

Title: People of the Philippines vs. Dominador Ladra

Facts:

- Born on September 3, 1995, AAA was the eldest of five siblings living with her family in a remote area in Dumarait, Balingasag, Misamis Oriental.
- Dominador Ladra, a relative of AAA's mother, was allowed to stay with the family and helped with chores.
- Between 2000 and 2001, when AAA was around five years old, Ladra raped her multiple times while AAA's siblings were asleep. He threatened to kill her if she reported the incidents.
- Ladra left the family home in 2002, which marked the end of the sexual abuses.
- On April 16, 2008, at around twelve years old, AAA encountered Ladra in their kitchen, where he squeezed her vagina and implied further sexual intentions.
- AAA reported the old and recent incidents first to her cousin and then to her mother, leading to a police report and Ladra's arrest.
- Physical examination by Dr. Ma. Josefina Villanueva Taleon revealed healed lacerations in AAA's genitalia.

Procedural History:

- Ladra was charged with rape as delineated under Section 5(b) of RA 7610 and Acts of Lasciviousness under Article 336 of the RPC.
- Arraigned, Ladra pleaded not guilty.
- The Regional Trial Court (RTC) found Ladra guilty of rape, sentencing him to reclusion perpetua, and unjust vexation, imposing imprisonment of 30 days and a fine.
- Ladra appealed to the Court of Appeals (CA), which affirmed the RTC's decision.
- Further aggrieved, Ladra sought relief from the Supreme Court.

Issues:

1. Whether Ladra was correctly convicted of rape.
2. Whether Ladra was correctly convicted of unjust vexation instead of acts of lasciviousness.

Court's Decision:

1. **\*\*Rape Conviction\*\***:
  - The Court affirmed the convictions, holding that AAA's consistent, clear, and detailed testimony, along with corroborative medical findings, firmly established the guilt of Ladra for rape beyond reasonable doubt.

- The argument that the presence of AAA's brother negated the rape was dismissed, reiterating that rape could occur even with others present, as seen in jurisprudence.

2. **Unjust Vexation vs. Acts of Lasciviousness**:

- The Court disagreed with the CA and the RTC on the unjust vexation charge, finding sufficient evidence for a conviction of acts of lasciviousness.
- Section 5(b) of RA 7610 combined with Article 336 of the RPC indicated that squeezing a minor's vagina constituted an act with lewd or indecent design.
- Ladra's history of abuse and the intentionality of squeezing were sufficient grounds for this reclassification.

Doctrine:

- **Rape despite presence**: Rape can occur even with others present (People v. Bangsoy).
- **Acts of lasciviousness**: Defined as any lewd or indecent act intended to abuse, humiliate, harass, or gratify sexual desire, with necessary mental elements inferred from actions (Amployo v. People).

Class Notes:

1. **Elements of Statutory Rape**:

- Sexual intercourse with a person under twelve years old.
- No need for proof of force or lack of consent (Article 266-A, RPC).

2. **Elements of Acts of Lasciviousness (Article 336, RPC)**:

- Committing a lewd act with intent to gratify sexual desires.
- Force, intimidation, or unconsciousness of victim; fraud; victim under twelve.

3. **Section 5(b), RA 7610**:

- Engaging in lascivious acts with a minor under the coercion or influence of an adult, punishable with reclusion temporal.

Historical Background:

- This case demonstrates the ongoing issues of sexual violence against minors in the Philippines, reflecting societal challenges and the legal system's response to child protection.
- Reinforces judiciary efforts to hold offenders accountable and provide justice and protection to vulnerable children.