

****Title: Robert Sierra y Caneda vs. People of the Philippines****

****Citation: G.R. No. 160591, 609 Phil. 446****

****Facts:****

In August 2000, thirteen-year-old AAA was at her home in Pasig City with her friend BBB. Robert Sierra y Caneda (petitioner), aged 15, arrived with a knife and coerced both girls into undressing. He first raped BBB and subsequently raped AAA, threatening both girls not to reveal the incident. AAA later confided the incident to her teacher, Elena Gallano, and a classmate's parent, Dolores Mangantula, who took her to the barangay office. A medical examination confirmed a hymenal laceration consistent with sexual abuse.

The petitioner was charged with rape:

- * August 5, 2000, Pasig City
- * Accused: Robert Sierra, aged 15
- * Victim: AAA, aged 13, the petitioner's sister
- * Offense: Sexual intercourse by force and intimidation, against the victim's will.

The petitioner pleaded not guilty, alleging alibi and false accusation due to past beatings. The defense included testimonies from CCC (mother) who supported his alibi and from BBB who denied being raped and corroborated that AAA held a grudge against her brother.

Procedural History:

- * The Regional Trial Court (RTC) convicted Robert Sierra of qualified rape, sentencing him to reclusion perpetua, and awarded AAA damages.
- * The Court of Appeals (CA) affirmed with modification, reducing the penalty to reclusion temporal maximum. The CA found it was not established that Robert Sierra was exempt from criminal liability under Republic Act (R.A.) No. 9344 (Juvenile Justice and Welfare Act of 2006) due to insufficient proof of minority.

****Issues:****

1. Whether the petitioner was exempt from criminal liability under R.A. No. 9344.
2. Whether the CA erroneously required the petitioner to prove his minority through his birth certificate.
3. Whether the CA was correct in denying the application of exemption from criminal liability based on the ruling in *Declarador v. Hon. Gubaton*.

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

The Supreme Court granted the petition and reversed the decision of the CA.

1. **Exemption under R.A. No. 9344:**

- **Ruling:** The Court agreed that the petitioner was entitled to exemption under R.A. No. 9344 based on age.

- **Reasoning:** Testimonies from the petitioner and CCC consistently stated his age, which was not objected to or contradicted by the prosecution. The Court noted that under R.A. No. 9344 and its implementing rules, such testimonial evidence is sufficient in the absence of documentary proof.

2. **Burden of Proof:**

- **Ruling:** The Court held the defense had satisfactorily demonstrated the petitioner's age (15) using testimonial evidence.

- **Reasoning:** The evidentiary weight of testimonial evidence was acknowledged, and no contrary evidence was presented by the prosecution. The CA's dismissal was found erroneous because R.A. No. 9344 favors resolving doubts about age in favor of the child in conflict with the law.

3. **The Declarador v. Hon. Gubaton Ruling:**

- **Ruling:** The Court found no need to discuss the petitioner's third assignment of error, given the clear resolution on the exemption based on age.

Doctrine:

R.A. No. 9344 (Juvenile Justice and Welfare Act) establishes the principle that minors under 15 years of age at the time of the commission of the crime are exempt from criminal liability. Testimonial evidence, in the absence of documentary proof, can be sufficient to establish the accused's age. Any doubt regarding the age of a minor should be resolved in favor of the minor.

Class Notes:

1. **Juvenile Justice and Welfare Act (R.A. No. 9344):**

- **Key Provisions:**

* Section 6: Exemption from criminal liability for minors aged 15 or below.

* Section 7: Determination of age.

* Section 64 and 68: Retroactive benefits for classes underage at the time of offense.

- **Application:** Ensures minors are treated under the rehabilitation and restorative justice approach. Testimonial evidence about age is significant when documentary evidence

is unavailable.

2. **Burden of Proof in Criminal Cases:**

- **Concept:** Typically lies with the prosecution. Shifts to the defense when claiming affirmative defenses like exemption based on age.

3. **Elements of Rape under Article 266-A, RPC:**

- **Elements:**

* Offender is male,

* Carnal knowledge of a woman,

* Accomplished by force, intimidation, or other specified circumstances.

- **Application:** Found applicable even when asserting exemptions (procedural).

Historical Background:

The enactment of R.A. No. 9344 was influenced by international standards for juvenile justice, focusing on rehabilitation over punitive measures, and ensuring minors' rights are protected in the criminal justice system. This case reflects the Act's practical application in Philippine jurisprudence, highlighting shifts in how the legal system treats juvenile offenders, and providing safeguards for minors' reintegration into society.