

****Title:**** Mabunot vs. People of the Philippines: A Case of Child Abuse under Republic Act No. 7610

****Facts:****

On September 14, 2007, inside a classroom at the Paracelis National High School, Jester Mabunot, under the influence of alcohol, became involved in a series of violent incidents that included physically harming his classmates. He twisted one student's arm, strangled another, and boxed others. During this rampage, Mabunot boxed Shiva Baguiwan, a 14-year-old classmate, causing her to lose consciousness due to a fractured rib. Following the incident, Mabunot dropped out, while Baguiwan was hospitalized for two days.

Subsequently, the petitioner was charged with violating Republic Act (R.A.) No. 7610, Article VI, Section 10(a), dealing with child abuse. During the trial, the prosecution established that Baguiwan was a minor and was physically abused by Mabunot. Contrarily, the defense argued that the injury to Baguiwan was accidental, occurring during a fist fight between Mabunot and another student, thus pushing for the application of Article 265 of the Revised Penal Code instead of R.A. No. 7610.

The Regional Trial Court (RTC) convicted Mabunot, a decision affirmed by the Court of Appeals (CA) albeit with modifications to the penalty and damages awarded. Mabunot's subsequent appeal to the Supreme Court revolved around the nature of the injury inflicted and the applicability of R.A. No. 7610.

****Issues:****

1. Whether the injury inflicted on Shiva Baguiwan was intentional and deliberate.
2. Whether the penalty under R.A. No. 7610, instead of Article 265 of the RPC, should be applied.

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

The Supreme Court affirmed the conviction of Mabunot, emphasizing the credibility of eyewitnesses and the direct evidence of intentional harm. It held that child abuse under R.A. No. 7610 does not necessarily require habitual misconduct or malice towards the child. The Court observed that Mabunot's act of swinging his arms with the intent to injure, resulting in harming Baguiwan, constitutes criminal intent. It further elaborated that R.A. No. 7610 is specifically designed to protect children from physical abuse, making it the appropriate law under which Mabunot was rightly charged and convicted.

****Doctrine:****

This case reinforces the principle that acts which are inherently wrong, such as child abuse, are considered mala in se and require the establishment of criminal intent. Moreover, it affirms that specific laws like R.A. No. 7610, intended to protect children against abuse, will take precedence over general provisions of the Revised Penal Code when the victims are minors.

****Class Notes:****

- Child abuse under R.A. No. 7610 includes acts that cause physical or psychological harm to a minor.
- Acts inherently immoral require the establishment of criminal intent for conviction.
- Special laws like R.A. No. 7610 take precedence over the RPC in cases involving minors.
- Accidental harm occurring during an unlawful act does not absolve one of criminal liability if it results in harm to a third party.

****Historical Background:****

R.A. No. 7610, also known as the “Special Protection of Children Against Abuse, Exploitation, and Discrimination Act,” was enacted to address the increasing rate of child abuse and exploitation in the Philippines. This law aims to safeguard children’s rights and well-being, emphasizing the state’s role in ensuring a nurturing environment for minors. The Mabunot vs. People of the Philippines case underscores the application of R.A. No. 7610 in incidents where children are victims of physical abuse, setting a legal precedence for similar cases in the future.