Armed Forces of the Philippines and Executive Director of the Aguinaldo Vets and Associates Credit Cooperative (AVACC), was accused of sexual abuse under Section 5(b), Article III of Republic Act No. 7610 (R.A. No. 7610), otherwise known as the “Special Protection of Children Against Abuse, Exploitation, and Discrimination Act,” against a minor identified with the pseudonym AAA, aged 15.

On April 15, 2002, at around 1:00 p.m., AAA visited her mother, identified as BBB, at her office in Camp Aguinaldo, Quezon City. Finding her mother absent, she decided to wait. After two women left Roallos’s office, he locked the door, inquired about AAA’s health, and subsequently committed the acts of sexual abuse by pressing her hand, mashing her breasts, and kissing her cheek against her will. Upon BBB’s return and after being informed of Roallos’s actions, she confronted him, but Roallos denied any wrongdoing. They then reported the incident to the police and the provost marshal, leading to Roallos’s arrest.

Roallos denied the allegations and claimed his arrest was illegal due to the lack of a warrant. He also argued the information filed against him was defective for charging two crimes, among other procedural and substantive defenses.

The Regional Trial Court (RTC) of Quezon City found Roallos guilty, imposing an indeterminate sentence. The Court of Appeals (CA) upheld this decision with minor modifications concerning damages awarded. Roallos elevated the case to the Supreme Court, questioning the CA’s decision on grounds including the alleged defects in the information and the legality of his arrest.

**\*\*Issues:\*\***

1. Whether the information filed against Roallos was duplicitous for charging him with two crimes.
2. Whether Roallos was denied due process through an illegal arrest and lack of preliminary investigation.
3. Whether Roallos’s right to a speedy trial was violated.
4. Whether the offense of sexual abuse under Section 5(b), Article III of R.A. No. 7610 only applies to victims engaged in prostitution.
5. Whether the evidence was sufficient to establish Roallos’s guilt beyond a reasonable doubt.

**\*\*Court's Decision:\*\***

The Supreme Court denied Roallos's petition, finding no merit in his arguments. The Court clarified:

1. The information was not duplicitous; it specifically charged Roallos under R.A. No. 7610 in relation to acts of lasciviousness, clearly describing the acts committed against a child.
2. Roallos waived any irregularities regarding his arrest and lack of preliminary investigation by participating in the trial without prior objection.
3. The delays in the trial did not breach Roallos's right to a speedy trial, constituting only the ordinary processes of justice.
4. The Court debunked Roallos's narrow interpretation of the law, stating it also covers acts where a child is coerced into lascivious conduct, not just prostitution.
5. The trial and appellate courts' factual findings, particularly on the committed lascivious acts, were supported by substantial evidence beyond reasonable doubt.

**\*\*Doctrine:\*\***

The Supreme Court reiterated the principles that guide the interpretation and application of R.A. No. 7610, emphasizing that the law's protection extends to any child subjected to sexual abuse, not limited to cases involving prostitution. It also affirmed the jurisprudence on waiver of procedural defects by engaging in the trial without objection and clarified the standards for evaluating claims of denial of a speedy trial.

**\*\*Class Notes:\*\***

- **\*\*R.A. No. 7610:\*\*** Protects children against abuse, exploitation, and discrimination, including all forms of sexual abuse, not just those related to prostitution.
- **\*\*Waiver of procedural defects:\*\*** An accused waives objections to arrest or procedural irregularities by participating in the trial without raising them beforehand.
- **\*\*Speedy trial:\*\*** Evaluated based on factors like the length and reasons for delay, conduct of the accused and prosecution, and whether the right was asserted. Delays inherent to the judicial process are generally not considered prejudicial.
- **\*\*Duplicitous charges:\*\*** A charge is not considered duplicitous if it specifies that a general criminal act is being charged under specific provisions of a law, as understood within the factual context provided.

**\*\*Historical Background:\*\***

This case provides a clear instance of how the Philippine judicial system interprets laws intended to protect minors from sexual abuse. It underscores the Supreme Court's

commitment to uphold the legislative intent of R.A. No. 7610, emphasizing broad protection for children against all forms of sexual abuse, beyond the traditional scope of prostitution. The case also illustrates procedural aspects of criminal law, particularly the importance of timely objections to procedural irregularities and the interpretation of rights such as the right to a speedy trial.