



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE G.R. No. 242473
PHILIPPINES,
Plaintiff-appellee,

- versus -

ADRIAN ADRALES y JURADO
a.k.a. "ALICIA BAKLA,"
Accused-appellant.

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

Promulgated:

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DECISION

KHO, JR., J.:

Before the Court is an ordinary appeal¹ filed by Adrian Adrales y Jurado (Adrales) seeking the reversal of the Decision² dated March 26, 2018 of the Court of Appeals (CA) in CA-G.R. CR HC No. 07727, which affirmed with modification the Joint Decision³ dated August 14, 2015 of Branch 207, Regional Trial Court of [REDACTED] (RTC) in Criminal Case Nos. 12-017, 12-018, and 12-019, finding Adrales guilty beyond reasonable doubt of three counts of qualified trafficking in persons under Section 4(a), in relation

¹ Rollo, p. 17.

² Id. at 2-16. Penned by Associate Justice Carmelita Salandanan Manahan with the concurrence of Presiding Justice Romeo F. Barza and Associate Justice Stephen C. Cruz of the First (1st) Division of the Court of Appeals, Manila.

³ CA rollo, pp. 22-31. Penned by Presiding Judge Philip A. Aguinaldo of Branch [REDACTED], Regional Trial Court, [REDACTED].

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to Section 6(a) of Republic Act No. (RA) 9208⁴ or the Anti-Trafficking in Persons Act of 2003.

The Facts

This case stemmed from three separate Informations indicting Adrales for qualified trafficking in persons, the accusatory portions of which read:

Criminal Case No. 12-017

That in or about the month of July, 2011 in the City of [REDACTED], Philippines and within the jurisdiction of this Honorable Court, the above-named accused, an adult, did then and there willfully [*sic*] and unlawfully recruit, transport and transfer complainant "AAA" a 14 year old minor born on December 2, 1996 for the purpose of prostitution and sexual exploitation by introducing complainant to a certain "Emong," who thereafter had sex with complainant in three separate occasions in "Emong's" house located in [REDACTED], [REDACTED], Philippines and after every sexual intercourse with "Emong" accused initially gave complainant the sum of Eight Hundred Pesos (P800.00) and thereafter, on the last two (2) occasions, the amount of Seven Hundred (P700.00) for every sexual intercourse or for a total amount of two thousand pesos hundred pesos (P2,000.00).

With the presence of the qualifying circumstance that at the time of the foregoing incidents, complainant was still a 14 year old child.

CONTRARY TO LAW.⁵

Criminal Case No. 12-018

That in or about the month of July, 2011 in the City of [REDACTED], Philippines and within the jurisdiction of this Honorable Court, the above-named accused, an adult, did then and there willfully [*sic*] and unlawfully recruit, transport and transfer complainant "AAA" a 14 year old minor born on December 2, 1996 for the purpose of prostitution and sexual exploitation by introducing complainant to a certain "Sir," who thereafter had sex with complainant in two separate occasions in [REDACTED] located in [REDACTED], Muntinlupa, Philippines and after every sexual intercourse with "Sir" accused twice gave complainant the sum of Eight Hundred Pesos (P800.00) or for a total amount of One Thousand Six Hundred Pesos (P1,600.00).

With the presence of the qualifying circumstance that at the time of the foregoing incidents, complainant was still a 14 year old child.

CONTRARY TO LAW.⁶

⁴ Republic Act No. 9208 (2003), 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.

⁵ CA rollo, p. 22.

⁶ *Id.* at 23.

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Criminal Case No. 12-019

That in or about the month of July, 2011 in the City of [REDACTED], Philippines and within the jurisdiction of this Honorable Court, the above-named accused, an adult, did then and there willfully [*sic*] and unlawfully recruit, transport and transfer complainant “AAA” a 14 year old minor born on December 2, 1996 for the purpose of prostitution and sexual exploitation by introducing complainant to a certain “Nan,” who thereafter had sex with complainant in three separate occasions in [REDACTED] located in [REDACTED], Philippines and after every sexual intercourse with “Nan” accused gave complainant the sums of Eight Hundred Pesos (P800.00), Six Hundred Pesos (P600.00) and Four Hundred Pesos (P400.00), respectively, or for a total amount of One thousand Eight Hundred Pesos (P1,800.00).

With the presence of the qualifying circumstance that at the time of the foregoing incidents; complainant was still a 14 year old child.

CONTRARY TO LAW.⁷

Adrales pleaded not guilty to all charges upon his arraignment on November 28, 2012.⁸

The prosecution alleged that sometime in July 2011, 14-year-old AAA⁹ was walking along the railroad tracks on her way home from a party¹⁰ when she met Adrales.¹¹ After asking AAA what time it was, Adrales introduced himself and invited her to come with him to the house of his friend named “Emong.”¹²

After eating and watching television, Adrales and Emong went out of the house, but shortly after, only Emong returned.¹³ After answering AAA’s query as to where Adrales went, Emong started touching her legs.¹⁴ AAA initially resisted, but Emong was persistent.¹⁵ He held AAA’s arms, guided her to lie down, took off her shorts and underwear, and had sexual intercourse

⁷ *Id.*

⁸ *CA rollo*, p. 23.

⁹ 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 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. Del Castillo, 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.

¹⁰ *CA rollo*, pp. 25, 94.

¹¹ *Rollo*, p. 5.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

with her.¹⁶ AAA said the act was quick. Adrales then returned and gave AAA PHP 800.00 after the incident.¹⁷

Enticed by the money that Adrales gave her, AAA once more went with Adrales to a “raket within the same month;” this time, meeting a man named only as “Sir” or “Tutor.”¹⁸ AAA then had sexual intercourse with Sir together with her friend, Mae. After the incident, AAA and Mae received PHP 700.00.¹⁹ The sexual encounter with Sir was allegedly repeated.²⁰

A month after, on August 2011, Adrales introduced AAA to another friend named “Hernan.”²¹ In addition to paying her PHP 800.00 for her “services,” Hernan also offered perfume and shoes or slippers as payment.²² Similar to what happened with Emong and Sir, the sexual encounter with Hernan was repeated.²³

In defense, Adrales vehemently denied the charges against him. He claimed that it was AAA who knew Emong, Sir, and Hernan,²⁴ and that AAA and Hernan were in a relationship according to the former.²⁵ Adrales asserted that he only realized that AAA was engaged in prostitution after hanging out with her almost every night.²⁶ He added that he had nothing to do with it since AAA was already well-known in their place as a woman of ill-repute, or a “*pokpok*” or “*pila-balde*.”²⁷ Adrales then averred that he had already dissociated himself from AAA after rumors began to spread that he was the latter’s pimp.²⁸ He added that he was surprised when he was arrested by the police three months after he and AAA’s sister agreed, during the barangay proceedings, that he would no longer communicate with AAA²⁹ in exchange for the withdrawal of the complaint for trafficking filed against him by AAA and her sister.³⁰

In addition, the defense presented Raquel Constantino (Raquel), who claimed to be the wife of Hernan.³¹ Pertinently, Raquel testified that she did not believe AAA’s statement that she was being pimped by Adrales, because

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* at 6.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.* See also CA rollo, pp. 26, 27. Note that per the CA Decision, AAA was given “slippers;” the RTC Joint Decision, however, mentioned that AAA was given “shoes” in one part and “sleepers” in another.

²³ *Id.*

²⁴ *Id.* at 7.

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.* at 12. See also CA rollo, p. 27.

²⁸ *Id.* at 7.

²⁹ *Id.* at 8.

³⁰ CA rollo, p. 27.

³¹ Rollo, pp. 6, 8.

she allegedly knew the latter³² for more than 10 years.³³ Raquel added that her husband admitted to her that he and AAA were in a relationship two months before AAA first met Adrales.³⁴

The RTC Ruling

In a Joint Decision³⁵ dated August 14, 2015, Adrales was found guilty beyond reasonable doubt of three counts of qualified trafficking in persons. The dispositive portion of the Joint Decision reads:

WHEREFORE, accused Adrian Adrales y Jurado @ “Alicia Bakla” is found guilty beyond reasonable doubt of three counts of qualified trafficking in persons under Section 6(a) in relation to Section 4(a) of R.A. 9208, the Anti-Trafficking in Persons Act of 2003 in Criminal Cases No. 12-017, 12-018 and 12-019 for Acts of Trafficking in Persons, and is hereby sentenced to three (3) life imprisonment under Section 10 (c) of R.A. 9208 and is ordered to pay a fine of two million pesos (P2,000,000.00) per count. He is further ordered to pay “AAA” P30,000.00 as and for moral damages per count, and P30,000.00 as and for exemplary damages per count, all with 6% per annum as interest upon the finality of this decision until fully paid.

The Jail Warden, Muntinlupa City Jail, Muntinlupa City, is directed to immediately transfer the custody of the accused to the New Bilibid Prison for the service of his sentence.

SO ORDERED.³⁶

The RTC gave full faith and credit to the testimony of AAA and ruled that the prosecution was able to prove the guilt of Adrales.³⁷ It held that the evidence clearly showed that Adrales took advantage of AAA’s vulnerability, as she was just 14 years old at the time when the offenses were committed.³⁸ According to the RTC, the best evidence against Adrales was his own admission that he escorted AAA to, and was present in, all the places where AAA was sexually exploited by Emong, Sir, and Hernan, even to the extent that he waited for the consummation of the sexual acts and had to leave together with AAA each time.³⁹ The trial court also found that this circumstance gave credence to AAA’s testimony that Adrales acted as her manager and had to wait for his share in the payment for the sexual services offered by AAA.⁴⁰ Additionally, it rejected as immaterial and irrelevant Adrales’s defense that AAA is a well-known prostitute, citing in this regard the “sexual shield rule.”⁴¹ It further held Adrales’s general denial is self-

³² *Id.* at 8.

³³ *CA rollo*, p. 28.

³⁴ *Rollo*, p. 8.

³⁵ *CA rollo*, pp. 22–31.

³⁶ *Id.* at 31.

³⁷ *Id.* at 28, 29.

³⁸ *Id.* at 30.

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *CA rollo*, p. 31.

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serving without independent supporting evidence or credible corroborating testimony.⁴²

Aggrieved, Adrales sought redress with the CA.

The CA Ruling

In a Decision⁴³ dated March 26, 2018, the CA affirmed Adrales's conviction with modification only as to the damages awarded. The decretal portion of the CA Decision reads as follows:

WHEREFORE, premises considered, the Appeal is **DENIED**. The Joint Decision dated August 14, 2015 rendered by [the] Regional Trial Court, Branch [REDACTED], [REDACTED] finding accused-appellant Adrian Adrales y Jurado **guilty** of three (3) counts of Qualified Trafficking in Persons under Section 6 (a) in relation to Section 4 (a) of Republic Act No. 9208 in *Criminal Case Nos. 12-017 to 12-019* is **AFFIRMED WITH MODIFICATION** only as to damages awarded.

Accused-appellant Adrian Adrales y Jurado is ordered to pay AAA Five Hundred Thousand Pesos (Php 500,000.00) as moral damages and One Hundred Thousand Pesos (Php 100,000.00) as exemplary damages for each count, all with six percent (6%) per annum interest upon the finality of this Decision.

SO ORDERED.⁴⁴ (Emphasis in the original)

Finding the appeal bereft of merit, the CA agreed with the RTC that the prosecution proved the existence of all the elements of the offense,⁴⁵ and held that AAA's testimony consistently identified Adrales as the one who pimped her to his friends, handled "bookings" for her "services," and enticed her with stories of money, perfume, and shoes or slippers.⁴⁶ It also concurred with the RTC that Adrales's denial does not deserve credence,⁴⁷ and similarly rebuffed his defense that AAA was a well-known prostitute, pursuant to the sexual abuse shield rule⁴⁸ under the Rule on Examination of a Child Witness.⁴⁹

Unperturbed, Adrales entreats this Court to overturn his conviction.

⁴² *Id.*

⁴³ *Rollo*, pp. 2-16.

⁴⁴ *Id.* at 15.

⁴⁵ *Id.* at 14.

⁴⁶ *Id.* at 13.

⁴⁷ *Id.*

⁴⁸ *Id.* at 12-13.

⁴⁹ A.M. No. 00-4-07-SC, entitled "RULE ON EXAMINATION OF A CHILD WITNESS" (December 15, 2000).

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The Issue Before the Court

The core issue for resolution is whether the CA erred in affirming Adrales's conviction for qualified trafficking in persons under Section 4(a), in relation to Section 6(a) of RA 9208.

Adrales reiterates the arguments he raised with the CA.⁵⁰ He submits that the courts *a quo* erred in giving credence to AAA's testimony while rejecting his defense of denial,⁵¹ and that the prosecution failed to prove all the elements of the crime charged.⁵² Adrales further maintains that the prosecution's evidence is insufficient to establish that he committed the crime for the purpose of exploiting or prostituting AAA.⁵³ On the contrary, he insists that the evidence of the prosecution shows that AAA was publicly known as a "*pila-balde*" and that she had sex with her customers without any coercion, influence, or pressure from anybody.⁵⁴ He also avers that he never received any payment or commission from AAA, as in fact AAA received payments directly from her customers, and that he only accompanied her because of her offer of free drinks and food.⁵⁵ Lastly, Adrales stresses that his right to be presumed innocent should prevail over the prosecution's flimsy and insufficient evidence,⁵⁶ arguing in this regard that not all denials and alibis should be regarded as fabricated because a truly innocent person would have no other defense but denial and alibi.⁵⁷

The People of the Philippines, through the Office of the Solicitor General (OSG), similarly repleaded its contentions.⁵⁸ It submits that Adrales's culpability was proven beyond reasonable doubt,⁵⁹ as it was clear from the evidence that AAA—a child at the time her "services" were peddled by appellant—was recruited, solicited, and pimped for sexual intercourse and exploitation to several male customers.⁶⁰ The OSG asserts that Adrales took advantage of AAA's vulnerability as a child by enticing her with money and material things.⁶¹ It also stresses that Adrales truly acted as AAA's recruiter and manager, as he sent her text messages whenever there were customers, accordingly set up the meetings, accompanied AAA wherever she and the customer would consummate the sexual act, and thereafter gave money to AAA.⁶² The OSG further argues that Adrales's denial cannot prevail over the clear, categorical, and positive testimony of AAA,⁶³ highlighting in this sense

⁵⁰ Rollo, pp. 25–26. See also CA rollo, pp. 55–68.

⁵¹ CA rollo, pp. 57, 62.

⁵² *Id.* at 57, 63.

⁵³ *Id.* at 64.

⁵⁴ *Id.* at 64–66.

⁵⁵ *Id.* at 64, 65.

⁵⁶ *Id.* at 67.

⁵⁷ *Id.* at 66.

⁵⁸ Rollo, pp. 31–33. See also CA rollo, pp. 90–101.

⁵⁹ CA rollo, p. 95.

⁶⁰ *Id.* at 97.

⁶¹ *Id.*

⁶² *Id.* at 98.

⁶³ *Id.*

case law which states that factual findings of the trial court are generally given full weight and utmost respect on appeal.⁶⁴ Finally, the OSG emphasizes that knowledge or consent of the minor is not a defense in the crime of trafficking of persons.⁶⁵

The Court's Ruling

The appeal has no merit.

“Section 3(a) of RA 9208 defines the term ‘Trafficking in Persons’ as the ‘recruitment, transportation, transfer or 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 persons, 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 same provision further provides that ‘[t]he recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall also be considered as ‘trafficking in persons’ even if it does not involve any of the means set forth in the preceding paragraph.”⁶⁶

Relatedly, Section 4 of the same law provides for an enumeration of acts constituting “Trafficking in Persons” which provides:

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, 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; . . .

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,

⁶⁴ *Id.* at 99.

⁶⁵ *Id.*

⁶⁶ *People v. Estonilo*, 888 Phil. 332, 340 (2020) [Per S.A.J. Perlas-Bernabe, Second Division], citing *People v. XXX and YYY*, 835 Phil. 1083 (2018) [Per J. Perlas-Bernabe, Second Division]. See also *People v. Amurao*, 878 Phil. 306 (2020) [Per J. Caguioa, First Division], citing *People v. Casio*, 749 Phil. 458 (2014) [Per J. Leonen, Second Division].

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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.”⁶⁷ 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.”

The Court agrees with the courts *a quo* that the prosecution was able to establish all the elements of the offense. In the case at bar, the testimony of AAA was direct, straightforward, and consistent. She clearly narrated that Adrales befriended her, and from there recruited her, frequently contacted her through text messages, and transported her to the places where she was to engage in sexual activities. This was not just with one man, but with two other men, and multiple times at that. In all these instances Adrales, as observed by both courts *a quo*, was with AAA before, during, and after her sexual encounters. AAA was also forthright that both she and Adrales were paid for her sexual “services,” and that this was the main reason why she was enticed to continue with the arrangement. Indeed, Adrales took advantage of AAA’s invulnerability and would have continued to do so had Raquel not discovered the infidelity of her husband, which led to a confrontation with AAA and, in turn, led to AAA relating the incidents to her family.⁶⁸ Finally, AAA’s minority was proven by the presentation of her Birth Certificate.⁶⁹

Adrales, on the other hand, principally grounded his defense on denial. However, it does not hold water. As correctly held by the CA, denial is an intrinsically weak defense.⁷⁰ The Court must stress as to this point that Adrales’s denial cannot outweigh AAA’s positive testimony—because a categorical statement that has the earmarks of truth prevails over a bare denial, which can easily be fabricated and therefore inherently unreliable.⁷¹ Further note is taken of the ruling that denial merits no weight in law and cannot be given greater evidentiary value than the testimony of a credible witness who testified on affirmative matters.⁷² Moreover, the Court cannot help but agree with the CA that Adrales’s defense of denial should be considered self-serving since it remains unsubstantiated by clear and convincing evidence.⁷³

While Adrales assails the credibility of AAA, the RTC has observed that her testimony was credible. Significantly, the CA affirmed these findings and it made AAA’s testimony the bases of its own conclusions. On this score,

⁶⁷ *People v. Estonilo*, 888 Phil. 332, 341 (2020) [Per S.A.J. Perlas-Bernabe, Second Division], citing *People v. Hirang*, 803 Phil. 277, 289 (2017) [Per J. Reyes, J., Third Division].

⁶⁸ *Rollo*, pp. 6, 8.

⁶⁹ *Id.* at 5, 14. *See also* CA *rollo*, p. 24.

⁷⁰ *Id.* at 13.

⁷¹ *People v. Moreno*, 872 Phil. 17, 28 (2020) [Per J. Hernando, Second Division].

⁷² *People v. Bensig*, 437 Phil. 748, 760 (2002) [Per J. Corona, Third Division].

⁷³ *Rollo*, p. 13.

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case law instructs that the Court can do no more but accord the highest respect to such an assessment, for it is well-settled that factual findings of the trial courts, including its assessment of the credibility of witnesses, the probative weight of their testimonies as well as the documentary evidence, including the conclusions anchored on the said findings, are accorded great weight and respect, especially when the same are affirmed by the CA, as in this case.⁷⁴ This is so because trial courts have the unique opportunity to observe the demeanor of the witnesses, and are thereby in the best position to discern whether they are telling the truth.⁷⁵ This is a crucial vantage point denied to appellate courts. Appellate courts should therefore exercise restraint in overturning these factual findings and may only do so when it is clearly and convincingly shown that the trial courts overlooked facts or circumstances of weight and substance that would affect the result of the case.⁷⁶

This Court has painstakingly gone over the record and found no error or grave abuse of discretion on the part of the RTC, as affirmed by the CA, in giving credence to the testimony of AAA over Adrales's denial and counterstatement of facts. The conclusions derived by the courts *a quo* from AAA's testimony on record were in accord with reason, common sense, and human experience. The Court also agrees that AAA's testimony—vis-à-vis that of Adrales—is more credible and more likely to be true to a reasonable, practical, and informed person, because it is consistent with the expected probabilities surrounding the circumstances upon which the case is based. Hence, there is a very strong basis—one that is beyond reasonable doubt—for finding Adrales guilty. Instructive on this point is the ruling in *Medina, Jr. v. People of the Philippines*,⁷⁷ where the Court held:

Verily, the issue of credibility, when it is decisive of the guilt or innocence of the accused, is determined by the conformity of the conflicting claims and recollections of the witnesses to common experience and to the observation of mankind as probable under the circumstances. It has been appropriately emphasized that “[w]e have no test of the truth of human testimony, except its conformity to our knowledge, observation, and experience. Whatever is repugnant to these belongs to the miraculous and is outside of judicial cognizance.”⁷⁸

Additionally, the case law considering the crime of Trafficking in Persons as akin to the crimes of seduction, abduction, rape, or other lascivious acts,⁷⁹ means that the longstanding doctrine that a rape victim's lone and uncorroborated testimony, if clear, credible, convincing, and otherwise

⁷⁴ *People v. Amurao*, 878 Phil. 306, 323 (2020) [Per J. Caguioa, First Division].

⁷⁵ *People v. Dayaday*, 803 Phil. 363, 371 (2017) [Per J. Caguioa, First Division].

⁷⁶ *Id.*

⁷⁷ 724 Phil. 226 (2014) [Per J. Bersamin, First Division].

⁷⁸ *Id.* at 238.

⁷⁹ *People v. Amurao*, 878 Phil. 306, 323 (2020) [Per J. Caguioa, First Division] and *People v. Hirang*, 803 Phil. 277, 289 (2017) [Per J. Reyes, J., Third Division], both citing *People of the Philippines v. Lalli*, 675 Phil. 126, 159 (2011) [Per J. Carpio, Second Division].

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consistent with human nature, is sufficient to support the conviction of an accused⁸⁰ logically applies in this case.

To reiterate, when a trial court's findings have been affirmed by the CA, these are generally binding and conclusive on this Court.⁸¹ There is nothing on record to indicate or convince the Court that the courts *a quo* overlooked facts or circumstances of weight and substance that would affect the result of the case, then it behooves this Court to uphold said findings and affirm the conviction of Adrales.

Adrales's denial aside, he also assails the supposed failure of the courts *a quo* to take cognizance of his claim that AAA was a well-known woman of ill-repute—a prostitute—or colloquially, "*pokpok*" or "*pila-balde*." Setting this claim against the elements of the offense of Trafficking in Persons, Adrales goes on to assert that he could not have committed any of the acts constitutive of trafficking as defined by RA 9208, and he could not have employed any of the means by which the crime can be committed, since AAA engaged in prostitution on her own will.⁸² Both courts *a quo* found this contention misplaced since his testimony on this subject is inadmissible, on account of the sexual abuse shield rule.

The Court agrees.

Under Section 30(a) of the Rule on Examination of a Child Witness (RECW),⁸³ evidence offered to prove that the alleged victim engaged in other sexual behavior, or offered to prove the sexual predisposition of the alleged victim, is **not admissible in any criminal proceeding involving alleged child sexual abuse:**

SECTION 30. *Sexual Abuse Shield Rule.* —

(a) *Inadmissible evidence.* — The following evidence is not admissible in any criminal proceeding involving alleged child sexual abuse:

- (1) Evidence offered to prove that the alleged victim engaged in other sexual behavior; and
- (2) Evidence offered to prove the sexual predisposition of the alleged victim.

⁸⁰ See *People v. Agao*, G.R. No. 248049, October 4, 2022, citing *People v. Castromero*, 345 Phil. 653 (1997) [Per J. Panganiban, Third Division]; *People v. XXX*, G.R. No. 231836, July 13, 2022; *People v. Olpindo*, G.R. No. 252861, February 15, 2022 [Per C.J. Gesmundo, *En Banc*]; and *People v. Sanay*, G.R. No. 248113, December 7, 2021 [Per J. Caguioa, First Division].

⁸¹ *People v. XXX*, G.R. No. 248815, March 23, 2022 [Per J. Hernando, Second Division].

⁸² CA rollo, pp. 64–66.

⁸³ A.M. No. 00-4-07-SC (2000), Re: Proposed Rule on Examination of a Child Witness.

The sexual abuse shield rule is a variation of the **rape shield rule** found under Section 6 of RA 8505,⁸⁴ or the “Rape Victim Assistance and Protection Act,” which states:

SEC. 6. *Rape Shield.* — In prosecutions for rape, evidence of complainant’s past sexual conduct, opinion thereof or of his/her reputation shall not be admitted unless, and only to the extent that the court finds, that such evidence is material and relevant to the case.

Both these rules, and particularly Section 30 of the RECW, mirror Rule 412(a) of the Federal Rules of Evidence,⁸⁵ which provides:

**Rule 412—Sex-Offense Cases: The Victim’s
Sexual Behavior or Predisposition**

(a) **Prohibited Uses.** The following evidence is not admissible in a civil or criminal proceeding involving alleged sexual misconduct:

- (1) evidence offered to prove that a victim engaged in other sexual behavior; or
- (2) evidence offered to prove a victim’s sexual predisposition.

As explained in the *Advisory Committee Notes to the Federal Rules of Evidence* clarifying the 1994 amendments to the Federal Rules of Evidence of the United States,⁸⁶ the rule aims to safeguard the alleged victim against the invasion of privacy, potential embarrassment, and sexual stereotyping that is associated with the public disclosure of intimate sexual details and the infusion of sexual innuendo into the fact-finding process. Further, the protection afforded by the rule likewise encourages alleged victims of sexual misconduct to institute, and to participate in, legal proceedings against alleged offenders, as it bars evidence relating to their sexual behavior or alleged sexual predisposition, whether offered as substantive evidence or for impeachment.⁸⁷

More, the adoption of the sexual abuse shield rule in cases such as the one at bar is significant because our Rules on Evidence allow previous conduct as evidence under Rule 130, Section 34, as well as character evidence under Rule 130, Section 54—both of which could be used against children or minors to deleterious effect, given that fear of court process, fear of exposure or labeling, and fear that they will not be believed are major deterrents to

⁸⁴ Republic Act No. 8505 (1998), An Act Providing Assistance and Protection for Rape Victims, Establishing for the purpose a Rape Crisis Center in Every Province and City, Authorizing the Appropriation of Funds therefor, and for Other Purposes.

⁸⁵ See DIOSDADO M. PERALTA & EDUARDO B. PERALTA, JR., *Insights on Evidence* (2020), pp. 1106–1107.

⁸⁶ See DANIEL J. CAPRA, *Advisory Committee Notes to the Federal Rules of Evidence That May Require Clarification* (1998); available at < <https://www.uscourts.gov/sites/default/files/capra.pdf> > (last accessed November 17, 2023). See also < https://www.law.cornell.edu/rules/fre/rule_412 > (last accessed November 17, 2023).

⁸⁷ *Id.*

176

children from seeking legal intervention.⁸⁸ Espousal of the rule is likewise consistent with the best interests of the child, which is a paramount consideration in matters involving minors. Additionally, it would prevent a predisposition in the mind of the judge hearing the case against a child who may be, at some point, in conflict with the law.

Considering once more that jurisprudence treats the crime of Trafficking in Persons as analogous to the crimes of seduction, abduction, rape, or other lascivious acts⁸⁹—and as a matter of fact even deems it **worse**—then the testimony of Adrales, as well as Raquel, with respect to AAA's sexual behavior or predisposition is not admissible in this case. While there is an exception to the Sexual Abuse Shield Rule per Section 30(b) of the RECW, i.e., when the evidence of specific instances of sexual behavior by the alleged victim is offered to prove that a person other than the accused was the source of semen, injury, or other physical evidence,⁹⁰ the same does not clearly apply in this case.

Even assuming *arguendo* that this Court allows the admission of the said testimony against AAA's credibility and accepts it as a fact, it will not serve to overturn Adrales's conviction on the basis of reasonable doubt. The Court holds that Adrales would remain criminally liable in such an instance, because on one hand, AAA being a prostitute is immaterial, irrelevant, and has nothing to do with the offense committed by Adrales and is not *per se* determinative of whether he engaged in the acts deemed punishable by law. This will not, in any form or manner, serve to exempt or mitigate Adrales's liability, or negate his unlawful activities or his violation of RA 9208, as related by AAA. On the other, Trafficking in Persons can still be committed even though the minor or the victim knew about or consented to the act of trafficking.⁹¹ As defined under Section 3(a) of RA 9208, the crime can exist **even with the victim's consent or knowledge.**⁹²

Incidentally, this Court notes that despite his protestations that he is innocent, Adrales was nowhere to be found at the time a warrant of arrest was issued against him. As related by the CA, the return dated January 25, 2012 of the warrant of arrest indicated that Adrales could no longer be contacted or located. His whereabouts were unknown,⁹³ which necessitated the issuance of an alias warrant of arrest, as well as the archiving of the case.⁹⁴ This brings to fore the well-settled doctrine that the unexplained flight of an accused can

⁸⁸ See ELITA JOY G. PINGA & ANNA VICTORIA M. VELOSO, *The Child Witness and the Law: The Truth (And Nothing But)* (2006); available at < <https://cids.up.edu.ph/wp-content/uploads/2022/03/The-Child-Witness-and-the-Law-vol.10-no.2-July-Dec-2006-4.pdf> > (last accessed November 17, 2023).

⁸⁹ *People v. Amurao*, 878 Phil. 306, 323 (2020) [Per J. Caguioa, First Division] and *People v. Hirang*, 803 Phil. 277, 289 (2017) [Per J. Reyes, J., Third Division], both citing *People v. Lalli*, 675 Phil. 126, 159 (2011) [Per J. Carpio, Second Division].

⁹⁰ Section 30 (b), A.M. 00-4-07-SC.

⁹¹ *People v. Casio*, 749 Phil. 458 (2014) [Per J. Leonen, Second Division].

⁹² *People v. Lalli*, 675 Phil. 126, 159 (2011) [Per J. Carpio, Second Division].

⁹³ *Rollo*, p. 4.

⁹⁴ *Id.* at 5.

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generally be taken as evidence that tends to establish his or her guilt.⁹⁵ As aptly explained by the Court in *People of the Philippines v. Camat*.⁹⁶

Flight in criminal law is the evading of the course of justice by voluntarily withdrawing oneself in order to avoid arrest or detention or the institution or continuance of criminal proceedings. In one case, this Court had stated that it is well-established that the flight of an accused is competent evidence to indicate his guilt; and flight, when unexplained, is a circumstance from which an inference of guilt may be drawn. Indeed, the wicked flee when no man pursueth, but the innocent are as bold as lion.⁹⁷

From the foregoing, the Court accordingly affirms the ruling of both courts *a quo* that appellant is guilty beyond reasonable doubt of the crime of qualified trafficking in persons. The crime is qualified because, as stated earlier, Section 6(a) of RA 9208 explicitly states that the crime is considered *qualified* “[w]hen the trafficked person is a child.”

The Court likewise affirms the penalty imposed by the RTC as affirmed by the CA, as well as the damages awarded as modified by the CA.

Under Section 10(c)⁹⁸ of RA 9208, any person found guilty of qualified trafficking 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. The penalty is sustained even with the amendment of RA 9208, as the wording of Section 10(c) is retained *in toto* under what is now Section 10(e) of RA 9208, as amended by Section 12⁹⁹ of RA 10364.¹⁰⁰ Thus, as affirmed by the CA, the RTC correctly sentenced Adrales to suffer three counts of life imprisonment,

⁹⁵ *People v. Lalli*, 675 Phil. 126, 159 (2011) [Per J. Carpio, Second Division].

⁹⁶ 692 Phil. 55 (2012) [Per J. Leonardo-De Castro, First Division].

⁹⁷ *Id.* at 84.

⁹⁸ The provision reads:

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

....

(c) Any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00);

⁹⁹ The provision states:

Section 12. Section 10 of Republic Act No. 9208 is hereby amended to read as follows:

“SEC. 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 Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00);

¹⁰⁰ Republic Act No. 10364 (2012), 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.

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and further, rightly directed appellant to pay a fine of PHP 2,000,000.00 per count, which is within the range provided by law.

Anent the award of damages, the CA saw fit to modify the same pursuant to the ruling in *People v. Hirang*.¹⁰¹ *Hirang*, in turn, cited the ruling in *People v. Lalli*,¹⁰² where the Court explained that:

The Civil Code describes moral damages in Article 2217:

ARTICLE 2217. Moral damages include physical suffering, mental anguish, fright, serious anxiety, besmirched reputation, wounded feelings, moral shock, social humiliation, and similar injury. Though incapable of pecuniary computation, moral damages may be recovered if they are the proximate result of the defendant's wrongful act or omission.

Exemplary damages, on the other hand, are awarded in addition to the payment of moral damages, by way of example or correction for the public good, as stated in the Civil Code:

ARTICLE 2229. Exemplary or corrective damages are imposed, by way of example or correction for the public good, in addition to the moral, temperate, liquidated or compensatory damages.

ARTICLE 2230. In criminal offenses, exemplary damages as a part of the civil liability may be imposed when the crime was committed with one or more aggravating circumstances. Such damages are separate and distinct from fines and shall be paid to the offended party.

The payment of P500,000 as moral damages and P100,000 as exemplary damages for the crime of Trafficking in Persons as a Prostitute finds basis in Article 2219 of the Civil Code, which states:

ARTICLE 2219. Moral damages may be recovered in the following and analogous cases:

- (1) A criminal offense resulting in physical injuries;
- (2) Quasi-delicts causing physical injuries;
- (3) Seduction, abduction, rape, or other lascivious acts;
- (4) Adultery or concubinage;
- (5) Illegal or arbitrary detention or arrest;
- (6) Illegal search;
- (7) Libel, slander or any other form of defamation;

¹⁰¹ *People v. Hirang*, 803 Phil. 277, 289 (2017) [Per J. Reyes, J., Third Division].

¹⁰² *People v. Lalli*, 675 Phil. 126, 159 (2011) [Per J. Carpio, Second Division].

(8) Malicious prosecution;

(9) Acts mentioned in article 309;

(10) Acts and actions referred to in articles 21, 26, 27, 28, 29, 30, 32, 34, and 35.

The parents of the female seduced, abducted, raped, or abused, referred to in No. 3 of this article, may also recover moral damages.

The spouse, descendants, ascendants, and brothers and sisters may bring the action mentioned in No. 9 of this article, in the order named.

The criminal case of Trafficking in Persons as a Prostitute is an analogous case to the crimes of seduction, abduction, rape, or other lascivious acts. In fact, it is worse. . . . Since the crime of Trafficking in Persons was aggravated, . . . , the award of exemplary damages is likewise justified. (emphases and underscoring supplied)

It should be noted that this ruling in *Lalli* has been applied to cases where the accused was charged with qualified trafficking in persons similar to the case at bar, such as in *Hirang*, *People v. Casio*,¹⁰³ *People v. Amurao*,¹⁰⁴ and more recently, *People v. XXX*.¹⁰⁵

The Court, therefore, finds it proper for Adrales to be directed to pay AAA, PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages for **each** of the three counts of qualified trafficking. All these shall be subject to interest at the legal rate of 6% per annum from the finality of this Decision until its full satisfaction.¹⁰⁶

ACCORDINGLY, the appeal is **DISMISSED**. The Decision dated March 26, 2018 of the Court of Appeals in CA-G.R. CR HC No. 07727 is **AFFIRMED**. Accused-appellant Adrian Adrales y Jurado a.k.a. "Alicia Bakla" is hereby found **GUILTY** beyond reasonable doubt of three counts of the crime of qualified trafficking in persons, as defined and penalized under Section 4(a), in relation to Section 6(a) and Section 10(c) of Republic Act No. 9208. He is sentenced to suffer the penalty of three counts of life imprisonment and to pay a fine of PHP 2,000,000.00 per count. He is likewise **ORDERED** to pay AAA the amounts of PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages for each count, all with legal interest at the rate of 6% per annum from the date of finality of this Decision until full payment.


¹⁰³ *People v. Casio*, 749 Phil. 458 (2014) [Per J. Leonen, Second Division].

¹⁰⁴ *People v. Amurao*, 878 Phil. 306, 323 (2020) [Per J. Caguioa, First Division].


¹⁰⁵ See G.R. No. 248815, March 23, 2022 [Per J. Hernando, Second Division].

¹⁰⁶ *Lara's Gifts & Decors, Inc. v. Midtown Industrial Sales, Inc.*, G.R. No. 225433, September 20, 2022 [Per Acting C.J. Leonen, *En Banc*].

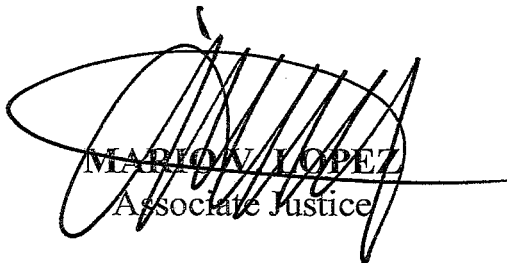
SO ORDERED.



ANTONIO T. KHO, JR.
Associate Justice

WE CONCUR:


MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson



AMY C. LAZARO-JAVIER
Associate Justice


MARION LOPEZ
Associate Justice


JHOSEP V. LOPEZ
Associate Justice

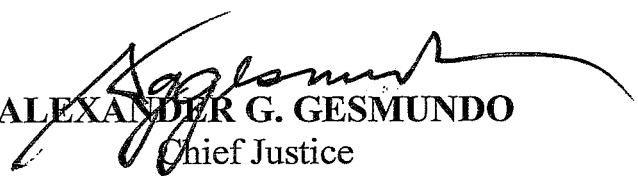
ATTESTATION

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

CERTIFICATION

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

