



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE G.R. No. 267832
PHILIPPINES,

Plaintiff-Appellee,

- versus -

JOYCE MARIE PHOEBELYN
G. MACATANGAY @
"MARIE,"

Accused-Appellant.

Present:

LEONEN, S.A.J., Chairperson,
LAZARO-JAVIER,
LOPEZ, M.
LOPEZ, J., * and
KHO, JR., JJ.

Promulgated:

MAY 19 2025

A handwritten signature in black ink, appearing to read "KHO, JR." followed by a stylized surname.

X-----X

DECISION

KHO, JR., J.:

Before the Court is an ordinary appeal¹ assailing the Decision² dated June 10, 2022 of the Court of Appeals (CA) in CA-G.R. CR-H.C. No. 08845, which affirmed the Decision³ dated May 10, 2016 of Branch 73, Regional Trial Court, [REDACTED] (RTC) in Criminal Case No. 12-43934. The RTC ruling convicted Joyce Marie Phoebelyn G. Macatangay (Macatangay) of the crime of qualified trafficking in persons, as defined and penalized under Section 4(a), in relation to Section 6(a), of Republic Act No. (RA) 9208,⁴ otherwise known as the "Anti-Trafficking in Persons Act of 2003."

¹ On official business.

² *Rollo*, pp. 3-5.

³ *Id.* at 7-23. Penned by Associate Justice Emily R. Aliño-Geluz and concurred in by Associate Justices Nina G. Antonio-Valenzuela and Jose Lorenzo R. Dela Rosa of the Thirteenth Division, Court of Appeals, Manila.

⁴ *Id.* at 25-60. Penned by Acting Presiding Judge Leili C. Suarez.

⁴ Entitled "An Act to Institute Policies to Eliminate Trafficking in Persons Especially Women and Children, Establishing the Necessary Institutional Mechanisms for the Protection and Support of Trafficked Persons, Providing Penalties for Its Violations, and for Other Purposes" (2003).

A handwritten signature in black ink, appearing to read "KHO".

The Facts

This case originated from 12 Informations⁵ filed before the RTC charging several persons,⁶ including Macatangay, with violating several provisions of RA 9208. Of these persons, *only Macatangay was convicted*; and she was convicted only for *Criminal Case No. 12-43924*. The accusatory portion of the Information in *Criminal Case No. 12-43924* reads:

CRIMINAL CASE NO. 12-43934

That prior to and on January 20, 2012, in Barangay [REDACTED], [REDACTED] City and within the jurisdiction of this Honorable Court, the above named accused, conspiring, confederating and mutually aiding one another, for the purpose of prostitution and other forms of sexual exploitation, and by taking advantage of the vulnerability of [AAA267832]⁷ by reason of her poverty did then and there, willfully, unlawfully, feloniously and for profit, maintain or hire said [AAA267832] as a Guest Relations Officer (GRO)/Entertainer of “[REDACTED] Bar” located at [REDACTED] [REDACTED] City, in order to engage in sexual intercourse, lascivious conduct and/or indecent shows/exhibition with customers in exchange for money under a scheme or design by said accused wherein the said establishment is made to appear like an ordinary entertainment bar, when in truth and in fact, their actual business is to offer their GRO/entertainer [AAA267832] as a prostitute to their customers to her damage and prejudice.

That the crime was attended by the qualifying circumstance of minority, complainant [AAA267832] being seventeen (17) years of age, and that the crime was committed by a syndicate of six (6) persons.⁸

The prosecution's evidence sought to establish that on January 6, 2012, the National Bureau of Investigation - Anti-Human Trafficking Division (NBI) received an intelligence report that illegal trafficking was being conducted at “[REDACTED] Bar,” an entertainment establishment located in [REDACTED] City. On the same day, two agents of the NBI went undercover to [REDACTED] Bar. There, they were approached by Macatangay, who was

⁵ Docketed as Criminal Case Nos. 12-43926, 12-43927, 12-43928, 12-43929, 12-43930, 12-43931, 12-43932, 12-43933, 12-43934, 12-43935, 12-43936, 12-43937. *See rollo*, pp. 27-34.

⁶ Ricardo S. Bernardo @ Andy, Jonas G. Mariano, Ailyn N. Beracis @ Paloma, Grace B. Dela Cruz, and Marlo B. Pascual.

⁷ The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, and the accused, shall be withheld pursuant to RA 7610, entitled “An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, and for Other Purposes,” approved on June 17, 1992; RA 9262, entitled “An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefore, and for Other Purposes,” approved on March 8, 2004; and Section 40 of A.M. No. 04-10-11-SC, otherwise known as the “Rule on Violence against Women and Their Children” (November 15, 2004). (See footnote 4 in *People v. Cadano, Jr.*, 729 Phil. 576, 578 [2014] [Per J. Perlas-Bernabe, Second Division], citing *People v. Lomaque*, 710 Phil. 338, 342 [2013] [Per J. Brion, Second Division]. See also Amended Administrative Circular No. 83-2015, entitled “Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Names/Personal Circumstances,” dated September 5, 2017.)

⁸ *Rollo*, p. 32.

working as the bar's floor manager. She then asked them if they wanted company and brought two Guest Relations Officers (GRO) to join them at their table. Macatangay also informed the agents that [REDACTED] Bar has an upstairs VIP Room where the GROs can perform sexual services for PHP 1,500.00. During their stay at the bar, the agents saw indecent performances; they also asked the GROs who the owner of the bar was.⁹

After the agents relayed the details of the operation to their supervisor, the NBI decided to conduct an entrapment operation at [REDACTED] Bar. Thus, on January 19, 2012, six NBI operatives went to [REDACTED] Bar and requested GROs for each of them, as well as the use of the VIP rooms. The transactions between agent and GRO proceeded in a similar manner: both negotiated the price for the sexual service and then the GRO left to wash herself before performing the service. As the GROs left, one of the operatives signaled to his companions to start the raid.¹⁰

In the course of the raid, the NBI operatives arrested Macatangay along with the other persons in the bar who would become her co-accused in the criminal cases, namely: Ricardo S. Bernardo, the bar owner; and Jonas G. Mariano and Marlo B. Pascual, the bar's employees. Thirty-two women employed as GROs, including AAA267832, the trafficked person in Criminal Case No. 12-43934, were also rescued from [REDACTED] Bar.¹¹

AAA267832 testified that she was 16 years old at the time she started working at [REDACTED] Bar. Her birth certificate was entered into evidence. According to her, it was Macatangay who told her to perform sexual services for customers. While AAA267832 managed to avoid having to do so the first time, she testified that she had to perform sexual services the second time, because Macatangay told her that the customer had already paid.

In defense, Macatangay denied the charges against her. She admitted that on January 19, 2012, several men entered [REDACTED] Bar and requested to use the VIP Room, which she claimed was used for karaoke and drinking. When one of the men who turned out to be one of the NBI agents asked about the rates for the sexual services provided by GROs, Macatangay claimed she told them that [REDACTED] Bar does not allow such services and that it was not that kind of establishment. After she left the room, one of the GROs allegedly went out of the VIP Room and informed Macatangay that one of the agents offered her money in exchange for sexual services. However, she declined the offer and left the room. Macatangay advised the GRO to just ignore the man. Then, one of the agents declared a raid and apprehended everyone who was at [REDACTED] Bar.¹²

⁹ *Id.* at 9.

¹⁰ *Id.* at 10.

¹¹ *Id.*

¹² *Id.* at 11.

The RTC Ruling

In a Decision¹³ dated May 10, 2016, the RTC found Macatangay guilty beyond reasonable doubt of qualified trafficking in persons in *Criminal Case No. 12-43934*. Accordingly, the RTC sentenced her to suffer the penalty of life imprisonment and to pay a fine of PHP 2,000,000.00. However, the RTC found reasonable doubt that the trafficking in persons was committed by a syndicate considering the insufficiency of evidence to implicate the alleged owner and other employees of [REDACTED] Bar. Thus, the RTC acquitted Macatangay and her co-accused in *Criminal Case Nos. 12-43926, 12-43927, 12-43928, 12-43929, 12-43930, 12-43931, 12-43932, 12-43933, 12-43935, 12-43936, and 12-43937*. Further, the RTC also acquitted Macatangay of violating Section 6(c) of the same law.¹⁴

In convicting Macatangay in *Criminal Case No. 12-43934*, the RTC explained that she was positively identified by AAA267832 as the one who ordered the latter to perform sexual services for customers in exchange for money. Coupled with the fact that AAA267832 was only 16 years old at the time she was employed as a GRO, all the elements for qualified trafficking in persons under Section 4(a), in relation to Section 6(a), of RA 9208 were established.¹⁵

Aggrieved, Macatangay appealed her conviction in *Criminal Case No. 12-43934* to the CA.

The CA Ruling

In a Decision¹⁶ dated June 10, 2022, the CA upheld Macatangay's conviction with modification, further imposing on her civil liability *ex delicto* in the amounts of PHP 500,000.00 as moral damages, and PHP 100,000.00 as exemplary damages, both of which with interest of 6% per annum from finality of the ruling until full payment.¹⁷

In so ruling, the CA likewise found that in *Criminal Case No. 12-43934*, the elements of qualified trafficking in persons under Section 4(a), in relation to Section 6(a), of RA 9208 were established. In this regard, the CA pointed out that AAA267832's testimony proves that she, as a minor, was recruited and harbored at [REDACTED] Bar as a GRO who performs sexual services in exchange for money, and that it was Macatangay as floor manager who

¹³ *Id.* at 25–60.

¹⁴ *Id.* at 58–60.

¹⁵ *Id.* at 50–54.

¹⁶ *Id.* at 7–17.

¹⁷ *Id.* at 22–23.

referred AAA267832 to customers expecting sexual services. The CA also held that because of AAA267832's minority, too, the element of coercion, threat, force, or fraud need not be proven. Finally, following case law, the CA saw fit to hold award moral and exemplary damages.¹⁸

Consequently, Macatangay filed a Notice of Appeal¹⁹ on July 7, 2022. On December 27, 2023, Macatangay, through the Public Attorney's Office, filed a manifestation²⁰ stating that she will no longer file a supplemental brief considering that all the issues raised had already been threshed out and refuted in her appellant's brief. The People, through the Solicitor General, manifested similarly²¹ on December 6, 2023.

The Issue Before the Court

The sole issue in this case is whether Macatangay's guilt for the crime of qualified trafficking under Section 6(a) of RA 9208 was proven beyond reasonable doubt.

The Court's Ruling

The appeal is unmeritorious.

The Court, in reviewing criminal cases, is guided by the principle that the trial court's factual findings as well as those involving the credibility of witnesses, especially when affirmed by the appellate court, are accorded respect, if not finality, in the absence of glaring errors, gross misapprehension of facts, and arbitrary conclusions of law.²² This recognizes that the trial courts have the "unique opportunity to observe the witnesses first hand and to note their demeanor, conduct, and attitude under grueling examination,"²³

Guided by these principles, the Court upholds Macatangay's guilt for qualified trafficking.

Sections 4(a) and 6(a) of RA 9208 respectively read:

Section 4. Acts of Trafficking in Persons. – It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

¹⁸ *Id.* at 13–22.

¹⁹ *Id.* at 3–5.

²⁰ *Id.* at 76–78.

²¹ *Id.* at 71–75.

²² *People v. Conde*, 923 Phil. 775, 780–781 (2022) [Per J. Inting, Third Division], *citing Estrella v. People*, 874 Phil. 374, 384 [Per J. Inting, Second Division] and *People v. Manzano*, 827 Phil. 113, 126 (2018) [Per J. Martires, Third Division].

²³ *Id.*

(a) To recruit, transport, transfer; harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

....

Section 6. *Qualified Trafficking in Persons.* - The following are considered as qualified trafficking:

(a) When the trafficked person is a child;

....

In *People v. Adrales*,²⁴ the Court discussed the elements of qualified trafficking within the context of these provisions, as follows:

Thus, the elements of “Trafficking in Persons” within the context of Section 4 (a) of RA 9208 are as follows: (a) the *act* of “recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders”; (b) the *means* used which include “threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another”; and (c) the *purpose* of trafficking is exploitation which includes “exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.” Additionally, Section 6(a) of RA 9208 explicitly provides that “Trafficking in Persons” shall be in its qualified form “when the trafficked person is a child.”²⁵

Significantly, when the trafficked person is a child, defined by RA 9208 as a “person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition,”²⁶ the means by which such child is recruited, transported, transferred, harbored, or received for the purpose of exploitation need not involve threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or position, taking advantage of the vulnerability of the trafficked persons, or the giving or receiving of payments or benefits to achieve consent.²⁷

²⁴ G.R. No. 242473, May 22, 2024 [Per J. Kho, Jr., Second Division].

²⁵ *Id.*, citation omitted.

²⁶ REPUBLIC ACT NO. 9208, sec. 3(b).

²⁷ REPUBLIC ACT NO. 9208, sec. 3(a).

The Court agrees with the CA and the RTC that the elements of qualified trafficking are established in this case.

Through the testimony of the trafficked minor AAA267832, the prosecution proved that Macatangay harbored and maintained her for the purpose of exploitation. Significantly, AAA267832 was a minor at the time, as shown by her birth certificate presented in evidence, which shows that she was born on September 19, 1995, and thus 16 years old at the time she works at [REDACTED] Bar. Therefore, contrary to Macatangay's argument on appeal, there was no need for the prosecution to establish that AAA267832 was trafficked by means of coercion, fraud, abduction, and the like. It is irrelevant that AAA267832 allegedly consented to being trafficked for exploitation. On this note, the CA's appreciation of AAA267832's testimony is well-taken:

The trafficked victim's testimony that she had been sexually exploited are "material to the cause of the prosecution." Relative to this principle, it is likewise settled that the testimonies of child-victims are given full weight and credit, since "[y]outh and immaturity are generally badges of truth." "When the offended part[ies are] of tender age and immature, courts are inclined to give credit to [their] account of what transpired, considering not only [their] relative vulnerability but also the shame to which [they] would be exposed if the matter to which [they] testified is not true." "Indeed, leeway should be given to witnesses who are minors, especially when they are relating past incidents of abuse." "The revelation of innocent children] whose chastity has been abused deserves full credit as [they] could only have been impelled to tell the truth, especially in the absence of proof of ill motive."²⁸

Verily, the Court finds no reason to deviate from the conclusions reached by the RTC, as affirmed by the CA, as there is no indication that they overlooked, misunderstood, or misapplied the surrounding facts and circumstances of the case. In fact, the RTC was in the best position to assess and determine the credibility of the witnesses presented by both parties, and hence, due deference should be accorded to the same.²⁹ As such, the Court upholds Macatangay's conviction for qualified trafficking in persons.

Anent the proper penalty and civil liability *ex delicto* to be imposed on Macatangay, suffice it to say that the CA correctly sentenced her to suffer the penalty of life imprisonment and to pay the fine of PHP 2,000,000.00. The CA likewise correctly awarded PHP 500,000.00, as moral damages, and PHP 100,000.00, as exemplary damages, in accordance with existing jurisprudence. Legal interest on these amounts at the rate of 6% per annum from the finality of this Decision is also in accord with jurisprudence.³⁰

²⁸ *Rollo*, p. 18.

²⁹ *Peralta v. People*, 817 Phil. 554, 563 (2017) [Per J. Perlas-Bernabe, Second Division].

³⁰ *See People v. Lalli*, 675 Phil. 126, 159 (2011) [Per J. Carpio, Second Division]. *See also People v. Adrales*, G.R. No. 242473, May 22, 2024 [Per J. Kho, Jr., Second Division].

ACCORDINGLY, the appeal is **DISMISSED**. The Decision dated June 10, 2022 of the Court of Appeals in CA-G.R. CR-H.C. No. 08845 is hereby **AFFIRMED**. Accused-appellant Joyce Marie Phoebelyn G. Macatangay @ "Marie" is found **GUILTY** beyond reasonable doubt of qualified trafficking in persons, as defined and penalized under Section 4, in relation to Section 6(a), of Republic Act No. 9208. She is sentenced to suffer the penalty of life imprisonment and is ordered to pay a fine of PHP 2,000,000.00. She is likewise ordered to pay AAA267832 PHP 500,000.00, as moral damages, and PHP 100,000.00, as exemplary damages, all with legal interest at the rate of 6% per annum from finality of this Decision until full payment.

SO ORDERED.



ANTONIO T. KHO, JR.

Associate Justice

WE CONCUR:



MARVIC M.V.F. LEONEN

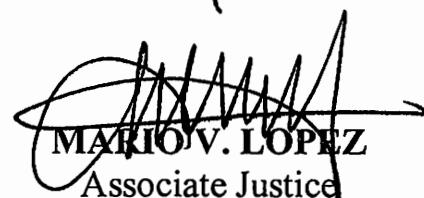
Senior Associate Justice

Division Chairperson



AMY C. LAZARO-JAVIER

Associate Justice



MARIO V. LOPEZ

Associate Justice

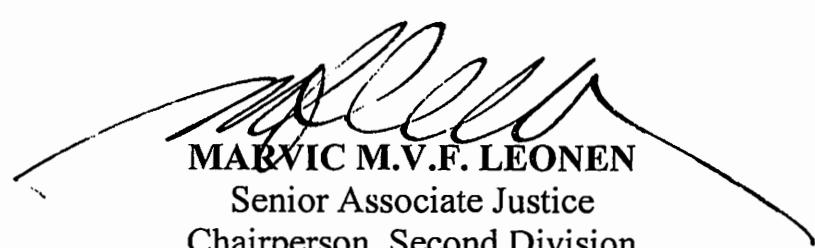
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JHOSEP Y. LOPEZ

Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



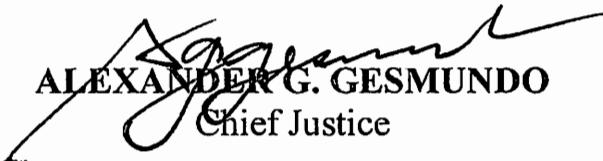
MARVIC M.V.F. LEONEN

Senior Associate Justice

Chairperson, Second Division

C E R T I F I C A T I O N

Pursuant to Article VIII, Section 13 of the Constitution, and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ALEXANDER G. GESMUNDO

Chief Justice