

Republic of the Philippines  
Supreme Court  
Manila

SECOND DIVISION

PEOPLE OF THE G.R. No. 271526  
PHILIPPINES,  
Plaintiff-appellee,

- versus -

Present:

MARTIN COOK y GARTH,  
Accused-appellant.

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

Promulgated:

NOV 11 2025

DECISION

KHO, JR., J.:

Before the Court is an appeal<sup>1</sup> assailing the Decision<sup>2</sup> dated March 31, 2022 of the Court of Appeals (CA) in CA-G.R. CR No. 44309, which affirmed with modification the Joint Decision<sup>3</sup> dated October 3, 2019 of [REDACTED], Regional Trial Court (RTC) of [REDACTED]. The RTC found accused-appellant Martin Cook y Garth (Cook) guilty of qualified trafficking in

<sup>1</sup> Rollo, pp. 21-22.  
<sup>2</sup> Id. at 8-35, with final page not attached. See CA rollo, p. 180 for the final page of the Decision. Penned by Associate Justice Raymond Reynold R. Lauigan and concurred in by Associate Justices Mariflor P. Punzalan-Castillo and Lorenza R. Bordios of the Special Third Division, Court of Appeals, Manila.  
<sup>3</sup> Id. at 37-52. Penned by Presiding Judge Suwerte L. Ofrecio.

persons punishable under Section 4(a)<sup>4</sup> in relation to Section 6(a)<sup>5</sup> of Republic Act No. 9208,<sup>6</sup> as amended.<sup>7</sup>

### The Facts

This case originated from three Informations, which charged Cook and his co-accused, Jose Bobby Casas, Jr. y Roxas (Casas), with qualified trafficking in persons, and Cook with lascivious conduct and rape by sexual assault, the accusatory portions of which, read:

#### CRIMINAL CASE NO. SC-23528 [Qualified Trafficking]

That on or about of January 23 to 24, 2019, in the Municipality of [REDACTED], Philippines and within the jurisdiction conspiring, confederating, and mutually helping one another, did then and there [willfully], unlawfully, and feloniously offer, obtain, provide, maintain, harbour and receive minor victims: a) AAA271526<sup>8</sup> - 13 years old, male; b) BBB271526- 11 years old male; c) CCC271526- 11 years old, male; d) DDD271526- 13 years old, male at the house of accused Martin Cook y Garth, for the purpose of prostitution and sexual exploitation, by taking advantage of their vulnerability as minors and by promising and giving them payments of money, other benefits and consideration; to deceive and subject each of them to engage in prostitution, sexual exploitation and sexual abuse. Accused Jose bobby Casas, Jr. y Roxas as assistant of accused Martin Cook y Garth being the one who looks for minor victims who would be offered, obtained, provided, maintained, harboured and received inside the house of the accused Martin Cook y Garth, including minors AAA271526, BBB271526, CCC271526, and DDD271526,, in exchange for money, benefits and other consideration from accused Martin

<sup>4</sup> Section 4. *Acts of Trafficking in Persons.* — It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

“(a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, 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, or sexual exploitation; . . . .

<sup>5</sup> Section 6. *Qualified Trafficking in Persons.* — The following are considered as qualified trafficking:

(a) When the trafficked person is a child; . . . .

<sup>6</sup> 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 (2003).

<sup>7</sup> Republic Act. No. 10364, An Act Expanding Republic Act No. 9208, 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 (2012).

<sup>8</sup> The identity of the victim, as well as those of her immediate family or household members, and/or the accused, or any information which could establish or compromise the victim’s identity shall be withheld pursuant to Republic Act No. 7610, titled “An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, and for Other Purposes,” approved on June 17, 1992; Republic Act No. 9262, titled “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], *citing* *People v. Lomaque*, 710 Phil. 338, 342 [2013]. *See also* Amended Administrative Circular No. 83-2015, titled “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.) To note, there is no document attached to the *rollo* that could determine the real identity and personal circumstances of the victim/s.

Cook y Garth and once inside, Martin Cook y Garth subjected minors AAA271526, BBB271526, CCC271526 and DDD271526 to prostitution, sexual abuse and exploitation and other lascivious conduct, in exchange of giving money, other benefits and consideration to the above-named minors.

The crime was attended by the qualifying circumstances of minority of the four minor victims and having been committed in large scale.

CONTRARY TO LAW.<sup>9</sup>

**CRIMINAL CASE NO. SC-23529  
(Lascivious Conduct)**

That on or about of January 24, 2019, in the Municipality of [REDACTED], Philippines and within the jurisdiction of this Honorable Court, the above-named accused, with lewd design, by taking advantage of the minority and vulnerability of the victim minor AAA271526 - 13 years old, male, committed sexual abuse and lascivious conduct against minor AAA271526 by sucking his penis, minor AAA271526 being a child exploited in prostitution and other sexual abuse considering that he was paid by the accused One Hundred pesos (PHP 100.00) in order to deceive and persuade him to indulge in sexual abuse and lascivious conduct and allow accused suck his penis, which act debases, degrades, or demeans the intrinsic worth and dignity of minor AAA271526 as a child and as a human being and placing him in a condition prejudicial to his development, to the damage and prejudice of minor AAA271526 in such amount as may be allowed by law.

CONTRARY TO LAW.<sup>10</sup>

**CRIMINAL CASE NO. SC-23530  
(Rape by Sexual Assault)**

That on or about of January 23, 2019, in the Municipality of [REDACTED], Philippines and within the jurisdiction of this Honorable Court, the above-named accused, with lewd design, by taking advantage of the minority and vulnerability of the victim minor BBB271526 - 11 years old, male, committed sexual abuse and lascivious conduct against minor BBB271526 by inserting his penis to the anal orifice of minor BBB271526 being a child exploited in prostitution and other sexual abuse, which act debases, degrades, or demeans the intrinsic worth and dignity of minor BBB271526 as a child and as a human being and placing him in a condition prejudicial to his development, to the damage and prejudice of minor BBB271526 in such amount as may be allowed by law.

CONTRARY TO LAW.<sup>11</sup>

Both Cook and Casas pleaded not guilty during arraignment.<sup>12</sup> During pre-trial, the parties stipulated on the RTC's jurisdiction; the identity of both Cook and Casas; and the minority of AAA271526, BBB271526, CCC271526, and DDD271526. During the trial, the prosecution presented the following

<sup>9</sup> *Id.* at 38.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 38-39.

<sup>12</sup> *Id.* at 39.

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persons as witnesses: (1) AAA271526; (2) BBB271526; (3) CCC271526; (4) DDD271526; (5) Special Agent Ma. Rosalie S. Laguardia of the National Bureau of Investigation (NBI); (6) Special Investigator III Mark Anthony G. Diaz, also of the NBI; and (7) Social Worker Argelyn Z. Davac of the Department of Social Welfare and Development (DSWD).

The prosecution's evidence sought to establish that social workers from the DSWD Region IV Office requested an investigation from the NBI on Cook's alleged trafficking activities. On January 17 and 21, 2019, the DSWD and the NBI surveilled Cook's activities from a vehicle parked near his residence. There, the intelligence agents saw several minors going in and out of Cook's house, some of them staying until nighttime. The agents started interviewing the children, in particular AAA271526, BBB271526, CCC271526, and DDD271526. These children told the agents that their friends invited them to go to Cook's house for food and money, in exchange for which they would have to perform sexual services for him.<sup>13</sup>

AAA271526 testified that he was 13 years old and became acquainted with Cook through *Facebook*. After hearing from his friends that Cook was gay and would give money in exchange for sexual favors, he went to Cook's house on December 28, 2018. There, he found out that Cook resided with his wife, their three children, and Casas. Since then, he would frequently visit the residence, where Cook would perform oral sex on him and give him money after. He testified that he saw around 30 children in Cook's house, where he would molest them. On January 23, 2019, he and another minor, BBB271526, were sleeping when Cook woke them up. Then, AAA271526 witnessed Cook have anal sex with BBB271526.<sup>14</sup>

BBB271526 testified that he was 9 years old when he was sent a "friend request" by Cook through *Facebook*. Like AAA271526, he found out that Cook would give money in exchange for sexual favors. A year after they met, Cook started having anal sex with him for money. He also testified that on January 23, 2019, Cook had sex with him.<sup>15</sup>

CCC271526, on the other hand, was introduced to Cook when he was only 10 years old by his older brother, DDD271526. Their visits to Cook's house would involve Cook performing oral sex on him in exchange for money. CCC271526 also witnessed how Cook would have anal sex with other children.<sup>16</sup>

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<sup>13</sup> *Id.* at 14–15.

<sup>14</sup> *Id.* at 12.

<sup>15</sup> *Id.* at 12–13.

<sup>16</sup> *Id.* at 13–14.

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DDD271526 was 12 years old when he met Cook through friends. In exchange for oral sex, Cook would give him money. Like CCC271526, he witnessed Cook sexually abuse other minors.<sup>17</sup>

The agents from the NBI and the social workers from the DSWD testified as to the particulars surrounding the surveillance and investigation of Cook's activities. Realizing that Cook would assault these and other minors at any moment, they immediately went to Cook's house on January 24, 2019, and apprehended him and Casas. Both Cook and Casas were charged with qualified trafficking, while Cook was also charged with lascivious conduct and rape by sexual assault.<sup>18</sup>

The defense, on the other hand, presented Cook and Casas as witnesses.

Cook testified that he did not know why he and Casas were arrested. He told the court that as a retired soldier, he receives a regular pension, which he often uses to help those in need. Allegedly, it was the parents of the minors who would ask for his help and he would oblige. He admitted that minors would flock his house because he allowed them to use his gadgets and have their meals.<sup>19</sup>

Casas also denied the charges against him. He testified that Cook's wife is his live-in partner and that he allowed this unusual arrangement so that his partner could become a permanent resident in Australia, of which Cook is a citizen. The three children living in the house are actually Casas's children with Cook's wife.<sup>20</sup>

### The RTC Ruling

In a Joint Decision<sup>21</sup> dated October 3, 2019 the RTC found Cook guilty of qualified trafficking in persons, for which he was sentenced to suffer the penalties of imprisonment for a period of 12 years and one day to 20 years of *reclusion temporal* without eligibility for parole, and a fine of PHP 2,000,000.00. The RTC also ordered Cook to pay each of the victims, namely AAA271526, BBB271526, CCC271526, and DDD271526, the amounts of PHP 100,000.00 as moral damages and PHP 30,000.00 as exemplary damages. On the other hand, the RTC dismissed the charges of lascivious conduct and rape through sexual assault in relation to Republic Act No. 7610, stating that they are superfluous as they are "deemed subsumed under the crimes [of] which...Cook was convicted."<sup>22</sup> Meanwhile, the RTC acquitted

<sup>17</sup> *Id.* at 14.

<sup>18</sup> *Id.* at 14-16.

<sup>19</sup> *Id.* at 17.

<sup>20</sup> *Id.* at 17-18.

<sup>21</sup> *Id.* at 37-52.

<sup>22</sup> *Id.* at 52

Casas of qualified trafficking in persons for the prosecution's failure to prove his guilt.<sup>23</sup>

The RTC found that the elements of qualified trafficking are present as regards Cook. Through the testimonies of AAA271526, BBB271526, CCC271526, and DDD271526, it was shown that Cook obtained and maintained the minors for the purpose of sexually exploiting them. The crime is also qualified by the fact that it was committed against children.<sup>24</sup>

However, in dismissing the other charges, the RTC held that lascivious conduct and sexual assault were the means by which trafficking was committed. The RTC also held that the elements of the other crimes are identical to the more serious offense of qualified trafficking as to be necessarily absorbed by the latter.<sup>25</sup>

Finally, the RTC held that life imprisonment could not be imposed in this case in view of Cook's old age, which was admitted by the parties<sup>26</sup> and which the RTC considered a *privileged* mitigating circumstance. Thus, the RTC imposed *reclusion temporal*.<sup>27</sup> At the time the RTC Decision was issued, Cook was 76 years old.<sup>28</sup>

Consequently, Cook appealed his conviction before the CA.

### The CA Ruling

In a Decision<sup>29</sup> dated March 31, 2022, the CA affirmed Cook's conviction for qualified trafficking with the following modifications: (a) it increased Cook's criminal penalties to life imprisonment with a fine of PHP 2,000,000.00; and (b) it also increased Cook's civil liability *ex delicto* to PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages, to each of the victims, all with legal interest at the rate of 6% per annum from finality of the ruling until full payment.<sup>30</sup>

In so ruling, the CA affirmed the RTC and found that the elements for qualified trafficking were duly proven. Cook took advantage of the children's financial vulnerability and obtained them for the purpose of sexually exploiting them. The CA also held that the fact the children kept coming back to his house is not sufficient to exculpate him, as it is clear that as minors,

<sup>23</sup> *Id.*

<sup>24</sup> *Id.* at 47-50.

<sup>25</sup> *Id.* at 51.

<sup>26</sup> *Id.* at 52.

<sup>27</sup> *Id.*

<sup>28</sup> *See id.* at 94, Cook's Prison Record issued by the Bureau of Corrections, which states that his date of birth is December 7, 1942.

<sup>29</sup> *Id.* at 8-35, with final page not attached. *See CA rollo*, p. 180 for the final page of the Decision.

<sup>30</sup> *Id.* at 35.

AAA271526, BBB271526, CCC271526, and DDD271526 could not consent to what Cook did to them. The CA also rejected Cook's attempt to assail the validity of his apprehension by arguing that the NBI and DSWD operatives did not execute a pre-operation report and that he was not caught *in flagrante delicto*. The CA agreed with the RTC that Cook was apprehended based on the information given by the children interviewed by the DSWD and on the fact that it became clear that he was about to sexually abuse children again. The urgency of the circumstances and the credible information provided by the children were sufficient for the authorities to conduct a rescue operation as soon as possible.<sup>31</sup>

In modifying the penalties, the CA disagreed with the RTC that Cook's age is a privileged mitigating circumstance. Rather, Cook's advanced age is only an ordinary mitigating circumstance that did not merit the imposition of a penalty lower than life imprisonment. Instead, life imprisonment must still be imposed because it is an indivisible penalty. Finally, the CA deemed it proper to increase the monetary awards in accordance with case law.<sup>32</sup>

Consequently, Cook filed a Notice of Appeal<sup>33</sup> on April 29, 2022. On July 23, 2024, the People, through the Solicitor General, filed a manifestation<sup>34</sup> stating that it will no longer file a supplemental brief considering that all the issues raised had already been threshed out and refuted in its appellee's brief. Cook, represented by the Public Attorney's Office, manifested similarly<sup>35</sup> on August 8, 2024.

### The Issue Before the Court

The sole issue is whether accused-appellant Martin Cook y Garth is guilty beyond reasonable doubt of qualified trafficking.

### The Court's Ruling

The appeal is unmeritorious.

In appeals of criminal cases, the Court 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.<sup>36</sup> This recognizes that the trial courts

<sup>31</sup> *Id.* at 21–33.

<sup>32</sup> *Id.* at 33–35.

<sup>33</sup> *Id.* at 3–5.

<sup>34</sup> *Id.* at 55–59.

<sup>35</sup> *Id.* at 60–64.

<sup>36</sup> *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].

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have the “unique opportunity to observe the witnesses first-hand and to note their demeanor, conduct, and attitude under grueling examination,”<sup>37</sup>

The Court sees no reason to reverse the courts *a quo*'s finding that Cook is guilty of qualified trafficking. Further, the CA's modification of the penalties imposed on Cook are well-taken.

## I

At the outset, it is well to point out that as per the information in *Criminal Case No. SC-23528*, the crime was committed in 2019. As such, the applicable law is Republic Act No. 9208, as amended by Republic Act No. 10364 but before the further amendment by Republic Act No. 11862.<sup>38</sup> On this score, relevant provisions of Republic Act No. 9208, as amended by Republic Act No. 10364, particularly Sections 3(a), 3(b), 4(a), 6(a), and 10(e) thereof, respectively read:

Section 3. *Definition of Terms.* – As used in this Act:

(a) *Trafficking in Persons* – refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of 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 person for the purpose of exploitation which includes at a minimum, the 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.

The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as ‘trafficking in persons’ even if it does not involve any of the means set forth in the preceding paragraph.

(b) *Child* – refers to a person below 18 years of age or one who is over 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.

....

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

(a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done

<sup>37</sup> *Id.*

<sup>38</sup> An Act Strengthening the Policies on Anti-Trafficking in Persons, Providing Penalties for its Violations, and Appropriating Funds therefor, amending for the Purpose Republic Act No. 9208, as Amended, otherwise Known as the “Anti-Trafficking in Persons Act Of 2003,” and other Special Laws (2022).

under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation;

....

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

(a) When the trafficked person is a child;

....

Section 10. *Penalties and Sanctions*. — The following penalties and sanctions are hereby established for the offenses enumerated in this Act:

(e) Any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of life imprisonment and a fine of not less than PHP 2,000,000.00 but not more than PHP 5,000,000.00;

....

In *People v. Peek*,<sup>39</sup> the Court *En Banc* elucidated on qualified trafficking in Persons, including its elements, as follows:

In order to prosecute violations of Section 4 of Republic Act 9208... the prosecution must establish: (1) the *act* of recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders; (2) the *means* used include by means of 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 person; and (3) the *purpose* of trafficking includes the 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.

Subsequently, under Section 3(a), paragraph 2 of RA 9208... when the trafficked victim is a child, it is considered as trafficking in persons even if it does not involve any of the *means* stated above. In relation thereto, a child is defined under Section 3(b) of the same Act as a person below 18 years of age or one who is over 18 but 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. Thus, in such cases, it is enough that the following was established by the prosecution: (a) the trafficked victim was a *child*; (b) the *act* of recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders; and (c) the *purpose* of trafficking includes the 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.

<sup>39</sup> G.R. No. 256452, February 25, 2025 [Per J. Kho, Jr., *En Banc*].

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Moreover, under Section 6(a) of RA 9208, as amended, the crime of trafficking in persons is *qualified* when the trafficked victim is a *child*.<sup>40</sup> (Emphasis supplied)

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

The clear testimonies of AAA271526, BBB271526, CCC271526, and DDD271526 more than sufficiently establish that Cook obtained and maintained them in his residence for the purpose of sexually exploiting them. Their detailed narrative informed the courts *a quo* how Cook sought out minors on *Facebook* and enticed them with offers of food and money in exchange for sexual favors. Some children were brought by their friends to Cook's house, where they were similarly treated.

That the children willingly went to Cook's house and consented to be abused is neither relevant nor exculpatory here. Contrary to Cook's argument on appeal, there was no need for the prosecution to establish that AAA271526, BBB271526, CCC271526, or DDD271526, were coerced, forced, or deceived into being trafficked. As stated earlier, the means by which trafficking was committed is not relevant when trafficking in children is committed. Further, the Court affirms the CA's finding that the minors' ostensible consent is not a defense in qualified trafficking. Citing *Planteras v. People*,<sup>41</sup> the CA correctly held that even without the use of coercive, abusive, or deceptive means, a minor's consent is not given out of his or her own free will.<sup>42</sup>

## II

The Court affirms the CA's modification of the penalties imposed on Cook, albeit for a different reason, as will be explained below.

In the landmark case of *People v. Simon*,<sup>43</sup> the Court *En Banc* explained that the rules on penalties as enunciated in the Revised Penal Code (including the appreciation of modifying circumstances) do not apply to special penal laws, except when the latter uses the nomenclature of penalties of the former, *viz.*:

We are not unaware of cases in the past wherein it was held that, in imposing the penalty for offenses under special laws, the rules on mitigating or aggravating circumstances under the Revised Penal Code cannot and should not be applied. A review of such doctrines as applied in said cases, however, reveals that the reason therefor was because the special laws involved provided their own specific penalties for the offenses punished thereunder, and which penalties were not taken from or with reference to

<sup>40</sup> *Id.* (Citations omitted).

<sup>41</sup> 841 Phil. 492 (2018) [Per J. Peralta, Third Division].

<sup>42</sup> *Id.* at 511.

<sup>43</sup> 304 Phil. 725 (1994) [Per J. Regalado, *En Banc*].

those in the Revised Penal Code. Since the penalties then provided by the special laws concerned did not provide for the minimum, medium or maximum periods, it would consequently be impossible to consider the aforesaid modifying circumstances whose main function is to determine the period of the penalty in accordance with the rules in Article 64 of the Code.

This is also the rationale for the holding in previous cases that the provisions of the Code on the graduation of penalties by degrees could not be given supplementary application to special laws, since the penalties in the latter were not components of or contemplated in the scale of penalties provided by Article 71 of the former. The suppletory effect of the Revised Penal Code to special laws, as provided in Article 10 of the former, cannot be invoked where there is a legal or physical impossibility of, or a prohibition in the special law against, such supplementary application.

The situation, however, is different where although the offense is defined in and ostensibly punished under a special law, the penalty therefor is actually taken from the Revised Penal Code in its technical nomenclature and, necessarily, with its duration, correlation and legal effects under the system of penalties native to said Code.<sup>44</sup>

Notably, this doctrine in *Simon* had been reiterated in several cases and remains to be the prevailing rule insofar as the imposition of penalties in criminal cases are concerned.<sup>45</sup>

Applying *Simon* herein, a reading of the penalty provisions of Republic Act No. 9208, as amended by Republic Act No. 10364 readily shows that the law does not use the nomenclature of penalties of the Revised Penal Code. As such, the penalty framework under the Revised Penal Code, including the appreciation of modifying circumstances, has no application herein. As such, it is only proper to disregard any modifying circumstances in favor or against Cook.

Given these, the Court agrees with the CA insofar as the latter held that Cook should be sentenced to suffer the penalties of life imprisonment and a fine of PHP 2,000,000.00, as the same are in accord with Section 10(e) of Republic Act No. 9208, as amended by Republic Act No. 10364.

Finally, the CA also correctly increased the amounts representing moral and exemplary damages to PHP 500,000.00 and PHP 100,000.00, respectively, for each of the minors AAA271526, BBB271526, CCC271526, and DDD271526. In *People v. Peek*,<sup>46</sup> the Court also awarded moral and exemplary damages in the same amounts imposed by the CA.<sup>47</sup> Legal interest

<sup>44</sup> *Id.* at 755–756.

<sup>45</sup> *Masil v. People*, 919 Phil. 135 (2022) [Per J. Inting, Second Division]; *Peralta v. People*, 817 Phil. 554 (2017) [Per J. Perlas-Bernabe, Second Division]; *Mabunot v. People*, 795 Phil. 453 (2016) [Per J. Reyes, Third Division]; *People v. Mantalaba*, 669 Phil. 457 (2011) [Per J. Peralta, Third Division].

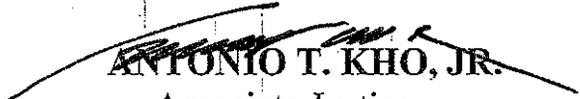
<sup>46</sup> G.R. No. 256452, February 25, 2025 [Per J. Kho, Jr., *En Banc*].

<sup>47</sup> *Id.* at 21–22.

on these amounts at the rate of 6% per annum from the date of finality of this resolution is also in accord with jurisprudence.<sup>48</sup>

**ACCORDINGLY**, the appeal is **DISMISSED**. The Decision dated March 31, 2022 of the Court of Appeals in CA-G.R. CR No. 44309 is **AFFIRMED**. Accused-appellant Martin Cook y Garth is found **GUILTY** beyond reasonable doubt of qualified trafficking in persons as defined and penalized under Section 4, in relation to Section 6(a) and (c) of Republic Act No. 9208, as amended. He is sentenced to suffer the penalties of life imprisonment and a PHP 2,000,000.00 fine. He is likewise ordered to **PAY** for each of the victims, namely AAA271526, BBB271526, CCC271526, and DDD271526, the amounts of 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 ruling until full payment.

**SO ORDERED.** (*Lazaro-Javier, on official business.*)

  
ANTONIO T. KHO, JR.

Associate Justice

**WE CONCUR:**

  
MARVIC M.V.F. LEONEN

Acting Chief Justice  
Chairperson

(on official business)

AMY C. LAZARO-JAVIER

Associate Justice

  
JHOSEP Y. LOPEZ

Associate Justice

  
RAUL B. VILLANUEVA

Associate Justice

<sup>48</sup> *Id.*

**CERTIFICATION**

Pursuant to Section 13, Article VIII 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.

  
MARVIC M.V.F. LEONEN  
Acting Chief Justice

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