

****Title****: People of the Philippines v. Alfredo Bon

****Facts****:

Eight Informations were filed against Alfredo Bon by the Assistant Provincial Prosecutor of Gumaca, Quezon, for the alleged rape of his minor nieces, AAA and BBB, over several years. AAA and BBB provided consistent and detailed testimonies of being sexually abused by their uncle. AAA testified to multiple incidents starting when she was six years old, with the last occurring at age 12. BBB recounted her first rape at age 10 and subsequent incidents under threat of a knife. Both girls identified Bon and their testimonies were corroborated by their mother, CCC, and medical examinations by Dr. Purita T. Tullas.

The trial found Bon guilty on all eight counts, imposing eight death sentences. The case was automatically reviewed by the Supreme Court but transferred to the Court of Appeals due to procedural updates. The Court of Appeals upheld six death sentences but downgraded two counts to attempted rape, resulting in reduced sentences. Bon's appeal cited inconsistencies in BBB's testimony, which were deemed minor and immaterial by the Court of Appeals.

****Procedural Posture****:

- ****RTC****: Convicted Bon on all counts, imposing eight death sentences.
- ****Court of Appeals****: Affirmed six convictions for rape and downgraded two to attempted rape, imposing indeterminate penalties.

Bon's appeal reached the Supreme Court, challenging the inconsistencies in testimonies and questioning the computation of penalties under Republic Act No. 9346, which abolished the death penalty.

****Issues****:

1. Whether the inconsistencies in BBB's testimony affect Bon's guilt.
2. Whether the penalties should be computed from reclusion perpetua rather than death following the abolition of the death penalty by Republic Act No. 9346.

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

1. ****Inconsistencies in Testimony****: The Court held that the inconsistencies in BBB's testimony were minor and did not affect her credibility. The consistent identification of Bon by both victims, coupled with the medical evidence and corroborative testimonies,

outweighed these discrepancies. The defense of denial and alibi was considered weak.

2. **Penalty Computation Under RA 9346**:

- For the **six counts of rape**, the death sentences were commuted to reclusion perpetua, as Republic Act No. 9346 prohibits the death penalty.
- For the **two counts of attempted rape**, the appropriate penalty should be two degrees lower than the maximum penalty of reclusion perpetua (instead of death). Consequently, the Court adjusted the penalties to two years, four months, and one day of prision correccional as minimum, to eight years and one day of prision mayor as maximum.

Doctrine:

1. **Assessment of Minor Inconsistencies**: Minor inconsistencies in the testimony of a child rape victim do not negate the credibility of substantial and corroborative evidence.
2. **Republic Act No. 9346**: Abolishes the death penalty, necessitating adjustments in sentencing to the next lower penalty per the Revised Penal Code, ensuring harmonization within penal laws.

Class Notes:

- **Rape**: Elements include carnal knowledge through force, threats, or intimidation, and it is qualified when the victim is a minor and the accused is a relative up to the third degree (Revised Penal Code Article 266-A and 266-B).
- **Attempted Rape**: Involves commencing the commission directly by overt acts but failing to perform all acts necessary for its completion (Revised Penal Code Article 51).
- **Republic Act No. 9346**: Prohibits death penalty imposition and mandates reclusion perpetua where death was previously applied.

Historical Background:

This case reflects a broader legislative and judicial shift against capital punishment in the Philippines. The 1987 Constitution initially placed a moratorium on the death penalty, which was reinstated by Congress in certain heinous crimes under Republic Act No. 7659 in 1993. Eventually, Republic Act No. 9346 abolished it again in 2006, reflecting evolving perspectives on human rights and penology. This case emphasizes the importance of consistent statutory interpretation and the judiciary's role in aligning penalties within the revised legal framework.