

****Title:**** Maria Consuelo Malcampo-Repollo v. People of the Philippines: A Legal Examination of Teacher’s Liability for Child Abuse

****Facts:**** On February 20, 2014, Maria Consuelo Malcampo-Repollo, a teacher at Maximo Estrella Elementary School, was accused of abusing her student, AAA, by hitting, pinching, and slapping him, causing extreme fear and potentially hindering his normal development. The accusation was formally lodged through an Information filed by the Prosecutor. The alleged abuse occurred when Malcampo-Repollo reacted to what she perceived as AAA chatting with a seatmate. Subsequently, the teacher’s actions escalated to slapping AAA in the face, believing he was tapping his pen annoyingly. AAA reported the incident to the Makati Central Police Station’s Women and Children Protection Desk accompanied by his mother, and a medical examination confirmed physical signs of abuse.

Malcampo-Repollo defended herself in court, denying the accusations and presenting a certification of good moral character. She claimed the physical harm was inflicted not by her but by a classmate of AAA. The Regional Trial Court found Malcampo-Repollo guilty beyond a reasonable doubt, citing the irrelevance of the medico-legal officer’s testimony to the validity of the accusation of child abuse. The Court of Appeals affirmed the conviction, modifying the imprisonment terms. Malcampo-Repollo’s appeal to the Supreme Court argued the insufficiency of evidence and misapplication of the law regarding child abuse under Section 10(a) of Republic Act No. 7610.

****Issues:****

1. Whether the Supreme Court can resolve factual issues in a Rule 45 petition.
2. Whether the prosecution established all elements of child abuse under Section 10(a) of Republic Act No. 7610.

****Court’s Decision:**** The Supreme Court denied the petition, affirming the decisions of the lower courts. It clarified the issues regarding the determination of child abuse under Section 10(a) of RA 7610, underscoring that specific intent to degrade or demean the intrinsic worth and dignity of the child is not a prerequisite for all acts of abuse under the said section. Intent is only a necessary element when explicitly stated in the statute or alleged in the information. The Court found that the prosecution had proven the act of physical maltreatment by Malcampo-Repollo, which constitutes child abuse as defined by law.

****Doctrine:**** The specific intent of demeaning, degrading, or demeaning the intrinsic worth

and dignity of a child is not an essential element for all forms of child abuse under Section 10(a) of Republic Act No. 7610, except when such intent is explicitly required by law or alleged in the information.

****Class Notes:****

- ****Child Abuse (Physical Maltreatment) under RA 7610:**** The elements are (1) The victim is a minor; (2) The offender commits acts of physical abuse; (3) Such acts are punishable under RA 7610.
- ****Specific Intent:**** Not required for all actions constituting child abuse under RA 7610 unless the specific provision of law demands it or it is alleged in the information.
- ****Legal Process in Child Abuse Cases:**** From filing the Information based on the acts of abuse, through the Regional Trial Court's adjudication, to the affirmation by the Court of Appeals, and the final recourse to the Supreme Court through a petition for review on certiorari under Rule 45.

****Historical Background:**** This case highlights the stringent protections provided by Philippine law against child abuse, particularly within educational settings. It underscores the judiciary's stance on not requiring the proving of specific intent to demean or degrade for all forms of child abuse, thus ensuring that victims receive justice even when the abuser's intent might be challenging to establish.