

RE: INCIDENT REPORT ON THE ALLEGED IMPROPER CONDUCT OF ALLAN CHRISTER C. CASTILLO, DRIVER I, MOTORPOOL SECTION, PROPERTY DIVISION, OFFICE OF ADMINISTRATIVE SERVICES.

A.M. No. 2019-08-SC. January 15, 2020

Ponente: PERALTA, C.J.

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PERALTA, C.J.:

Before Us is an administrative complaint for simple misconduct against Allan Christer C. Castillo, Driver I of the Motorpool Section, Property Division, Office of Administrative Services.

In the afternoon of June 14, 2019, while the Supreme Court is celebrating its anniversary, a personnel of the Security Division reported that in the vicinity of the Supreme Court gate at the corner of Padre Faura Street and Taft Avenue, Castillo slapped Andrew Alojacin, a 16-year-old helper and nephew of Emelinda V. Taotao, a concessionaire selling food at stall space number 85.[1]

Per on-site investigation conducted by the Security Division, Ms. Taotao alleged that Castillo, who appeared to be under the influence of liquor, was ordering a sausage when he seemingly got annoyed at her nephew's laughter while the latter was having a happy conversation with another person. Castillo then slapped her nephew and threatened them with the words "Kahit magsumbong pa kayo sa taas," while gesturing towards the upper side of the Supreme Court Centennial Building.[2]

On the other hand, in the July 1, 2019 explanation letter[3] of Mr. Castillo, he stated that he was looking at items at the stalls in the area when he noticed two (2) women laughing at him. Moments later, one of them called Mr. Alojacin, who drew close to him and placed his face next to his while simultaneously bursting into laughter. The latter then called the attention of another boy and shouted "Huy, kamukha mo oh!" while continuing to laugh.

He said that while he was insulted by these antics, he did not strike Mr. Alojacin. He only rebuffed him saying "hindi kita kabiruan ha?" while pointing his right index finger at him, and coincidentally touching the latter's forehead while doing so.[4]

The said incident was recorded by a Supreme Court CCTV camera monitoring the area at the time.

As shown by the CCTV recording, occupants of stall 85 did not engage in any kind of banter or horseplay as claimed by the respondent, but were merely selling their wares. Instead, it was respondent who was the aggressor, contrary to his explanation letter[5] dated July 1, 2019.

It can be clearly seen on the CCTV recording that respondent, who was carrying a pizza box and wearing a ball cap turned backwards with his face clearly visible, casually walked from the right side of the screen and exited the gate to Padre Faura Street. Seconds later, he returned and walked straight to stall 85 and confronted a youth in a red shirt working therein. He then argued with one of the women manning the stall and suddenly threw a right hook punch at the youth, who flinched and gripped the frame of the tent stall. Respondent was pacified by the responding Security Division personnel and eventually left the area.

Being an employee of the Supreme Court, a high degree of comportment and decorum is expected from the respondent. His acts, whether part of his official duties or in his private capacity, reflect upon the Court as an institution.

It also bears stressing that even if the act was committed after office hours and was not in any way connected with his official duties, respondent must still be held accountable. In *Bonono, Jr. v. Sunit*,^[6] We aid that "employees of the Judiciary should be very circumspect on how they conduct themselves inside and outside the office. It matters not that his acts were not work-related."

The acts of the respondent of lashing out and striking Mr. Alojacin constitute the administrative offense of Conduct Unbecoming of a Court Employee amounting to Simple Misconduct, as defined in the case of *De Los Santos v. Vasquez*^[7] as any scandalous behavior or act that may erode the people's esteem for the Judiciary.

The administrative liability of court personnel - who are not judges or justices of the lower courts - shall be governed by the Code of Conduct for Court Personnel, which incorporates, among others, the civil service laws and rules.

Under the 2017 Rules on Administrative Cases in the Civil Service,^[8] simple Misconduct may be penalized by one (1) month and one (1) day to six (6) months suspension for the first offense.

Records show that respondent has an unblemished record for more than four (4) years since he commenced working for the Judiciary on February 25, 2015, and has received very satisfactory ratings in his work performance.

However, We do not agree with the Office of the Administrative Services that respondent had shown great remorse concerning the matter simply because he tried to concoct a different story in order to evade liability.

The CCTV recording belies the narration of the respondent in his explanation letter dated July 1, 2019. Respondent does not even admit his wrongdoings. Thus, there is no circumstance to be considered to mitigate the penalty to be meted out against the respondent.

This Court has often emphasized that court employees shall adhere to the exacting standards of morality and decency in order to preserve the Judiciary's good name and standing as a true temple of justice.^[9] Respondent indeed fell short of this exacting standard. He had shown lack of decorum, propriety, and respect in his dealings with other people. His actuations also debased the public's regard for the very institution for which he works, warranting administrative sanction. Any conduct that would be a bane to the public trust and confidence reposed in the Judiciary cannot be countenanced.^[10]

WHEREFORE, the Court finds respondent Allan Christer C. Castillo, Driver I of the Motorpool Section, Property Division, Office of Administrative Services, GUILTY of Conduct Unbecoming of a Court Employee amounting to Simple Misconduct. He is hereby suspended without pay for a period of one (1) month and (1) day, with a stem warning that a repetition of the same or similar acts in the future shall be dealt with more severely.

This Decision takes effect immediately.

SO ORDERED.

Caguioa, J. Reyes, Jr., Lazaro-Javier, and Lopez, JJ., concur.

[1] Rollo, p. 1.

[2] Id. at 1-2.

[3] Id. at 5.

[4] Id.

[5] Id.

[6] 708 Phil. 1, 6 (2013).

[7] A.M. No. P-18-3792, February 20, 2018.

[8] Resolution No. 1701077, July 3, 2017.

[9] Judge Reyes v. Vidor, 441 Phil. 526, 530 (2002).

[10] In Re: Complaint for Failure to Pay Just Debts against Esther T. Andres, 493 Phil. 1, 12 (2005).

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