

### Title:

Dr. Ulysses Trocio Y Mendoza vs. People of the Philippines: Analysis of a Case of Lascivious Conduct under the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act

### Facts:

Dr. Ulysses M. Trocio was charged with the crime of Child Abuse through Lascivious Conduct under Section 5(b), Article III of Republic Act No. 7610, known as the “Special Protection of Children Against Abuse, Exploitation, and Discrimination Act.” The accusation stemmed from an incident on June 12, 2015, where Dr. Trocio allegedly subjected a 15-year-old patient, referred to as AAA, to sexual abuse during a medical consultation at his clinic. AAA reported that Dr. Trocio, under the guise of treating her ear pain, touched her inappropriately and made unsolicited sexual advances.

Following AAA’s complaint, filed with the assistance of the Barangay Public Safety and VAWC officer, a criminal case was initiated against Dr. Trocio. He pleaded “not guilty” at arraignment, and the case proceeded to trial at the Regional Trial Court (RTC). Despite his defense of denial and presentation of an alternative narrative regarding the events of the day, the RTC found Dr. Trocio guilty, imposing a prison sentence and ordering the payment of damages.

Dr. Trocio appealed to the Court of Appeals (CA), which affirmed the RTC’s decision with modifications regarding penalties and damages. Unsatisfied, Dr. Trocio sought relief from the Supreme Court through a Petition for Review on Certiorari.

### Issues:

1. Whether the prosecution proved Dr. Trocio’s guilt beyond reasonable doubt for violation of Section 5(b), Article III of RA 7610.

### Court’s Decision:

The Supreme Court denied Dr. Trocio’s petition, affirming the CA’s decision with modifications pertaining to the penalties and damages awarded. The Court reasoned that the testimonies of the victim and corroborating witnesses were credible, consistent, and compelling enough to support the conviction. It underscored the principle that factual findings and witness credibility assessments by trial courts are accorded deference unless there is evidence of a grave misuse of discretion.

The Court also elucidated on the essential elements of lascivious conduct under RA 7610

and found that all necessary elements for the charge were present in Dr. Trocio's actions as described by the victim. These include the commission of a lascivious act upon a minor through coercion or influence, which in this case was facilitated by the authority and trust inherent in Dr. Trocio's position as a medical practitioner.

### ### Doctrine:

The Supreme Court reiterated the established legal principles that guide the evaluation of lascivious conduct under RA 7610. Specifically, it outlined that the intentional touching of the private parts of a person, with lewd intent, constitutes lascivious conduct when the victim is below 18 years of age. This case further affirms the credibility generally accorded to the testimonies of child victims in instances of sexual abuse, emphasizing that their accounts are considered highly reliable.

### ### Class Notes:

- A conviction under Section 5(b), Article III of RA 7610 requires proof of: (1) the commission of sexual intercourse or lascivious conduct; (2) the victim being a child subjected to sexual abuse; and (3) the victim being below 18 years of age.
- The law and its implementing rules provide a broad definition of lascivious conduct, emphasizing the importance of the intent behind and the context of the touching.
- Testimonies from child victims of sexual abuse are given significant weight and credibility, reflecting societal values and legal principles aimed at protecting minors from abuse.
- **Relevant Statutes:**
- **RA 7610, Section 5(b), Article III:** Defines and penalizes acts of sexual abuse, including lascivious conduct towards minors.
- **RPC, Article 336:** Defines and penalizes acts of lasciviousness, providing a basis for understanding what constitutes lascivious conduct.

### ### Historical Background:

This case highlights the application of RA 7610, a law embodying the Philippines' commitment to protect children against abuse, exploitation, and discrimination. It underlines the judicial system's role in upholding such legal frameworks designed to safeguard children's rights and dignity, showcasing the law's responsiveness to the evolving needs of vulnerable population groups in the country.