

Court acquits priest accused of rape

By Pia Lee-Brago | Updated December 21, 2002 - 12:00am



After three years in jail, a Catholic priest was acquitted by a Quezon City court of charges of rape and child abuse for lack of evidence

Quezon City Regional Trial Court Judge Abednego Adre said the testimonies of the 19-year-old complainant and witnesses for the prosecution that Fr. Macario Apuya of the Society of the Divine Word (SVD) in Vigan, Ilocos Sur committed rape and child abuse in October of 1998 were mere hearsay.

"The prosecution synthesized the totality of its evidence deemed essential to prove the charges, but nothing could be really built on a weak foundation," Adre, of RTC Branch 88, said noting that none of the witnesses saw the crimes allegedly committed by Apuya.

In a 62-page decision, Adre said the medical findings of witness Dr. Bernadette Madrid were equivocal and speculative because of the gap in time between the physician's examination of the complainant and the time the crime of rape supposedly was committed.

The court also ordered the immediate release of the priest from the Quezon City Jail, where he was detained for nearly three years after he spent nine months in an Ilocos Sur detention center.

"The glaring inconsistencies and improbabilities exposed during the long and intense cross-questioning cast serious doubts both on the veracity of the accounts given and (that) of the complainant," Adre said in his decision.

The complainant said when she was 15 years old, she regularly attended Sunday Mass celebrated by Apuya at the St. Theresa Parish in Dagupan City. She also said Apuya's mother asked about her menstrual cycle at that time and asked if she could be used by the priest for his sexual needs.

Adre said the complainant's claims border on the incredible. "That at the moment (the complainant) was being ravished, the old woman (Apuya's mother) was at the doorway silently watching made the story worse. Even pagan mothers would not countenance such (an) indecent act openly and in their presence."

"Similarly, the accused, no matter how sex-starved, would (not) have the temerity to do such (an) abominably shameful act in the very presence of his own mother, in the house of a close relative, as guests," Adre added.

The court also took note of the prosecution's failure to properly present its evidence and the tantrums of the complainant during one of the sessions before Judge Natividad Dizon, who inhibited herself from further hearing the case in May 2001.

The complainant banged the door while leaving the witness stand and insulted Apuya's lawyer, Philip Sigfrid Fortun shouting, "*siyempre, naiinis ako sa pagmumukha mo* (of course, I hate your face)."

Adre said the complainant's behavior was a clear demonstration that she was no helpless and demure country girl who would yield her maidenhead without a determined struggle.

"To condemn a man of the cloth who was surely no St. Francis of Assisi, but arguably no Padre Damaso, either, to spend the few remaining (years of his) earthly life behind bars is a judgment anchored on weak and shaky evidence constitutes a grave injustice," the judge said.

Adre also said, "the accused might have been a flirt, he might have nearly crossed the threshold to perdition, but, certainly, he was no child molester, much less a rapist."

As the decision was read, Apuya wept and hugged his lawyer. He walked out of the courtroom sans handcuffs and escorted by personnel of the Bureau of Jail Management and Penology (BJMP).

The priest said he needs to go through a healing process, but has forgiven his accuser. "She has been used by people. I don't entirely blame her."

Picking up the pieces

Apuya, in an interview with **The STAR**, said that in jail, there is almost no distinction between innocent victims and hardened criminals.

The hard time he did has also given him a cause to fight for; he now feels his service to God is best done by pushing for reforms in the criminal justice system. "I'll contribute to restorative justice. I'll also be in that healing process where my confinement will not be a loss."

Since his arrest in 1998, Apuya said, his life changed drastically. He could no longer perform his priestly duties like hearing confession and conducting spiritual retreats. Despite the limitations he had to endure, Apuya did not let detention stop him from actively participating in the value formation seminars for his co-inmates.

"Many people are deprived of my priestly services because I have no appointment and assignment which authorizes me to perform these (duties)," Apuya said.

The priest said he has been patiently awaiting the court decision, but he understood the delay because of the cases piling up at Adre's sala.

SVD justice and peace commission head Fr. Steve de Leon introduced Apuya to Fortun, who later represented Apuya.

Apuya is expected to meet immediately with his superiors in SVD, but is not certain if he will still be given a parish assignment. "I submitted to the law, so I was incarcerated, but the law will take over."

The complainant refused to comment on the court decision, but a social worker from the Department of Social Welfare and Development (DSWD), which has custody of the complainant, expressed disappointment over the court ruling.

The filing of the rape and child abuse charges against Apuya came at a time when the Catholic Church was shaken on an international level by sex scandals. Accusations of Catholic clerics committing acts of sexual abuse and molestation; mostly against minors; in the United States, the Philippines, Australia, Ireland and other parts of the world prompted Pope John Paul II to call American bishops and cardinals to an urgent meeting in the Vatican.

In the Philippines, the Catholic Bishops' conference of the Philippines (CBCP) acknowledged that there may have been cases of sexual abuse and child molestation perpetrated by priests in the Philippines.

[Click here to join the discussion](#)

Follow Us:     4 1k

WE RECOMMEND

- [DOF wants insurance to grow into a P4-T industry](#) (Business)
- [Barangay bets asked to file statement of expenditures](#) (Headlines)
- [FDA cautions public on food, dietary supplement ads](#) (Headlines)
- [Farmers' group hails BOC seizure of smuggled rice](#) (Headlines)
- [Llamas disowns survey showing lower approval rating for Noy](#) (Headlines)
- [James Yap on getting married to Italian gf: 'Slowly but surely'](#) (Entertainment)

FROM AROUND THE WEB

- [Here Are the 5 Top Luxury SUVs of 2013](#) (Mainstreet)
- [Boeing's New 787-9 Dreamliner Takes to the Skies](#) (NYSE)
- [Ever Wonder How Cruise Lines Fill Unsold Cabins? This may surprise you...](#) (Lifestyle Journal)
- [Lindsay Lohan Hits Rock Bottom - See What She Did at a Club in a Shocking New Photo](#) (OK Magazine)
- [The Benefits of Vinegar for your Skin](#) (Health Central)
- [Michelle Obama's mixed race heritage proved by DNA.](#) (Ancestry.com)

MORE HEADLINES

- [‘Congress probe on spying report welcome’](#)
- [Binondo player wins P148-M grand lotto pot](#)
- [10 more lawmakers to face ‘pork’ raps](#)
- [LP lawmakers mobilized in pro-DAP campaign](#)
- [Palace vows aid for Saudi OFWs](#)
- [Brace for super typhoon Yolanda – Pagasa](#)
- [PAL resumes non-stop flights to UK](#)
- [De Lima vows to prosecute hackers](#)
- [Phl hopeful HK to consider friendship over hostage issue](#)
- [42 Pinoys leave for Saudi](#)

SECTIONS

[Home](#)
[Headlines](#)
[Opinion](#)
[Nation](#)
[World](#)
[Business](#)
[Sports](#)
[Entertainment](#)
[Lifestyle](#)
[Other Sections](#)

FEEDBACK
