

Title: People of the Philippines vs. Regina Wendelina Begino y Rogero a.k.a “Weng Fabular” a.k.a “Regina Begino”

Facts:

In September 2011, Milagros Osila was informed that Regina Begino and Darwin Arevalo were recruiting apple-pickers for Canada in Tabaco City, Albay. Milagros, along with her nieces Maelene Canaveral, Geraldine Ojano, and friend Gloria Mape met with the accused, who promised them employment in Canada. The complainants paid various amounts as fees, thinking they would be deployed abroad.

The National Bureau of Investigation (NBI), through an entrapment operation, arrested Regina for illegal recruitment. Subsequently, Regina and Darwin were charged with large scale illegal recruitment and three counts of estafa, while Darwin remained at large. Regina pleaded “not guilty” but was found guilty by the RTC and her conviction was affirmed by the CA. She challenged only the illegal recruitment conviction.

Issues:

1. Whether the elements of large scale illegal recruitment were established.
2. Whether Regina was merely a victim of Darwin’s machinations.
3. The appropriateness of the penalties imposed by the RTC and its modifications.

Court’s Decision:

The Supreme Court dismissed the appeal, affirming Regina’s conviction for large scale illegal recruitment, considering:

- Regina and Darwin lacked the necessary license to recruit for overseas employment.
- They undertook recruitment activities misleading complainants to pay various fees.
- Recruitment was conducted against three or more persons, classifying it as economic sabotage.
- Regina’s active role in the recruitment process disproved her claim of being merely a victim.

Doctrine:

- Illegal recruitment in large scale, especially by an individual not licensed by the POEA, constitutes economic sabotage, punishable by life imprisonment and a fine (Art. 13(b) of the Labor Code; R.A. No. 8042 as amended by R.A. No. 10022).
- The Supreme Court respects the lower courts’ credibility assessments unless there’s substantial evidence overlooked that could affect the case outcome.

Class Notes:

- Elements of Large Scale Illegal Recruitment:
- Lack of valid license or authority for overseas employment recruitment.
- Engagement in recruitment and placement activities as defined by the Labor Code or prohibited practices.
- Recruitment of three or more persons, individually or as a group.

- Legal Statutes:
- Article 13(b) of the Philippine Labor Code defines recruitment and placement activities.
- R.A. No. 8042 (Migrant Workers and Overseas Filipinos Act of 1995), as amended by R.A. No. 10022, outlines penalties for illegal recruitment.

Historical Background:

The case underscores the Philippines' persistent issue with illegal recruitment targeting individuals seeking overseas employment. It reflects the legal framework's evolution, particularly R.A. No. 8042 as amended by R.A. No. 10022, enhancing penalties for illegal recruitment to protect potential overseas Filipino workers (OFWs). The decision reinforces the judiciary's role in combating illegal recruitment and emphasizes the importance of verifying recruiters' legitimacy.